

Department of Planning & Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Attention: Nathan Heath

SSI-10050 for Wilcannia Weir Replacement in Central Darling Shire LGA

08 September 2022

Dear Nathan,

Thank you for referring the abovementioned development application (DA) via the NSW Major Projects Portal on 14 July 2022 inviting comment from Transport for NSW (TfNSW). Apologies for the delayed response.

TfNSW understands that the proposal seeks to partially remove and decommission an existing weir on the Darling River and construct a new weir approximately 5 river kilometres south of the existing. An existing access track from the Barrier Highway to the new weir is proposed to be upgraded to facilitate better sight distance for exiting traffic for construction traffic and future recreational users of the weir. Concept plans of the proposed road works have not been provided.

TfNSW's Regional and Outer Metropolitan Branch's (TfNSW ROM) primary interests are in the road network, traffic and broader transport issues. In particular, the efficiency and safety of the classified road network, the security of property assets and the integration of land use and transport. In addition, the Maritime Branch of TfNSW (TfNSW Maritime) is the lead state government agency responsible for delivering safety, environmental and access outcomes related to vessel operations throughout NSW under the *Marine Safety Act 1998*.

TfNSW as a collective agency has reviewed the application and supporting documentation submitted and is generally supportive of the proposal subject to Department of Planning & Environment's (DPE) consideration of the following comments in assessing and determining the application:

- The intersection of the Barrier Highway / Southern Access Road (to the weir) must be upgraded to a BAR / BAL treatment prior to the commencement of construction of the new weir. The upgrade must be designed in accordance with Austroads *Guide to Road Design* and relevant Australian Standards (with Transport for NSW supplements) to the satisfaction of TfNSW and in the following manner:
 - The access road must be perpendicular to the highway alignment (thereby removing any informal slip lane arrangement),
 - The intersection design must demonstrate using swept path analysis the capability of safely accommodating all movements for the design vehicle (i.e. heavy vehicle associated with construction traffic),
 - The intersection must be built to the design speed, being 120km/h, and accommodate a passing road train, and

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- The access road must be sealed to Council's specifications and for a minimum length of 40m (i.e. to accommodate the longest vehicle being a 36m A-Double) from the highway edge of pavement to protect the integrity of the highway surface.
- As road works are required on the Barrier Highway (HW8), TfNSW will require the developer to enter into a Works Authorisation Deed (WAD). TfNSW would exercise its powers and functions of the road authority, to undertake road works in accordance with Sections 64, 71, 72 and 73 of the Roads Act, as applicable, for all works under the WAD. All road works under the WAD shall be completed prior to commencing construction of the new weir.

Comment: It is requested that Council advise the developer that the Conditions of Consent do not guarantee TfNSW's final consent to the specific road work, traffic control facilities and other structures or works, for which it is responsible, on the road network. TfNSW must provide a final consent for each specific change to the classified (State) road network prior to the commencement of any work.

The WAD process, including acceptance of design documentation and construction, can take time. The developer should be aware of this and allow sufficient lead time within the project development program to accommodate this process. It is therefore suggested that the developer work through this process as soon as possible with the TfNSW.

- All road works associated with the subject development must be undertaken at full cost to the developer and at no cost to TfNSW.
- Should DPE require a Traffic Management Plan for to manage construction traffic, TfNSW would recommend that the certified traffic controller consider inclusion of temporary advanced warning 'TRUCKS TURNING' signage in preparation of traffic guidance schemes associated with the weir construction vehicle activity.
- Prior to the commencement of construction work impacting traffic on the Barrier Highway, the proponent is to contact the TfNSW Road Access Unit at road.access@transport.nsw.gov.au to determine if a Road Occupancy Licence (ROL) is required. In the event an ROL is required, the proponent is to provide the consent number in the ROL application. Please note that up to 10 working days is required for ROL applications to be assessed and processed. <https://roads-waterways.transport.nsw.gov.au/business-industry/road-occupancy-licence/index.html>.
- Transportation of contaminated fill or materials from the site on public roads must be carried out in accordance with the requirements of *Australian Dangerous Goods Code* and *Australian Standard 4452 Storage and Handling of Toxic Substances*. This must include relevant incident management strategies for transportation on public roads.
- Prior to any works commencing, a Marine Traffic Management Plan (MTMP) be formulated and implemented, in consultation with and approved by Maritime, to allow for the safe operation of vessels, both those involved in the works and others navigating in the area. The generic provisions relating to a MTMP are included as Attachment A.
- After decommissioning the existing weir, a bathymetric survey of the navigable channel be undertaken to ensure that no hazards to navigation inadvertently remain.
- Chain buoys are used to permanently block the entire channel both upstream and downstream of the new weir to prevent vessels from accessing the weir. An example is included in Attachment B for reference.
- From review of the submitted documentation, TfNSW Maritime anticipates that vessel use in the area will increase significantly due to the new weir creating improved conditions for vessel operations, such as the larger weir pool and increased available water depth.

The operation of any vessel associated with the work will need to comply with the National Law for Commercial Vessels (i.e. appropriately certified, crewed and equipped with safety appliances). It is important to note that the proponent, or any entity or contractor acting on their behalf, are not exempt from the provisions of the

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Marine Safety Act 1998, or any other relevant legislation, and all parties must comply with any direction given by NSW Maritime Authorised officers with regard to safe navigation or the prevention of pollution.

