

9 July 2014

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CR2014/003444
MJ

General Manager
Lake Macquarie City Council
Box 1906
HUNTER REGION MAIL CENTRE NSW 2310

Attention: Mr Brian Gibson

**PACIFIC HIGHWAY (A43): PROPOSED MASTERS, BULKY GOODS AND RESTAURANT,
LOTS 10, 11, 12, 13 AND 14 DP 1013486, 4B SOUTH STREET, WINDALE (DA 251/2013)**

Dear Mr Gibson

I refer to Council's letters dated 27 February 2013 and 4 April 2013 regarding the subject development forwarded to Roads and Maritime Services for consideration. I also refer to Roads and Maritime's letters dated 17 April 2013, 16 August 2013, 16 December 2013 and 30 April 2014 relating to traffic modelling undertaken in support of the subject development.

Roads and Maritime advises that, as requested in its letter dated 16 December 2013, the proponent has submitted PARAMICS (micro simulation) modelling (prepared by Parsons Brinkerhoff dated 9 April 2014) for the section of the Pacific Highway between Oakdale Road and South Street. Roads and Maritime has reviewed the PARAMICS modelling and concurs that, based on the modelling performance, the proposed access arrangements outlined in **Option 2** should be satisfactory in accommodating the traffic generated by the subject development. **Option 2** involves incorporating an additional 4th leg at the Pacific Highway / Groves Road intersection, an additional traffic signal controlled access providing for left in / left out and right in movements south of Groves Road and a left in only access for service vehicles at the southern end of the site.

Roads and Maritime advised in its letter to Colston, Budd, Hunt and Kafes Pty Ltd dated 3 February 2010 that:

***"Concept layouts** showing proposed alternative access arrangements, including design vehicle turning templates, pedestrian cyclist and public transport facilities, shall be prepared in consultation with the RTA and Council as part of the traffic impact study"*

At this stage no concept design for Option 2 has been submitted to Roads and Maritime for review and acceptance.

Roads and Maritime Responsibilities

Transport for NSW and Roads and Maritime's primary interests are in the road network, traffic and broader transport issues. In particular, the efficiency and safety of the classified road network, the security of property assets and the integration of land use and transport.

In accordance with the *Roads Act 1993*, Roads and Maritime has powers in relation to road works, traffic control facilities, connections to roads and other works on the classified road network. The Pacific Highway (A43) is a classified (State) road. Roads and Maritime concurrence is required for connections to the Pacific Highway with Council consent, under Section 138 of the Act. Council is the roads authority for the Pacific Highway and all other public roads in the area. Should road works be required on the classified (State) road, Roads and Maritime would exercise the functions of roads authority under Sections 64 and 71 of the Act.

Roads and Maritime Response and Requirements

Roads and Maritime has reviewed the information provided, including the PARAMICS modelling (prepared by Parsons Brinkerhoff dated 9 April 2014) and has no objections to the proposed development provided the following matters are addressed and included in Council's conditions of development consent. Roads and Maritime's concurrence is based on assessment of the PARAMICS model and is conditional on the requirements of the model being incorporated into a detail design in accordance with Roads and Maritime guidelines.

Pacific Highway / Groves Road intersection

- The developer shall upgrade the Pacific Highway / Groves Road intersection by providing a fourth leg for vehicular access into and out of the subject site. The upgrade shall be designed and constructed in accordance with Austroads *Guide to Road Design 2010* (with Roads and Maritime supplements) and Roads and Maritime *Traffic Signal Design* to the satisfaction of Roads and Maritime including, but not limited to, the following works:
 - A right turn storage lane shall be provided on the southbound Pacific Highway approach to Groves Road. The lane shall be minimum of 70 metres in length, not including tapers.
 - A left turn deceleration lane, generally in accordance with *Drawing No. MMD-302816-C-SK-00_XX-2005 (Attachment A)*, shall be provided on the northbound Pacific Highway approach to Groves Road.

