



8 August 2018

Chief Executive Officer
Lake Macquarie City Council
PO Box 1906
HRMC NSW 2310

Attention: Brian Gibson

PACIFIC HIGHWAY (HW10): DA/250/2013/A, BUILDING PRODUCTS WAREHOUSE, BULKY GOODS PREMISES & SIGNAGE, LOT 10 DP 1013486, LOT 11 DP 1013486, LOT 12 DP 1013486, LOT 13 DP 1013486, LOT 14 DP 1013486, LOT 1 DP 1214343, 4B SOUTH STREET, WINDALE & 20 PACIFIC HIGHWAY, BENNETTS GREEN

Reference is made to Council's letter dated 16 July 2018, 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*, for concurrence in accordance with Section 138 of the *Roads Act 1993*, for concurrence in accordance with Clause 18 of the *State Environmental Planning Policy No 64 – Advertising and Signage*, and for consent in accordance with Section 87 of the *Roads Act 1993*.

Roads and Maritime understands the application is for the modification to the existing consent for a Building Products Warehouse and Showroom, Bulky Goods Premises and Signage. Roads and Maritime understand that applications for the Service Station and drive through restaurants will be separately referred as required under ISEPP.

Roads and Maritime response

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 Newcastle Inner City Bypass (HW23) and the Pacific Highway (HW10) are classified (State) roads, and Groves Road is a local road. Roads and Maritime concurrence is required for connections the Pacific Highway with Council consent, under Section 138 of the Act. Council is the roads authority for these roads and all other public roads in the area. Roads and Maritime concurrence / consent will be subject to design review under the Works Authorisation Deed (WAD) process.

Roads and Maritime has reviewed the submitted information and raises no objection to the proposal. Roads and Maritime recommend that the following be conditioned:

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* (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 100* metres in length, not including tapers.
- A left turn deceleration lane, generally in accordance with Drawing Number ATP-200 of project number 316137, revision P12, dated 22 May 2017 (Attachment B) in terms of lane layout, shall be provided on the northbound Pacific Highway approach to Groves Road.
- The proposed fourth leg shall be left out only.
- The southbound Pacific Highway kerbside departure lane shall be extended from the Groves Road intersection, across the frontage of the development and merge prior to the South Street intersection.
- The traffic signal phasing shall be designed to ensure that the operational performance, network efficiency and road safety of the Pacific Highway is maintained.

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. The intersection shall be designed and constructed in accordance with Austroads *Guide to Road Design* (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 at the new intersection south of Groves Road. The lane shall be a minimum 65* metres in length, not including tapers.
 - A left turn deceleration lane shall be provided on the northbound Pacific Highway at the new intersection south of Groves Road. The lane shall be a minimum 50* metres in length, not including tapers.
 - The three travel lanes southbound shall be extended through this intersection.
 - The traffic signal phasing shall be designed to ensure that the operational performance, network efficiency and road safety of the Pacific Highway is maintained.

*Note, distances relate to the minimum requirement for the modelling purposes, and not the minimum requirement from Austroads and RMS Guidelines.

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

- The developer shall design and construct a new left out only service vehicular access to 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* (with Roads and Maritime supplements) and to the satisfaction of Roads and Maritime including, but not limited to, the following:
 - The driveway shall be angled to restrict any access of vehicles from the Pacific Highway,
 - The driveway shall be restricted to service vehicles only.

General

- Priority shall be given to vehicles entering the site from the new southern TCS, over vehicles travelling through the site. Can be managed through the provision of a Stop sign on the internal through road immediately after the pedestrian crossing, to give priority to vehicles turning right towards Lot 2.

