

19 February 2020

General Manager  
Muswellbrook Shire Council  
PO Box 122  
MUSWELLBROOK NSW 2333

**Attention: Hamish McTaggart**

**GOLDEN HIGHWAY (B84): DA 102/2019, ELECTRICITY GENERATING WORKS (SOLAR FARM), LOT: 12 DP: 1042612, 1333 MERRIWA ROAD SANDY HOLLOW**

Transport for NSW (TfNSW) advises that legislation to dissolve Roads and Maritime Services and transfer its assets, rights and liabilities to TfNSW came into effect on 1 December 2019. It is intended that the new structure will enable TfNSW to deliver more integrated TfNSW services across modes and better outcomes to customers and communities across NSW.

For convenience, correspondence, advice or submissions made to or by Roads and Maritime Services prior to its dissolution, are referred to in this letter as having been made to or by 'TfNSW'.

On 9 December 2019 TfNSW accepted the referral by Muswellbrook Shire Council (Council) through the Planning Portal regarding the abovementioned application (Development Application). Council referred the Development Application to TfNSW for comment. This letter is a submission in response to that referral.

TfNSW understands the proposal to be for the construction of a solar farm with vehicular access via the existing driveway off the Golden Highway (Merriwa Road). Construction will be for approximately 9 months and when in operation, contractors would visit the site on an as-needed basis.

TfNSW Response & Requirements

TfNSW's primary interests are in the road network, traffic and broader TfNSW issues. In particular, the efficiency and safety of the classified road network, the security of property assets and the integration of land use and TfNSW.

The Golden Highway (HW30) is a classified State road. Council is the roads authority for this road and all other public roads in the area, in accordance with Section 7 of the *Roads Act 1993*.

TfNSW has reviewed the information provided and raises no objection to the proposed development, provided the following matters are addressed and included in Council's conditions of development consent:

- Access to the site is restricted to left in/left out only.
- No temporary barrier to be installed on highway – Over size over mass (OSOM) vehicles regularly use the Golden Highway and a median barrier is not appropriate.
- It is considered that an AUL(s) treatment is appropriate for this location. The submitted BAL design does not consider the 4% downgrade on the northbound approach. If the downgrade is considered, the BAL extends to 1.2 times longer than submitted design. The required length of an AUL(s) is 10m longer than the submitted BAL design. The turning volumes fall marginally short of requirements for an AUL(s), however with consideration of safety issues listed below, an AUL(s) treatment is required:
  1. An AUL would better highlight the entry for entering trucks.
  2. An AUL(s) would increase sight distance to northbound vehicles following entering trucks.
  3. An AUL(s) will allow the installation of a permanent, concreted, raised island at the entrance. A raised island provides a location for left only and give way signage as there will be no median barrier to deter right turns out of the facility. Additionally, the raised island will prevent right turns into the facility in the absence of a median barrier.
- As vehicles are forced to turn left from the facility, Council may consider a turnaround area at Wybong Road as proposed by the applicant. The turnaround area may become damaged as there is no pavement and is for consideration by Council.
- An 80km/h temporary works zone is required on the highway for the duration of the work which is 9 months. This time frame includes proposed haulage to site of materials by heavy vehicles over the proposed period of 30 days and any miscellaneous use of the entrance by heavy vehicles within the construction period.
- Construction activities may be undertaken during standard daytime construction hours (7:00am to 6:00pm Monday to Friday, and 7:00am to 1:00pm on Saturdays). Any construction outside of these normal working hours would only be undertaken with prior approval from TfNSW.
- There is a proposed switching station near the entrance on the highway which is fenced however a protective safety barrier is required to be installed on the southbound approach.

### Advice to Council

TfNSW recommends that the following matters should be considered by Council in determining this development:

- TfNSW has no proposal that requires any part of the property.

- 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 Golden Highway stormwater drainage system. Council shall ensure that drainage from the site is catered for appropriately and should advise TfNSW of any adjustments to the existing system that are required prior to final approval of the development.
- The event shall ensure there is an approved Road Occupancy Licence (ROL) for the event. Contact Hunter Traffic Operations via the Roads and Maritime website (<https://www.rms.nsw.gov.au/business-industry/road-occupancy-licence/index.html>) to obtain a Road Occupancy Licence (ROL) prior to the closure of any lane or erection of any structures within the roadway associated with the future roadworks.
- As road works are required on Golden Highway (B84), TfNSW will require the developer to enter into a Works Authorisation Deed (WAD) with TfNSW. TfNSW 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).

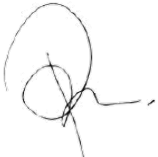
*Comment: It is requested that Council advise the developer that the Conditions of Consent do not guarantee TfNSW's final consent to the specific road work, traffic control facilities and other structures or works, for which it is responsible, on the road network. TfNSW must provide a final consent for 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 TfNSW.*

- All road works under the WAD shall be completed prior to issuing any Occupation Certificate for the development.
- All works associated with the subject development shall be undertaken at full cost to the developer and at no cost to TfNSW or Council, and to Council's requirements.

On Council's determination of this matter, please forward a copy of the Notice of Determination to TfNSW for record and / or action purposes. Should you require further information please contact Kate Leonard, Development Assessment Officer, on 0428 260 461 or by emailing [development.hunter@rms.nsw.gov.au](mailto:development.hunter@rms.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to be 'Peter Marler', with a large circular flourish at the start.

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