Proposed new signalised intersection south of Groves Road

- The developer shall design and construct a new three leg Traffic Signal Controlled intersection south of Groves Road providing right in, left in and left out access to the site. The intersection shall be designed and constructed in accordance with Austroads *Guide to Road Design 2010* (with Roads and Maritime supplements) and Roads and Maritime *Traffic Signal Design* to the satisfaction of Roads and Maritime including, but not limited to, the following works:
 - A right turn storage lane shall be provided on the southbound Pacific Highway approach to Groves Road. The lane shall be a minimum of 65 metres in length, not including tapers.
 - A left turn deceleration lane shall be provided on the northbound Pacific Highway approach to Groves Road. The lane shall be a minimum of 65 metres in length, not including tapers.

Proposed left in only access at the southern end of the site

- The developer shall design and construct a new left in only vehicular access from the Pacific Highway at the southern end of the site. The access shall be designed and constructed in accordance with Austroads *Guide to Road Design 2010* (with Roads and Maritime supplements) and Roads and Maritime *Traffic Signal Design* to the satisfaction of Roads and Maritime including, but not limited to, the following works:

- A left turn deceleration lane shall be provided on the northbound Pacific Highway approach to the proposed access.
- The access shall be restricted to service vehicles only and a physical barrier shall be provided to prevent vehicular access to the general car park area.

General

- All signalised intersections shall be designed and constructed to accommodate on-road cyclists unless specified otherwise by Roads and Maritime. If cyclists cannot be accommodated on-road due to site constraints, and subject to agreement by Roads and Maritime, adequate provision shall be made off-road.
- All traffic lanes shall be 3.5 metres in width on the Pacific Highway and at traffic signal controlled intersections, or as determined by Roads and Maritime.
- Co-ordination and linking of all traffic control signals is required at full cost to the developer, to Roads and Maritime requirements.
- Appropriate pedestrian and cyclist facilities, foot / cycle paths and ramps, connecting to traffic signal controlled intersections shall be provided to the satisfaction of Roads and Maritime and Council. Pedestrian fencing shall be required in certain areas to prevent any unwarranted pedestrian movements, including across the Pacific Highway. This will be identified as part of the design review process.
- Street lighting shall be provided at all intersections and pedestrian crossings to the relevant Australian Standard, or as determined by Roads and Maritime.
- All works associated with the proposed development shall be at full cost to the developer and at no cost to Roads and Maritime or Council.
- A Construction Traffic Management Plan (CTMP) shall be prepared and include a Vehicle Movement Plan and a Traffic Control Plan. The CTMP shall be prepared with the intention of having minimal impact on the operation of the road network during the construction phase of the development. The CTMP shall be submitted to Roads and Maritime and Council for review and acceptance prior to any construction activities commencing on site.
- As road works are required on a State road, Roads and Maritime will require the developer to enter into a Works Authorisation Deed (WAD) with Roads and Maritime. Roads and Maritime will exercise its powers under Section 87 of the *Roads Act 1993* (the Act) and the functions of the roads authority, to undertake road works in accordance with Sections 64, 71, 72 and 73 of the Act, as applicable, for all works under the WAD. Further advice regarding the WAD is provided as **Attachment B**.
- The WAD shall be executed prior to granting a Construction Certificate for the proposed development.
- All road works under the WAD shall be completed prior to issuing a Subdivision Certificate for the proposed development.
- Signs should be constructed entirely within private property and should not encroach or overhang, into the road reserve.
- The proposed signs should not have / use:
 - Flashing lights or messages.

- Electronically changeable messages, unless in accordance with the Department Planning's *Transport Corridor Outdoor Advertising and Signage Guidelines (July 2007)*.
- Animated display, moving parts or simulated movement.
- Complex displays that hold a driver's attention beyond "glance appreciation".
- Displays resembling traffic signs or signals, or giving instruction to traffic by using words such as 'halt' or 'stop'.
- A method of illumination that distracts or dazzles.

Additionally, Council should ensure that all signs meet the requirements of *State Environmental Planning Policy (SEPP) No 64 – Advertising and Signage*. Council should also take into account the Department of Planning's *Transport Corridor Outdoor Advertising and Signage Guidelines (July 2007)*.

On receipt and review of the concept design (including turning path templates for all movements into and out of the site and at the Pacific Highway / Groves Road intersection) Roads and Maritime reserves the right to revise its requirements. Operational performance, network efficiency and road safety will all be considered and assessed, in conjunction with the geometric design, to ensure they are maintained to the satisfaction of Roads and Maritime.

