



25 October 2013

SF2012/004164/1
CR2013/006515
MD

Director, Mining & Industry Projects
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Attention: Mr Matthew Sprott

DENMAN ROAD (MR209) & OTHER CLASSIFIED ROADS: EXHIBITION OF ENVIRONMENTAL IMPACT STATEMENT (SSD 5170), BENGALLA

Dear Mr Sprott,

I refer to a letter to Roads and Maritime Services dated 2 September 2013 from Hansen Bailey advising of the public exhibition of the Environmental Impact Statement (EIS) for the subject project. I apologise for the delay in responding.

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. Bengalla Link Road and Thomas Mitchell Drive are local roads. Denman Road (MR209), the New England Highway (HW9) and the Golden Highway (HW27) are classified (State) roads. Roads and Maritime concurrence is required for connections to these roads with Council consent, under Section 138 of the Act. The New England Highway is also part of the National Land Transport Network. Council is the roads authority for these roads and all other public roads in the area. Should road works be required on the classified (State) roads, 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 Traffic and Transport Impact Assessment (TTIA) prepared by DC Traffic Engineering Pty Ltd dated 10 July 2013. There are many inconsistencies and errors in the TTIA (too many to detail). However, the overall requirements for intersection improvements on the State road network, to accommodate the additional workforce traffic, are accepted.

Roads & Maritime Services

The intersection of Denman Road and Thomas Mitchell Drive is required to be upgraded to a seagull arrangement by BHP Billiton under Mt Arthur Coal Mine – Open Cut Consolidation Project Approval 09_0062 (Schedule 3, Condition 47) by the end of December 2019. Until this time, queuing and delays at the intersection are likely to worsen due to the subject proposal and the cumulative impacts of other existing and proposed mining activities in the area. The Department should consider requesting a contribution towards the cost of the intersection works by the proponent (Bengalla) and have the works brought forward. Bringing forward these works would significantly improve the performance and enhance road safety and the efficiency of the intersection for all users.

On the Minister's determination of this matter, it would be appreciated if a copy of the Project Approval is forwarded to RMS for record and / or action purposes.

Muswellbrook Shire Council should also be consulted regarding the adequacy of the TTIA.

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

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Dave Young', with a large loop at the end.

Dave Young
Manager, Land Use
Hunter Region

Cc General Manager
Muswellbrook Shire Council

Ms Dorna Darab
Transport for NSW