

5 December 2023

File No: NTH22/00433/03  
Your Ref: CNR-54963 - A-65274

Chief Executive Officer  
City of Newcastle  
PO Box 489  
NEWCASTLE NSW 2300

**Attention: Steven Masia**

**Newcastle Link Road (MR82): RE2023/00003 - Review of determination DA2018/01351 - Subdivision 858 residential lots 7 development lots for future residential development - 144 Woodford Street Minmi**

I refer to the abovementioned S8.2 Review referred to Transport for NSW (TfNSW) on 12 May 2023 for comment. Please consider TfNSW's previous response dated 11 September 2023 superseded.

This application also seeks to modify Minmi East Precinct 1B (DA2015/10393) under Section 4.17(b) of the *Environmental Planning and Assessment Act 1979*. It is understood that a reduced lot threshold of 858 residential lots (previously 876 lots) is sought.

TfNSW assessment was informed by the Aimsun modelling undertaken by TfNSW as part of the MR82 Newcastle Link Road/Minmi Road Intersection Upgrade Strategic Business Case investigations for the upgrade of Minmi Road/Newcastle Link Road intersection including subsequent information supplied by the proponent.

TfNSW key interests are the safety and efficiency of the transport network, the needs of our customers and the integration of land use and transport in accordance with the *Future Transport Strategy*.

Newcastle Link Road (MR82) is a classified (State) road and Woodford Street is a local road. Council is the roads authority for both roads and all other public roads in the area (excluding M1 Pacific Motorway & Hunter Expressway), in accordance with Section 7 of the *Roads Act 1993*.

TfNSW has reviewed the referred information and provides the following comments to assist the consent authority in making a determination:

- It is recommended that the draft conditions of consent contained in Appendix A be included as part of any development consent. These involve progressive staged upgrades along the classified (State) and local road network
- It is understood that the developer will amend the existing State Voluntary Planning Agreement to include the total contribution of \$20 million (ascribed to the subject and

---

OFFICIAL

other adjoining DA's) towards the upgrade to the intersection of Newcastle Link Road and Minmi Road intersection. This will allow the progression of developments in the area.

- The revised plans detail an alternative arrangement to convey existing overland flows from the M1 Pacific Motorway corridor through the site. The establishment of a drainage channel between Stages 37 & 39, as opposed a re-diversion scheme, is considered acceptable by TfNSW.
- There is no impact to State roads and therefore no further comment required from TfNSW with regard to the modifications of the Minmi East Precinct 1B proposal (DA2015/10393) being considered as part of this review.

On determination of this matter, please forward a copy of the Notice of Determination to TfNSW for our records. Should you require further information please contact Liz Smith, Manager Development Services North, on 0411 149 655 or by emailing [development.north@transport.nsw.gov.au](mailto:development.north@transport.nsw.gov.au).

Yours faithfully



**Damien Pfeiffer**  
Director Development Services  
Community & Place  
Regional & Outer Metropolitan

---

OFFICIAL

## Appendix A

### A.1 Planning Agreement

Prior to the issue of any Subdivision Works Certificate, the developer must enter into an amended Planning Agreement with the Minister for Planning in accordance with:

- (a) Division 7.1 of Part 7 of the EP&A Act; and
- (b) The terms of the developer's offer to contribute to the upgrade of the Newcastle Link Road/Minmi Road intersection, dated 17 May 2023 (as amended 21 August 2023).

### A.2 Newcastle Link Road/Minmi Road Upgrade

Prior to the issue of a subdivision certificate for any residential lot the following upgrades to the State Road network must be in place:

- The intersection of Minmi Road and Newcastle Link Road is to be upgraded to include traffic control facilities to the satisfaction of TfNSW.

