

Planning & Regulatory.S Masia  
Reference: ECM5435031  
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10 May 2018

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Dear Ms Butcher

### **MINMI LINK ROAD CONCEPT APPROVAL (MP10\_0090 - MOD3)**

I refer to your email dated 1 May 2018. Thank you for providing the opportunity for Council to review and comment on the applicant's response to submissions prepared by Monteath and Powys, dated 1 May 2018.

The following advice is provided on the basis of the applicant's proposed further amendment to Condition 1.31 as follows.

*The first development application for subdivision within each stage of the proposed development is to include a revised traffic and transport impact assessment prepared in consultation with Transport for NSW and the relevant Council(s). Each traffic assessment must include:*

- *Details of traffic generation and distribution from all land uses proposed within that stage including retail, sporting facilities and education facilities.*
- *Intersection analysis and micro-simulation modelling to determine the impact of the proposal on the existing regional and local road network. **Micro-simulation modelling is only required to be undertaken once incorporating the entire development, prior to the release of Stage 2 (Link Road South Precinct) unless otherwise agreed with the RMS.***
- ~~*Proposed timing for upgrades of key intersections, in particular Newcastle Link Road / Woodford Street / Cameron Park Road and Newcastle Link Road / Minmi Road in accordance with RMS requirements.*~~
- ~~*Details of any proposed upgrades to the road network, including timing and funding arrangements, to accommodate the proposed development. This is to include identification of suitable connection points for pedestrian and cycle links across Minmi Road and Newcastle Link Road.*~~

Newcastle City Council provides the following comment:

- Second dot point - Council does not support the micro-simulation modelling being associated with the release of Stage 2 (Link Road South Precinct). The Concept Plan places no restriction on the delivery of Stage 2, or whether it even occurs at all (see Condition 1.7), and is therefore not an appropriate trigger. In principle Council does not object to a single micro-simulation modelling being completed for the entire development, provided that the applicant can adequately demonstrate that subsequent stages are consistent with such modelling. However, it is considered unlikely that a single overall model will account for all the possible different permutations resulting from

delivering the 3,300 dwellings and associated new road extensions, or new intersections associated with the various development stages, over the lifetime of the development. Accordingly it is likely that the modelling may need to be rerun over time.

It is considered that no change to the existing condition is required as it does not prohibit the developer from undertaking a single overall micro-simulation model and only requires each traffic assessment to include (or refer) to the overall model when assessing and justifying the traffic impacts associated with each development application for subdivision.

However, in the event that the Department does not concur with Council's view and it determines to modify the conditions as proposed by the applicant then Council requests that the words 'release of Stage 2' be further amended to clarify if this is the 'release' of the Stage 2 DA consent (which has already occurred), the release of the first Subdivision Works Certificate or the release of the first Subdivision Certificate, associated with Stage 2.

- Third dot point - It is Council's view that the current wording only requires the Traffic and Transport Impact Assessment to nominate 'proposed timing for upgrades of key intersections' which is a valid requirement given the subdivision will rely upon these intersection upgrades for access and traffic movement. The funding and actual timing for delivery of Link Road upgrades is a matter for the State Government and the developer to negotiate.
- Fourth dot point - Council considers that the existing wording is sound and should be maintained. Any development application should clearly identify any required upgrading, including timing and funding arrangements. It is considered that no change to the existing condition is required to achieve this.

Council would like to clarify that its Section 94 Plan will not necessarily cover all local road upgrades that may be required as a result of a particular development. This can only be determined through the detailed assessment of a development application. If upgrading is required to address environmental impacts of a particular development and such works are also identified under Council's Section 94 Plan then Council would be willing to negotiate works-in-kind to be able to deliver such works in conjunction with the development if required. If any necessary upgrading works are not identified in Council's Section 94 Plan then it is Council's view that these works will be completed by the Developer at no cost to Council.

Having regards to the above Newcastle City Council does not support the proposed Modification 3 to MP10\_0090. Should you have any questions in relation to these matters please contact me on (02)4974 2054, or [smasia@ncc.nsw.gov.au](mailto:smasia@ncc.nsw.gov.au) or Brian Cameron on (02)4974 263, or [bcameron@ncc.nsw.gov.au](mailto:bcameron@ncc.nsw.gov.au).

Yours faithfully



**Steven Masia**  
**DEVELOPMENT ENGINEERING TEAM COORDINATOR**