



**AUSTRALIAN RAIL TRACK CORPORATION LTD**

Our Reference: 65/710/392  
Your Reference: DA13/68

10 January 2014

The General Manager  
Kyogle Council  
P O Box 11  
KYOGLE NSW 2474

Attention: Greg Meyers

Dear Greg,

**RE: DEVELOPMENT APPLICATION – 2013/68  
LOT 1 DP 8406 AND LOT 7002 DP 92699 -  
WEIGHBRIDGE, WASTE PROCESSING AND RECOVERY FACILITY AND SITE  
IMPROVEMENTS – KYOGLE LICENCE LANDFILL**

Thank you for your correspondence dated 5 December 2013 regarding the abovementioned Development Application.

I subsequently advise that Council should consider the State Environmental Planning Policy (SEPP) (Infrastructure) 2007 and *Development Near Rail Corridors And Busy Roads – Interim Guideline*, published in the NSW Government Gazette No.158 on 19 December 2008 when determining this application.

ARTC requests that, due to the nearby rail corridor, Council considers the following in its assessment of the application;

**Noise and Vibration**

ARTC requests that the Council consider the requirements of *Development Near Rail Corridors And Busy Roads – Interim Guideline* and whether any noise sensitive uses within the development are likely to be adversely affected by rail noise or vibration.

- A copy of the guidelines can be found by following the below link:

<http://www.planning.nsw.gov.au/rdaguidelines/documents/DevelopmentNearBusyRoadsandRailCorridors.pdf>

**Stormwater**

ARTC wants to ensure that stormwater from the development, does not affect the rail corridor and existing culverts and requests that Council impose as a condition of consent that the developer will ensure that stormwater does not affect the rail corridor, such as:

1. Prior to a Construction Certificate being issued, the applicant must submit

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details of stormwater disposal to Council for approval. The flow of stormwater toward the rail corridor must not be increased by the proposed development. All approved details for the disposal of stormwater and drainage are to be implemented in the development.

### **Level Crossing 821.951 km**

The Rail Safety Act 2008 (Schedule 3) requires interface agreements to be in place for all NSW level crossings by 1 January 2012.

As a condition of consent is it requested that the road infrastructure manager being Kyogle Council execute the interface agreement for level crossings on the Australian Rail Track Corporation's network.

Additional information can be found by following the below link:

<http://www.transport.nsw.gov.au/content/rail-and-road-infrastructure-agreements>

### **Fencing**

The security of fencing along the rail corridor is essential to prevent unauthorised entry. ARTC requests that Council impose a condition of consent requiring that the boundary of the site with the rail corridor be fenced in a 1.8m mesh fence.

Should you have any further enquiries with regard to this matter please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Teena Renés', is written over a light blue horizontal line.

**Teena Renés**  
Property Manager, Newcastle

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