



19 June 2018

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 Roads and Maritime Services (Roads and Maritime) letter dated 15 December 2017 regarding the abovementioned application. This letter was in response to the application being referred by the Department of Planning & Environment on 15 September 2017. The matter was referred to Roads and Maritime for comment in accordance with Clause 104 / Schedule 3 of the *State Environmental Planning Policy (Infrastructure) 2007*.

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 500th 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 700th 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 (S4.55) 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 response

On 17 April 2018, Roads and Maritime undertook further discussions with the applicant. The following comments are made:

- The submitted Traffic Impact Statement identifies, and Roads and Maritime agree, 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 at the time when the fourth leg is installed at each intersection.
- Roads and Maritime recommend that the Department and Council consider the following interim upgrades. Note, as Myall Street is a classified regional road, Roads and Maritimes responsibilities extend to the approval of the TCS only.
 - The intersection of Myall Street and Myall Quays Boulevard is currently a type AUR intersection. It is recommended that Mid-Coast Council give consideration to an interim upgrade of this intersection in accordance with Austroads requirements.
 - The intersection of Myall Street at Myall Quays Boulevard is to be upgraded as TCS at the time that it becomes a four-leg intersection, to Roads and Maritimes requirements.
 - The proposed intersection of Myall Street and Riverside Boulevard is to be provided prior to the release of the 500th lot within the development site, with the intersection to Austroads and Mid-Coast Council's requirements.
 - The intersection of Myall Street at Riverside Drive is to be provided as TCS at the time that it becomes a four-leg intersection, 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 700th lot within the development area, or at the time that the Riverside Estate is connected to Toonang Drive (nominally Stage 10), whichever occurs first. This upgrade is to be to Mid-Coast Council and Austroads requirements.
- Mid-Coast Council have included upgrades of the intersections within the Section 94 Plan, and will therefore be responsible for 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 must address the inclusion of on-road cycle safe lanes.
- A Traffic Impact Statement is to be submitted to Roads and Maritime with each intersection upgrade on Myall Street required as part of the Section 94 plan, to ensure that the final designs of the intersections are being provided to cater for current traffic volumes at that time, and for future traffic volumes related to known developments that will impact on the intersections. It is recommended that Mid-Coast Council undertake regular reviews of its Section 94 plan in consultation with Roads and Maritime to identify design requirements and undertake any adjustments to cost estimates.
- All works related to TCS installations on Myall Street associated are to 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 TCS road works are required on Myall Street (MR506), Roads and Maritime will require the proponent of the TCS works 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: Consent does 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.

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 Marc Desmond on 0475 825 820 or by email at development.hunter@rms.nsw.gov.au

Yours sincerely



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