



10 September 2012

SF2011/001291
MJ

Infrastructure Projects
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Attention: Ms Diane Sarkies

**NEW ENGLAND HIGHWAY (HW9): ADEQUACY OF ENVIRONMENTAL ASSESSMENT FOR
HEXHAM RELIEF ROADS (RAIL PROJECT), TARRO (SSI-4992)**

Dear Ms Sarkies,

I refer to your letter dated 7 August 2012 requesting comment from Roads and Maritime Services (RMS) regarding the adequacy of the Environmental Assessment (EA) for the subject project.

RMS Responsibilities

Transport NSW and RMS' 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*, RMS has powers in relation to road works, traffic control facilities, connections to roads and other works on the classified road network. The New England Highway (HW9) is a classified (State) road and part of the National Land Transport Network. RMS concurrence is required for connections to the New England Highway with Council consent, under Section 138 of the Act. Council is the roads authority for the New England Highway and all other public roads in the area.

RMS Response and Requirements

RMS has been involved in discussions with the Upper Hunter Valley Alliance (including ARTC) and QR National for some time in an effort to resolve safe vehicular access arrangements to / from the classified (State) road network. RMS has reviewed the information provided, including the Traffic Impact Assessment dated July 2012 prepared by Parsons Brinckerhoff Australia Pty. Ltd. and has no objections to the proposed development provided the following matters are addressed and included in any Project Approval:

- All heavy vehicle access to the Hexham Relief Roads worksite shall be via the existing New England Highway westbound off load / on load ramps at the Tarro Interchange and the

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existing U turn facilities at Beresfield (John Renshaw Drive / F3 roundabout) and Hexham (under the Hexham Bridge and the existing signalised intersection on the New England Highway).

- Access to the Hexham Relief Roads worksite shall be via a new T intersection (Austroads Type CHR / CHL) to be designed and constructed by the proponent to RMS requirements on Anderson Drive (Tarro Interchange) on the southern side of the New England Highway (Attachment A). Vehicular access at this intersection shall be restricted to right in / left out for heavy vehicles. Right in / left out / left in movements shall be permitted for light vehicles.
- The proposed Hexham Relief Roads worksite access road connecting the new T intersection with the southern section of Woodlands Close shall be sealed and designed / constructed to Council requirements.
- Vehicular access to / from the Hexham Relief Roads worksite via Woodlands Close shall not be permitted on road safety grounds. All vehicular access shall be via the new Anderson Drive T intersection and Hexham Relief Roads worksite access road.

Comment: RMS would consider permitting temporary access via the New England Highway / Woodlands Close intersection to allow heavy machinery access for the construction of the proposed Anderson Drive T intersection and Hexham Relief Roads worksite access road until such time as access is possible via the Tarro Interchange. RMS will not permit haulage trucks and the construction workforce to access the Hexham Relief Roads worksite via the New England Highway / Woodlands Close intersection. The applicant must investigate other options for haulage vehicles and the construction workforce to access the worksite.

- All of the above works shall be completed prior to the issuing of a construction certificate for the Hexham Relief Roads works in accordance with the Austroads *Guide to Road Design 2009* (with RMS supplements) to the satisfaction of RMS and Council.
- A Construction Traffic Management Plan (CTMP) shall be prepared, including a Vehicle Movement Plan and Traffic Control Plans, by the proponent and submitted to RMS and Council for review and approval prior to any road and Hexham Relief Roads worksite construction works.

Comment: The CTMP shall be prepared with the intention of construction traffic having minimal impact to the operation of the classified road network and specifically addressing any proposed vehicular access (heavy machinery only) via the New England Highway / Woodlands Close intersection during construction of the intersection and access road.

- As road works are required on a State road RMS will require the developer to enter into a Works Authorisation Deed (WAD) with RMS. RMS will exercise its powers under Section 87 of the *Roads Act 1993* (the Act) and the functions of the roads authority, to undertake road works in accordance with Sections 64, 71, 72 and 73 of the Act, as applicable, for all works under the WAD.
- Prior to issuing a construction certificate for the proposed Hexham Relief Roads works, the developer shall enter into a WAD with RMS and complete all road works associated with the Tarro Interchange / Access Road intersection.
- Prior to issuing an occupation certificate (interim or final) for the proposed development the developer shall complete all works under the WAD to practical completion, as determined by RMS.
- All works associated with the proposed development shall be at full cost to the developer and at no cost to RMS or Council, to the satisfaction of RMS.

Comment: Further advice regarding the WAD is provided in Attachment B.

While the proposed intersection and access road have been identified as a temporary construction access in the EA for the subject project initially, it is intended to use this connection to the Tarro Interchange as the permanent access for the on going maintenance of the ARTC rail assets, the proposed QR National Train Support Facility and other properties on the western side of the rail corridor. A realignment of the access road is proposed to connect to the QR National facility which will need to take into account existing properties, rights of access and the proposed future F3 to Raymond Terrace road requirements.

Transport for NSW Response and Requirements

Transport for NSW has raised the following issues to be addressed by the proponent and taken into account in any Project Approval:

- Noise Impacts: The EA assumes in its prediction of noise impacts that four of the five relief roads will be used for idling trains and the remaining for manoeuvring trains. It is unclear as to how long these trains will likely be idling for and the potential impacts on nearby residential dwellings.
- Potential Fassifern to Hexham line (Newcastle Rail Bypass): The location and design of the proposed Fassifern to Hexham line is yet to be determined, but one option involves the use of the disused formation and junction at Hexham. This option, connecting the Fassifern to Hexham rail link with the Main North railway line, may have consequential impacts on both the proposed Hexham Relief Roads project and the Fassifern to Hexham line project. Additional work is required prior to project approval being granted for the Hexham Relief Roads Project so these impacts can be determined.

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

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

Yours sincerely,



Dave Young
Manager, Land Use Development
Hunter Region

Enc. Attachment A – Preliminary Concept Plan of the proposed Anderson Drive / Hexham Relief Roads worksite access road intersection.

Attachment B - Preliminary WAD Advice to Consent Authority and Developer

Cc Mr David Ryner
Newcastle City Council

Attachment B: Preliminary WAD Advice to Consent Authority and Developer

Advice to the Consent Authority

- On the Ministers determination of this matter, it would be appreciated if a copy of the Project Approval / Refusal is forwarded to RMS for advice / consideration and action where required.
- Conditions of development consent do not guarantee RMS' consent to the specific road works, traffic control signals and / or other structures or works for which it is responsible. The developer must obtain RMS' authorisation in writing prior to the commencement of any road works and traffic control signals, including traffic management, temporary or permanent road works associated with the proposed development.

Advice to the Developer

- Following development consent, early discussion with RMS's Project Manager is recommended. RMS 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. RMS 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 RMS is satisfied that all requirements under the WAD have been met by the developer, including RMS's 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. RMS 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 RMS 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 RMS, under Part 5 of the EP&A Act.
- It is recommended that the developer use design consultants with the experience and knowledge of RMS's design requirements, in particular the Austroads *Guide to Road Design 2009* (with RMS supplements) and relevant Australian Standards.
- Construction on a State road and / or traffic control signals requires the engagement of an RMS pre-qualified contractor. A list of pre-qualified contractors can be found on the RMS website below.

<http://www.rta.nsw.gov.au/doingbusinesswithus/tenderscontracts/prequalifiedcontractors.html>