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Your Ref: 439/2014/DA

Our Ref: 6066/OA

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Date: 18<sup>th</sup> March 2025

Mid-Coast Council  
PO Box 482  
TAREE NSW 2430

Att: Bruce Moore

**APPLICATION TO MODIFY CONSENT TO DEVELOPMENT APPLICATION 439/2014/DA  
(PRECINCT 3 OLD BAR CONCEPT DA AND STAGE 1 DETAILED DA)**

Dear Bruce,

We refer to the Notice of Determination (consent) 439/2014/DA for a Concept Approval and Detailed Stage 1 Approval for a residential subdivision totalling 333 lots.

This letter has been prepared as a Statement of Environmental Effects to support an application to modify the consent pursuant to Section 4.55(1A) if the *Environmental Planning and Assessment Act 1979*.

The proposed modification seeks to amend the following consent conditions;

**Condition 14** – Delete;

Reason – Previous modification MOD2022/0277 prepared by the owners of Stages 2, 3 and 10 deleted the southern leg of the proposed roundabout at the intersection of Forest Lane and Road 1 (now known as Driftwood Boulevard) hence creating a 3 way intersection. The attached traffic report by McLaren Traffic Engineering (11<sup>th</sup> February 2025) has re-modelled this intersection and has confirmed that *“without the southern leg of the intersection, a roundabout would be a significant overdesign and as such, there is no longer a nexus for Council to impose a roundabout at this intersection”*. The modelling has confirmed the 3 way T-junction intersection as currently constructed will continue to operate at a level of service “A” with excellent capacity even with conservative traffic volumes considered. As such we request that this condition be deleted from this consent.

**Condition 15** – Delete;

Reason – Council recently upgraded the rural extension of Forest Lane to a 7m wide rural road and also upgraded the Saltwater Road/ Forest Lane intersection to a CHR/ AUL T-junction intersection. The attached traffic report by McLaren Traffic Engineering (11<sup>th</sup> February 2025) has re-modelled this intersection and has confirmed the current T-junction intersection will continue to operate at a level of service “A” with excellent capacity, and *“there is no benefit in changing the current CHR/AUL “giveaway priority” control mode to a roundabout. In fact, the current design is preferable as it prioritises the through volumes along Saltwater Road whilst also providing compliant and safe auxiliary left and channelised right lanes for turning traffic into Forest Lane and as such, there is no nexus for Council to impose a roundabout at the traffic intersection of Saltwater Road/ Forest Lane.”*

In regards to the extension of Forest Lane from the western boundary of the development site to Saltwater Road as a rural collector (9m overall width), the traffic report confirms *“with regard to the width of travel lanes along the length of Forest Lane between Saltwater Road and the road length of Forest Lane where it directly serves residential lots (i.e. urban standard), it is reasonable and “fit for purpose” that a 7m rural standard*

apply, as currently constructed. The additional 2m width, as required by the conditions of consent, relates to widening the road shoulders and no further capacity is gained through the required 9m wide carriageway. In fact, the Sinclair Knight Merz report suggests that Forest Lane should be a narrow road to assist with speed reduction. In any case, there is no need to further widen that 600m (approximate) section of the Forest Lane carriageway, east of Saltwater Road, as there is no fronting urban residential lots along this length, which is otherwise categorised as a rural road given the bushland frontage on both sides. The 7m road carriageway width along this length is deemed to be "fit-for-purpose".

As such we request that this condition be deleted from this consent.

**Condition 21 (part 1)** – Modify to;

Collector (Forest Lane - residential)	
i) From the eastern boundary of development to Walter Fay Street (fire trail)	11.0m
ii) From fire trail to western end of <b>residential zoned frontage</b>	<b>Applicant to construct kerb and gutter and associated pavement widening to the current constructed shoulder</b>

Reason – Consent DA-2022/0940 Condition 7 (for Stage 8 of the Concept Approval) has conditioned "*kerb and gutter across the residential zoned frontage of the subdivision to the road classification of Collector Road*". This is consistent with recent discussions with Council Engineer's in regards to the limit of residential kerb and gutter works along the northern side of Forest Lane. Additionally given the recent upgrade to the carriageway, the width of widening should be limited to the widening required from the current shoulder to the new kerb and gutter. As such we request Condition 21 (part 1) be modified to be consistent with this current detailed DA condition.

**Condition 21 (parts 2 and 3)** – Delete;

Reason – As per above the widening of the existing rural section of Forest Lane from the western boundary of the development site to Saltwater Road as a rural collector does not provide any additional capacity, and given there is no fronting urban residential lots, the existing 7m road carriageway is deemed "fit-for-purpose". As such we request that this part condition be deleted from this consent.

Please also note that these conditions are currently within the Greater Taree Section 94 Contributions Plan 2016. It is considered that now it is confirmed that these traffic items are no longer required, it would represent savings under this contributions plan that could be expended elsewhere.

Whilst the approved plans do show a proposed roundabout at the Forest Lane/ Driftwood Boulevard (Road 1) intersection, it is not considered that these plans require amendment, as the conditions override the plans (as noted in Condition 2 of the consent).

These consent conditions only relate to Stage 6 of the concept approval. The Owner's Consent has been provided.

The proposed modifications have minimal environmental impact, and the modified development will be substantially the same development as the development for which the consent was originally granted.

Please contact me if you require any further detail.

Yours faithfully,



**PHILLIP J. LIDBURY**

*Registered Surveyor*

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