

11 October 2022

Our Ref: STH09/01940/33

Your Ref: SSD-12469087

Department of Planning and Environment

BY EMAIL: nagindar.singh@planning.nsw.gov.au

Cc: information@planning.nsw.gov.au

Attention: Nagindar Singh

STATE SIGNIFICANT DEVELOPMENT (SSD) APPLICATION 12469087 – THE GUNLAKE QUARRY CONTINUATION PROJECT – REQUEST FOR ADDITIONAL ADVICE/COMMENTS

Dear Nagindar,

Transport for NSW (TfNSW) is responding to the notification that was received on 15 September 2022 and our subsequent phone discussions. The referral seeks further clarification of the ownership and management responsibility for the land on the southern side of the Red Hills Road/Hume Highway intersection.

TfNSW provides a response to each of the above in **Attachment 1**.

Should you require further information concerning the above please contact Andrew Lissenden, Development Services Case Officer, on 0418 962 703.

Yours sincerely



Andrew Lissenden

Development Case Officer, Development Services (South Region)

Attachment 1

1. Clarification of the ownership: TfNSW notes the comments in the 'Gunlake Quarry Continuation Project Responses to information requests' (prepared by EMM, Version V1, dated 17 August 2022) that "*The land section is clearly owned by TfNSW as is evident in Deposited Plan 700290.*" The land section being referred to is the land in the vicinity of the existing drainage pit at the intersection of Red Hills Road and the Hume Highway, Marulan.

TfNSW can advise that the area of land in the vicinity of the existing drainage pit, defined as Lot 23 in DP 700290, and part of the road (Hume Highway) having an area of 12.95 ha, both shown marked in yellow on DP 700290 (refer to **Attachment 2**), have been declared a public road and a Controlled Access Road (CAR) as published in Government Gazette No. 5 of 5 January 1990 Folio 36 (refer to **Attachment 3**). The CAR boundary is marked in orange colour on the part extract of DP 700290 in Attachment 2. Lot 29 in DP 700290 being part of the existing Red Hills Road, shown marked in green on DP 700290 in Attachment 2, has been declared a public road as per the same gazette. Accordingly, the existing drainage pit is over public road.

In accordance with Section 7 and Section 145 of the *Roads Act 1993*, the council is the roads authority and owns this section of public road.

Additionally, confusion rests with the current title of Lot 23 in DP 700290 (refer to **Attachment 4**). The title states that the owner is TfNSW (formerly The Commissioner for Main Roads), however, a notation at the bottom of the title states that Lot 23 has been proclaimed a CAR via the attached title. TfNSW advises that the title has been issued incorrectly and TfNSW will be advising the NSW Land Registry Services accordingly.

2. Clarification of management responsibility: As advised in the TfNSW letter dated 28 July 2022, from the investigations TfNSW has undertaken the management responsibility of the land that is being impacted by vehicles departing the Hume Highway onto Red Hills Road cutting the corner (southern side of the Red Hills Road/Hume Highway intersection) and damaging existing infrastructure within the road reserve is located outside the section of the Hume Highway that TfNSW understands it has the responsibility for ongoing management and maintenance. As such, the area falls within the responsibility of Goulburn Mulwaree Council for repair should it be damaged as well as for determination of what improvements may or may not be required.

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See separate attachments titled **Attachment 3** and **Attachment 4**