Roads and Maritime may need to make modifications to traffic arrangements in the future to meet the increasing demands of the network and all road users.

Advice to Council

- Roads and Maritime has no proposal that requires any part of the property.
- All matters relating to vehicular access to and from South Street and to and from Lake Street and internal arrangements on-site such as car parking, traffic / pedestrian management, manoeuvring of service vehicles and provision for people with disabilities are matters for Council to determine.
- Discharged stormwater from the development shall not exceed the capacity of the Pacific Highway stormwater drainage system. Council shall ensure 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.

On Council's determination of this matter, it would be appreciated if a copy of the Notice of Determination is forwarded to Roads and Maritime for record and / or action purposes

Please contact me on 4924 0688 if you require further information.

Yours sincerely,



Kellee McGilvray
A/Manager Land Use
Hunter Region

Enc. Attachment A - *Drawing No. MMD-302816-C-SK-00_XX-2005*

Attachment B – WAD advice

Attachment C – Roads and Maritime letter dated 27 June 2014

Attachment B: WAD Advice to Consent Authority and Developer

Advice to the Consent Authority

- On Council's determination a copy of the Notice of Determination should be forwarded to Roads and Maritime within the appellant period for advice / consideration and action where required.
- Conditions of development consent do not guarantee Roads and Maritime's consent to the specific road works, or other structures or works for which it is responsible. The developer must obtain Roads and Maritime authorisation in writing prior to the commencement of any road works on the the Pacific Highway, including traffic management, temporary or permanent road works associated with the proposed development.
- In determining the application under Part 4 of the Environmental Planning and Assessment Act, 1979, it is the consent authority's responsibility to consider the environmental impacts of any road works which are ancillary to the development. This includes any works which form part of the proposal and/or any works which are deemed necessary to include as requirements in the conditions of development consent. Depending on the level of environmental assessment undertaken to date and nature of the works, the consent authority may require the developer to undertake further environmental assessment for any ancillary road works.

Advice to the Developer

- Following development consent, early discussion with Roads and Maritime's Project Manager is recommended. Roads and Maritime will initiate the WAD process by sending out a letter and information pack on receipt of the Notice of Determination, including the name and contact details of the Project Manager.
- As the WAD process, including acceptance of design documentation and construction can take considerable time, you should allow sufficient lead time within the project development program to ensure that all documentation and works are completed in advance of occupation. Roads and Maritime will not consider granting concurrence to occupation until it is satisfied all documentation and works under the WAD have been completed.
- Authorisation to commence construction will only be granted when Roads and Maritime is satisfied that all requirements under the WAD have been met by the developer, including Roads and Maritime fees and charges, an unconditional bank guarantee for the full value of the works, detailed design documentation, environmental assessment, road occupancy license, among other matters. Roads and Maritime will issue a letter to the developer advising of this authorisation.
- Any property acquisition / dedication required to accommodate the State road works associated with the proposed development shall be at full cost to the developer, including all legal and survey costs. This land shall be dedicated by the developer as public road reserve in favour of the Council, as the owner.
- Part of the developers' timeline should make provision for Roads and Maritime to satisfy its obligations under the *Environmental Planning and Assessment Act 1979* (EP&A Act) to assess the environmental impacts of the works within the road reserve. Further investigation and assessment to that undertaken for the development consent may be required to the satisfaction of Roads and Maritime, under Part 5 of the EP&A Act.
- It is recommended that the developer use design consultants with the experience and knowledge of the Roads and Maritime design requirements, in particular the *Austrroads Guide to Road Design 2009* (with RTA supplements) and relevant Australian Standards.

- A fact sheet providing further information on the WAD process can be obtained from the Roads and Maritime Private Developments Website at:

http://www.rms.nsw.gov.au/roadprojects/community_environment/private_developments.html

- Construction on a State road and / or traffic control signals requires the engagement of a Roads and Maritime pre-qualified contractor. A list of pre-qualified contractors can be found on the Roads and Maritime website below.

<http://www.rms.nsw.gov.au/doingbusinesswithus/tenderscontracts/prequalifiedcontractors.html>