



2 October 2018

Department of Planning and Environment  
Resource Assessments  
GPO Box 39  
SYDNEY NSW 2000

Attention: Anthony Barnes, Senior Environmental Assessment Officer

**PACIFIC HIGHWAY (A1): MP 09\_0175 MOD 2, INCREASE SITE DISTURBANCE AT KARUAH EAST QUARRY PROJECT, BRANCH LANE, KARUAH**

Reference is made to Department of Planning and Environment's ('DPE') email received 21 September 2018, regarding the abovementioned application which was referred to Roads and Maritime Services (Roads and Maritime) for comment.

Roads and Maritime understands the proposed modification seeks to increase site disturbance by 1.133Ha and clear land to provide for additional haulage roads and improved on-site manoeuvring. No additional traffic impacts are anticipated from the proposed modification.

It is further understood that the subject quarry site adjoins and relies on access via Blue Rock Close and across lots currently in freehold ownership of Roads and Maritime. Roads and Maritime granted owners consent on 24 July 2018 for the subject application which continues to use the Blue Rock Close access to the quarry. No modifications to the existing access arrangement are proposed.

Roads and Maritime response

Roads and Maritime has reviewed the information provided and raises no objection to or requirements for the proposed development as it is considered there will be no significant impact on the nearby classified (State) road network.

Advice to DPE

Roads and Maritime recommends that the following matters should be considered by DPE in determining this development:

- RMS has no proposal that requires any part of the property.
- Lot 12 DP1024564 is affected by a *Restriction on the Use of Land* registered on title shown in dealing no. 8687034, which states,

*"No means of access shall be constructed or be allowed to be constructed to or from the land the subject of the restriction onto the proposed controlled access road or freeway (partly comprising Lot 17 Deposited Plan*

1024564) adjoining the land the subject of this restriction and no part or parts of the said land shall be used as a means of access to or from the proposed controlled access road or freeway without the written consent of the prescribed authority (which consent may be revoked at anytime by the prescribed authority at its discretion and the prescribed authority undertakes that if in the future it is necessary to revoke its consent to such access the prescribed authority will provide either an alternative consent access or access by a local public road). The restrictions shall cease to apply if the proposed controlled access road or freeway after having been declared a controlled access road or freeway under the Roads Act 1993, thereafter ceases to be such a controlled access road or freeway. And for the purposes of this Restriction on the Use of Land the prescribed authority agrees to consent access at the following location: 1. Access 10 metres wide across the common boundary of Lots 12 and 17 in DP1024564 which measures 221.87m and bears 103° 20' 10" with its centre point 148.85m north west of the south eastern most extremity of that line (such distance to be known as consent access) to the intent that such consent access is an access by consent of the prescribed authority as provided for in Section 70(b) of the Roads Act 1993 to operate on and from the date of first proclamation of the controlled access road which occurs after the date of this restriction on use of land."

A copy of the Title and Dealing is attached for your information.

- Lot 13 DP1024564 is affected by an 88E(3) Restriction on the Use of Land registered on title shown in dealing no. 9605757, which states,

*"No means of access shall be constructed or be allowed to be constructed to or from the land the subject of the restriction onto the proposed controlled access road or freeway (partly comprising Lot 18 Deposited Plan 1024564) adjoining the land the subject of this restriction and no part or parts of the said land shall be used as a means of access to or from the proposed controlled access road or freeway without the written consent of the prescribed authority (which consent may be revoked at anytime by the prescribed authority at its discretion and the prescribed authority undertakes that if in the future it is necessary to revoke its consent to such access the prescribed authority will provide either an alternative consent access or access by a local public road). The restrictions shall cease to apply if the proposed controlled access road or freeway after having been declared a controlled access road or freeway under the Roads Act 1993, thereafter ceases to be such a controlled access road or freeway. And for the purposes of this Restriction on the Use of Land the prescribed authority agrees to consent access at the following location: 1. Access 8 metres wide shall be provided between Lot 18 DP1024564 and Lot 13 DP1024564 the centre point of such access being located 25.52 metres north west of the south eastern most extremity of that line which bears 113°54'50" and measures 149.49 metres. (such distance to be known as consent access) to the intent that such consent access is an access by consent of the prescribed authority as provided for in Section 70(b) of the Roads Act 1993 to operate on and from the date of first proclamation of the controlled access road which occurs after the date of this restriction on use of land."*

A copy of the Title and 88E Instrument is attached for your information.

- All matters relating to internal arrangements on-site such as traffic / pedestrian management, parking, manoeuvring of service vehicles and provision for people with disabilities are matters for the consent authority to consider.
- Should any work need to be undertaken outside the property boundaries of the subject site including works associated with altering the existing driveway, the developer is to engage with Roads and Maritime Services. All such works shall be undertaken at full cost to the developer and no cost to Roads and Maritime.
- Discharged stormwater from the development shall not adversely impact the stormwater drainage system at the Pacific Highway. DPE must ensure that drainage from the site, particularly additional catchment directed to Dam 2, is catered for entirely on site.

On DPE's determination of this matter, please forward a copy of the Notice of Determination to Roads and Maritime for record and / or action purposes. Should you require further information please contact Hunter Land Use on 4908 7688 or by email at [development.hunter@rms.nsw.gov.au](mailto:development.hunter@rms.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Marler', with a large circular flourish at the beginning.

**Peter Marler**  
Manager Land Use Assessment  
Hunter Region