- Roads and Maritime recommend that the following matters be resolved to improve the efficiency of the internal roundabout at Groves Road (these can be conditioned):
 - Removal / relocation of the four parking spaces fronting the Family Restaurant site closest to the roundabout, alternatively providing a barrier along the centre of the aisle to restrict any motorists from turning right into these spaces,
 - Consideration to removing the access between the roundabout at the service road, alternatively making this access an exit from the roundabout only,
 - Amending the access to the service station site from the roundabout to be entry only,
 - Further detail to be provided for Roads and Maritime / Council review prior to first Construction Certificate for the proposed development, excluding any Construction Certificate for site clearing and bulk earthworks.
- 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 on a concrete strip base shall be required where identified as safety concerns by Roads and Maritime, to prevent any unwarranted pedestrian movements, including across the Pacific Highway. This will be identified as part of the design review process through the WAD.
- 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 State road network during the construction phase of the development. All access is to be via the local road network. The CTMP shall be submitted to Roads and Maritime and Council for review and acceptance prior to any construction activities (including site clearing and bulk earthworks) commencing on site.
- As road works are required on the Pacific Highway (HW10), 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 Council advise the developer 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.*
- The WAD shall be executed prior to the issuing the first Construction Certificate for the proposed development, excluding any Construction Certificate for site clearing and bulk earthworks.
- All road works required under the WAD shall be constructed to practical completion to the satisfaction of RMS prior to any Occupation Certificate (interim or final) being granted for any stage of the building works.
- All works associated with the subject development shall be undertaken at full cost to the developer and at no cost to Roads and Maritime or Council, and to Council's requirements.
- Signs should be constructed entirely within private property and should not encroach or overhang, into the road reserve.
- All signs should meet the criteria contained in the Department of Planning's *Transport Corridor Outdoor Advertising and Signage Guidelines (November 2017)* including, but not limited to, Section 3.3.3 Illumination and reflectance.
- All signs meet the requirements of Schedule 1 Assessment Criteria of the *State Environmental Planning Policy (SEPP) No. 64 – Advertising and Signage*.
- No sign approved on the structure, including the LED screen, should incorporate:
 - Flashing lights or messages;
 - Animated display, moving parts or simulated movement. Note, video and animated electronic signs are prohibited.
 - 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 including, but not limited to, words such as 'halt' or 'stop'.
 - A method of illumination that distracts or dazzles.
- Electronically changeable messages displayed on the sign must meet the 'Digital Sign Criteria' outlined within the Section 2.5.8 of the Department Planning's *Transport Corridor Outdoor Advertising and Signage Guidelines (November 2017)*. The following key criteria should be conditioned:
 - Each advertisement must be displayed in a completely static manner, without any motion, for a dwell time of not less than 10 seconds.
 - Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs.
 - The transition time between messages must be no longer than 0.1 seconds, and in the event of image failure, the default image must be a black screen.

- An electronic log of a sign's operational activity must be maintained by the operator for the duration of the development consent and be available to the consent authority and/or Roads and Maritime Services to allow a review of the sign's activity in case of a complaint.
- Roads and Maritime may direct the screening, modification or removal of a structure if, in the opinion of Roads and Maritime, the structure is considered a traffic hazard under Section 104 of the *Roads Act 1993*.
- 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 at intersections in the future to meet the increasing demands of the network and all road users.

Advice to Council

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

- Roads and Maritime has no proposal that requires any part of the property.
- Matters relating to the on-site management are to be resolved to ensure no queuing impact onto the Pacific Highway.
- Council should ensure that appropriate traffic measures are in place during the construction phase of the project to minimise the impacts of construction vehicles on traffic efficiency and road safety within the vicinity.
- Council should have consideration for appropriate sight line distances in accordance with Section 3 of the *Austroads Guide to Road Design Part 4A (Unsignalised and Signalised Intersections)* and the relevant Australian Standards (i.e. AS2890:1:2004) and should be satisfied that the location of the proposed driveway promotes safe vehicle movements.
- 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, 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 emailing development.hunter@rms.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to be 'P. Marler', with a large loop at the start and a horizontal stroke at the end.

Peter Marler
Manager Land Use Assessment
Hunter Region

Attachment A: WAD Advice to Consent Authority and Developer

Advice to the Consent Authority

- On determination of the proposal 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 consent to the specific road works, traffic control signals and /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 Pacific Highway, including traffic management, temporary or permanent road works associated with the proposed development.

Advice to the Developer

- Following development consent, early discussion with the Roads and Maritime 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 / traffic control signals 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 Roads and Maritime design requirements, in particular the Austroads *Guide to Road Design* (with Roads and Maritime 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 an 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>