

15 December 2017

CR2017/003553  
SF2012/002143  
MJD

General Manager – Modification Assessments  
Department of Planning & Environment  
GPO Box 39  
Sydney NSW 2001

Attention: Emma Butcher

**MYALL STREET (MR506): MP10\_0136 MOD1, 725 LOT SUBDIVISION, LOTS: 10 & 40 DP: 270100, PART LOT: 1 DP: 270100, MYALL STREET TEA GARDENS**

Reference is made to the Departments email dated 13 September 2017 regarding the abovementioned application which was referred to Roads and Maritime Services (Roads and Maritime) for comment in accordance with Clause 104 / Schedule 3 of the *State Environmental Planning Policy (Infrastructure) 2007*.

Roads and Maritime understands the modification to be for:

- Changes to boundary of Concept Plan Site, including exclusion of 10Ha of conservation public park, and eco-tourism land and inclusion of 6Ha of commercial and residential land;
- Deletion of eco-tourism precinct;
- Changes to land use boundaries within the site;
- Changes to proposed road layouts, proposed bus routes and cycleway, and provision of riverside walk;
- Changes to development staging, and the requirements relating to bulk earthworks staging;
- Modifications to Biodiversity offset packages;
- Amended stormwater and groundwater management;
- Changes to bushfire management and change to servicing;
- Modifications to enable keeping of cats on site;
- Deletion or changed future assessment requirements relating to groundwater, stormwater, heritage, flooding, bushfire, acid sulphate soils, contamination, environmental management, sewer and water supply, traffic noise and
- Associated changes to Statement of Commitments.

## Roads and Maritime responsibilities & obligations

Roads and Maritime primary interests are in the road network, traffic and broader transport issues, particularly in relation to the efficiency and safety of the classified road network and the integration of land use and transport.

In accordance with the Roads Act 1993, Roads and Maritime have powers in relation to road works, traffic control facilities, connections to roads and other works on the classified road network. As Myall Street (MR506) is a classified Regional road, Roads and Maritime concurrence is required for connections to the road with Council consent, under section 138 of the Act. Roads and Maritime consent is required for traffic control signals and facilities under section 87 of the Act. Council is the roads authority of Myall Street and all other public roads in the area. Should road works or traffic control signals be required on the classified road, Roads and Maritime would exercise the functions of the roads authority under sections 64 and 71 of the Act.

## Roads and Maritime response

Roads and Maritime note the following:

- The Instrument of Approval for MP10\_0136, sections B5 and C21 outlined the consent conditions and Roads and Maritime requirements in relation to the timing and the layout of the required intersection upgrades along Myall Street.
- To be provided (as per RMS advice dated 2 May 2013) are the following upgrades:
  - Myall Street and Myall Quays Boulevard shall be upgraded to Traffic Control Signals (TCS) prior to the release of the 500<sup>th</sup> lot of the subject development, and include
    - Two through lanes, minimum 200 metres in length
    - Single right turn lane minimum 150 metres in length
    - Separate left turn lane minimum 100 metres in length
    - The intersection be designed to accommodate future fourth leg connection by others
    - Signalised pedestrian crossings on all legs
  - Myall Street at the new second access 'Riverside Boulevard' is to be designed as a type CHR / AUL intersection to be provided prior to the release of 500 lots. The intersection shall be designed to accommodate a future fourth leg and TCS.
  - Myall Street and Toonang Drive intersection is to be upgraded to a seagull type intersection, to be provided prior to the release of the 700<sup>th</sup> lot.
- The modification report by Tattersall Lander P/L, dated October 2016, provides plans of each intersection required to be upgraded as part of the development, which are reduced in scope to that requested by Roads and Maritime.
- It is stated within the report that Council have agreed to the reduced scope of each intersection, which have been included within the Section 94 Contributions Plans due to the fragmented ownership of the development land.
- Roads and Maritime responded to the Mod1 application on 8 May 2017. The response requested further information, which has in part been responded to by the submission of the updated Traffic Impact Statement. It is noted however that the Roads and Maritime response was not address in the applicants Response To Submissions report.

Roads and Maritime have reviewed the submitted Traffic Impact Statement from Seca Solution, dated 14 August 2017, and make the following comments:

- The report identifies that the intersections of Myall Street and Myall Quays Boulevard, and Myall Street and Riverside Boulevard, will require upgrade to TCS in accordance with Council's Section 94 plan. The intersection is to be upgraded at the time when the fourth leg is installed at each intersection, or prior to the release of the 500th lot, which ever occurs first.

Prior to the TCS upgrade, the intersections will require a form of intersection treatment. The following is recommended to be undertaken by the applicant:

- Roads and Maritime no longer permit the installation of the AUR type of intersection treatment. The intersection of Myall Street and Myall Quays Boulevard is currently a type AUR intersection, and shall be upgraded to either a Seagull or CHR intersection as the proposal will intensify the use of the intersection. The appropriate intersection type is to be determined in accordance with the Austroads Guides and RMS Supplements. This upgrade is required prior to the release of any lots.
- Refer to the Roads and Maritime Services Austroads Guide Supplement No. 11.094, version 2.0 for further information regarding type AUR intersections.
- The proposed intersection of Myall Street and Riverside Boulevard is to be provided as a type CHR / AUL intersection prior to the release of the 500<sup>th</sup> lot. The CHR / AUL is required at the time Riverside Boulevard is connected to Myall Street. If the proposed fourth leg is constructed prior to Riverside Boulevard being provided, then the intersection is to be constructed as TCS when the fourth leg is constructed, to Roads and Maritimes requirements.
- Myall Street and Toonang Drive is to be upgraded as per Council's Section 94 plan prior to the release of the 700<sup>th</sup> lot, or at the time that the Riverside Estate is connected to Toonang Drive (nominally Stage 10), whichever occurs first.
- Mid-Coast Council are responsible for the upgrade of the intersections included within the Section 94 Plan, and any cost increases above the funds collected by the Section 94 Plan, including costs incurred through changes to scope required by Roads and Maritime at the time of initiation.
- Mid-Coast Council will be responsible for submission of strategic designs in accordance with the RMS CADD manual for the intersections to be upgraded as part of the Section 94 Plan. The plans are to be in accordance with Austroads requirements, and are to include cycle safe lanes.
- Mid-Coast Council is to submit a Traffic Impact Statement with each intersection upgrade on Myall Street required as part of the Section 94 plan, to ensure that the intersections are being provided to cater for traffic volumes at that time.
- All works on Myall Street associated with this development and the proposed intersection upgrades through Council's Section 94 Plan will be at no cost to Roads and Maritime, and to Roads and Maritimes satisfaction.

Further advice:

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

- Roads and Maritime has no proposal that requires any part of the property.
- Discharged stormwater from the development shall not exceed the capacity of the Myall Street stormwater drainage system. It shall be ensured that drainage from the site is catered for appropriately and should advise Roads and Maritime of any adjustments to the existing system that are required prior to final approval of the development.

As road works are required on Myall Street (MR506), Roads and Maritime will require the developer to enter into a WAD with Roads and Maritime. Roads and Maritime 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 (Attachment A).

*Comment: It is requested that the developer be advised that the Conditions of Consent do not guarantee Roads and Maritime'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. Roads and Maritime 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 Roads and Maritime.*

- All road works under the WAD shall be completed prior to issuing any Construction Certificate for the specified stage / number of lots that the works are required for.
- All works associated with the subject development shall be undertaken at full cost to the developer and at no cost to Roads and Maritime.

On the Ministers 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



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Hunter Region