Further to the above comments, TfNSW highlights that in determining the application under Part 4 of the *Environmental Planning & Assessment Act 1979* it is the consent authority's responsibility to consider the environmental impacts of any road works which are ancillary to the development, such as (inter alia) removal of trees, relocation of utilities, stormwater management, etc. This includes any works which form part of the proposal and/or any works which are deemed necessary to include as requirements in the conditions of development consent. Depending on the level of environmental assessment undertaken to date and the nature of the works, the Council may require the developer to undertake further environmental assessment for any ancillary road works.

Please forward a copy of the determination to TfNSW at development.west@transport.nsw.gov.au when it is sent to the applicant. If you wish to discuss any of the above matters affecting the road network, please contact the undersigned on ph. 0481-068-175. Alternatively, queries regarding maritime advice and operations should be directed to navsouth@transport.nsw.gov.au.

Yours faithfully,



Kylie-Anne Pont

A/ Team Leader Development Services (Renewable Resources)
West Region | Community and Place
Regional and Outer Metropolitan

Attachment A:

Generic Provisions for a Marine Traffic Management Plan

1. Management and establishment of the Project area and Exclusion Zone

1.1 TfNSW Maritime will:

- a. Declare an 'Exclusion Zone' prohibiting all vessels and persons from entering the Zone (aka: Project Area as defined in the MTMP – 'the Area'), and/or appropriate conditions of use, activity and/or operation within the Area, at a time in accordance with 1.2(a) below.

1.2 The proponent will:

- a. Provide to TfNSW a minimum of 28 days written notice of intention to commence any works within the Area, and/or undertake any works which will restrict or vary existing navigation conditions (safety, access, environment and amenity).
- b. Not commence any such works until notified by TfNSW Maritime of the declaration of the Exclusion Zone, and/or any appropriate conditions of use, activity, and/or operation within the Area.
- c. Upon receipt of notification by TfNSW Maritime, and prior to undertaking any other works, the proponent will establish the Exclusion Zone (the Zone) including supply and installation of all navigation marks, buoyage and signage required.
 - i. Requirements may include:
 - buoyage and signage for the Exclusion Zone;
 - navigation channel lateral marks;
 - channel blocked/closed signals;
 - any other navigation marks or signage required by TfNSW Maritime to ensure the safe and efficient operation of the navigation channel or channels through or around the Area; and
 - Temporary removal or covering of any existing contradictory or superfluous signs, buoyage or marks.
 - ii. When directed by TfNSW Maritime, The Proponent will relocate navigational marks, buoyage and signage to positions determined by TfNSW Maritime.
 - iii. The Proponent will maintain all navigational marks, buoyage and signage until 'construction completion', or until TfNSW Maritime agrees that the navigational marks, buoyage and signage are no longer required.
 - iv. When TfNSW Maritime agrees that navigational marks, buoyage and signage are no longer required, The Proponent must promptly remove these items from the Area.
 - v. The proponent will provide TfNSW Maritime with a minimum of 72 hours' notice of any proposed changes or adjustments to an approved channel or exclusion zone in order for TfNSW Maritime to review and approve the changes and/or adjustments prior to implementation.

1.3 Marking the Exclusion Zone

- a. Marks for the Exclusion Zone will be Special Marks, and:
 - i. Comprise lit buoys (or alternate lighting at the approval of TfNSW Maritime) delineating the upstream, downstream, and/or relevant side perimeter, detailing the boundaries of the Exclusion Zone, and

- ii. Be placed at a maximum distance of 15 metres apart (or at the approval of TfNSW Maritime – note: intermediate buoys/marks may be required), and
- iii. Be marked “Unauthorised Vessels Prohibited” and with the Transport for NSW – Maritime logo, and
- iv. Be suited to the installation of lights, such as a Sealite SL70, and use in high wind environments, such as Sealite SLB700.

2 Marine Plant

2.1 Outside daylight hours and at times of restricted visibility, the marine plant and equipment must be secured within the Exclusion Zone well clear of any navigation channels and marked by a fixed white light (anchor light) in accordance with Marine legislation.

2.2 Marine plant and equipment operating in the exclusion zone during daylight hours will be marked with rotating or flashing amber lights, where practical.

3 Compliance Management

3.1: Monitoring

Note:

- TfNSW Maritime attendance and input can be arranged to support the inspections of marine transport and access management measures.

3.2: Training

Note:

- TfNSW Maritime authorised officers, as delegates/regulators of the Australian Maritime Safety Authority (AMSA) can assist in the validation of appropriate training and qualifications required by skippers and deckhands involved in the marine works.

3.3. Maritime Transport incidents

- All workers should be familiar with the AMSA incident notification procedures.

It is important to note that all vessel operations (including barges and punts, and crew) related to this project must comply with the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*; and the proponent, or any entity or contractor acting on their behalf, are not exempt from the provisions of the *Marine Safety Act 1998*, or any other relevant legislation, and all parties must comply with any direction given by NSW Maritime Authorised officers with regard to safe navigation or the prevention of pollution.

Attachment B: Image of Chain Buoy Barrier