### A.3 Other upgrades to the surrounding road network

Prior to the issue of a subdivision certificate for any residential lot in stages 33, 34, 35, 36, 37, 39, or 40, the following upgrades to the State Road network must be in place:

- (a) Minmi Road from Newcastle Link Road to Transfield Avenue widened to four lanes total, including a roundabout at Transfield Avenue, or such other upgrades to this road as may be considered appropriate by Lake Macquarie City Council.
- (b) Newcastle Link Road / Woodford Street:
  - (i) Additional turning bays to achieve dual right turn movements on west and east approaches, including widening on exits to allow for safe merging.
  - (ii) Left turn bay on Newcastle Link Road (west approach).
  - (iii) Additional right turn bay on the southern and northern approaches.
  - (iv) Addition of new short through lanes on the northern and southern sides of Newcastle link Road at Cameron Park Dr and Woodford St.
- (c) Minmi Road / Northlakes Drive: Line marking changes to allow a dual right turn on the western approach or such other upgrades to this road as may be considered appropriate by Lake Macquarie City
- (d) Minmi Road from Transfield Avenue to Sedgwick Avenue: Widening to a total of four lanes and appropriate tie-in works at the roundabout at Transfield Avenue or such other upgrades to this road as may be considered appropriate by Lake Macquarie City.
- (e) Minmi Road / Main Road:
  - (i) Conversion of the kerbside parking lane and cycle path into a general traffic lane or such other upgrades to this road as may be considered appropriate by Lake Macquarie City Council and TfNSW.

---

OFFICIAL

(ii) Line marking changes to permit dual left turn lane from Minmi Road (north approach) into Main Road or other such upgrades to this road as may be considered appropriate by Lake Macquarie City Council and TfNSW.

(f) Newcastle Link Road / Lake Road:

- (i) Addition of a new right turn bay on Lake Road (north approach).
- (ii) Addition of a new left turn bay on Lake Road (south approach).
- (iii) Extension of the left turn bay on Thomas Street.

The Applicant is responsible for constructing the upgrades listed at (b) to (f) above at its own cost and must consult with the relevant roads authority in relation to the design of the works and obtain all necessary approvals prior to carrying out the works. The Applicant may be required to enter into an agreement with the relevant roads authority in relation to the upgrades listed at (b) to (f) (including a Works Authorisation Deed where TfNSW is the relevant roads authority) prior to the issue of a Subdivision Works Certificate for the first residential lot in any relevant stage (i.e. Stages 33, 34, 35, 36, 37, 39, or 40).

An updated traffic assessment, including microsimulation modelling, may be required by the relevant roads authority prior to its approval of any upgrade works.

The roads authority may agree to works that differ from the above list of works, if those alternative works are considered more appropriate at the time based on the updated traffic assessment.

#### **A.4 Agreement with roads authority prior to the issue of a Subdivision Works Certificate for stages 33, 34, 35, 36, 37, 39, or 40**

Prior to the issue of any subdivision works certificate for stages 33, 34, 35, 36, 37, 39, or 40 (excluding any certificate relating only to bulk earthworks or remediation), the Applicant must enter into any required agreement with the relevant roads authority in relation to the upgrades referred to in condition A.3, including a Works Authorisation Deed where TfNSW is the relevant roads authority.

#### **A.5 Other conditions:**

a) Discharged stormwater from the development must not exceed the capacity of the State Road network stormwater drainage system.

b) Prior to the issue of any Subdivision Works Certificate, the Developer must satisfy TfNSW and Council that drainage from the site will be appropriately managed and obtain all required approvals, including under the Roads Act 1993, from the Council and TfNSW for any adjustments to the existing system that are required. Any required adjustments will be at the cost of the Developer.

c) The Developer must ensure that appropriate traffic measures are in place during the construction phase of the development to minimise the impacts of construction vehicles on traffic efficiency and road safety within the vicinity of the site. Prior to carrying out any works, a Construction Traffic Management Plan is to be provided to the satisfaction of Council and TfNSW. A Road Occupancy Licence (ROL) must also be obtained for any works in the road reserve during the construction phase of the development, including for construction accesses to the development. TfNSW Hunter Traffic Operations must be contacted to obtain a Road Occupancy Licence prior to the closure of any lane or erection of any structures within the road reserve.

(<https://www.rms.nsw.gov.au/business-industry/road-occupancylicence/index.html>).

---

OFFICIAL