

13 February 2024

File No: NTH24/00054/001

Your Ref: DA2023/0759 – CNR-64953

General Manager
Clarence Valley Council
Locked Bag 23
Grafton NSW 2460

Attention: James Hamilton, Coordinator Development Services

**Yamba Road (MR152): DA 2023/0759, 281 Lot subdivision and childcare centre,
Lot 104 DP751388, James Creek Road, James Creek**

I refer to the abovementioned Development Application referred to Transport for NSW (TfNSW) on 23 January 2024 for comment in accordance with Section 2.122 / Schedule 3 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021*.

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.

Yamba Road (MR152) is a classified (Regional) road and James Creek Road is a local road. Clarence Valley Council is the roads authority for both roads and all public roads (other than freeways or Crown roads) in the local government area pursuant to Section 7 of the Roads Act 1993. Council is responsible for setting standards and determining priorities on Local and Regional Roads.

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

1. The supporting Traffic Impact Assessment (TIA) identifies the need for improvements to the Yamba Road and James Creek Road intersection to support the proposed subdivision. Council should be satisfied that appropriate road infrastructure can be provided within the land available.

TfNSW recommends a strategic design be prepared, in accordance with TfNSW [factsheet](#), to clarify the scope of works at the intersection and demonstrate a compliant design can be achieved within the road reserve available.

2. The developments proposed intersection with James Creek Road may have implications for the current speed zone. TfNSW is responsible for the review and/or approval of permanent speed zones in NSW in accordance with the recently updated and now titled "[NSW Speed Zoning Standard](#)". TfNSW recommend Council seek an 'agreement in principle' to change and/or relocate the current speed zone prior to finalising the intersection design, as necessary.

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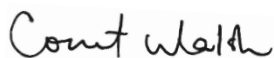
3. The subdivision layout currently does not appear to provide any provision for future public/school bus facilities. A subdivision of this size has potential to create future demand for public/school bus service be provided. TfNSW recommends Council consider conditioning the development provide the relevant infrastructure to enable future bus services.

Should Council approve the proposed development and condition road works on Yamba Road, TfNSW concurrence is required in accordance with Section 138 of the Roads Act as the roadworks required affect a classified (Regional) road. As such, the works are to be designed in accordance with the current Austroads Guidelines, relevant Australian Standards and TfNSW supplements to the satisfaction of both TfNSW and Council.

Furthermore, TfNSW highlights that in determining the application under Part 4 of the Environmental Planning & 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, such as (inter alia) removal of trees, relocation of utilities, stormwater management, etc. 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 the nature of the works, the Council may require the developer to undertake further environmental assessment for any ancillary road works.

If you have any further enquiries regarding the above comments please do not hesitate to contact Leisa Sedger, Development Services Case Officer on 1300 207 783 or 02 9549 9485 via email at: development.north@transport.nsw.gov.au.

Yours faithfully



Court Walsh

Team Leader Development Services
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