



3 November 2018

NSW Department of Planning & Environment  
Regional Assessments  
GPO Box 39  
Sydney NSW 2001

**Attention: Casey Joshua**

**WINE COUNTRY DRIVE & HUNTER EXPRESSWAY LINK (MR220): MP10\_0137 MOD 10, MODIFICATION TO HUNTLEE STAGE 1, WINE COUNTRY DRIVE, BRANXTON**

Reference is made to the Department's email dated 2 October 2018, regarding the abovementioned application which was referred to Roads and Maritime Services (Roads and Maritime) for comment in accordance with Clause 104 / Schedule 3 of the *State Environmental Planning Policy (Infrastructure) 2007*.

On 31 October 2018, Roads and Maritime met with the developer, and understands the Mod 10 proposal to be for the following modifications to Major Project approval for Huntlee New Town Stage 1 (MP10\_0137):

- Delay the requirement to upgrade the intersection of Wine Country Drive/Hex Link Road (A-1) from 750 dwellings to 1,000, or from 1 December 2018 to 1 June 2020 (whichever occurs first),
- Proposed interim left in left out intersection on the HEx Link Road, between the Hunter Expressway and Wine Country Drive.

Roads and Maritime Response

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.

Wine Country Drive is a classified State road. Council is the roads authority for this and all other public roads in the area, in accordance with Section 7 of the *Roads Act 1993*. Roads and Maritime has reviewed the referred EIS by Ethos Urban dated 26 September 2018, and Traffic Impact Statement by Seca Solution dated 4 June 2018. The following amendments to the conditions are proposed, with the amendments in bold text:

## E7. Road Network

### a) Road Infrastructure Requirements

iii) *The Wine Country Drive / HEx Link Road (A-1) intersection shall be upgraded, to a 2 lane circulating roundabout prior to ~~725~~ 1000 dwellings for which a subdivision certificate has been issued, or ~~1 December 2018~~ 1 June 2020, whichever occurs first.*

Roads and Maritime has reviewed the analysis and considers the proposed amendment to the condition will result an acceptable impact to the efficiency of the intersection. Roads and Maritime recommend that the WAD process commence immediately, as no further extensions to the lot threshold will be considered.

x) *HEx Link Road / Village 1 North access (A-6) intersection and link road shall be constructed during Stage 1. The intersection shall be a 2 lane circulating roundabout or traffic signals (intersection type to be determined by RMS). Further modelling will be required to provide the best outcome for the future operation of this intersection. The link road shall be one lane in each direction, allowing for a future additional one lane in each direction. (Required prior to the subdivision certificate of more than 1500 lots in Village 1). **An interim intersection such as a left-in / left-out can be provided prior to 1500 lots with the agreement of RMS, however this will be subject to upgrade to a roundabout or traffic signals prior to the subdivision certificate of more than 1500 lots in Village 1 unless otherwise agreed with RMS.***

Roads and Maritime consider the interim intersection will have minimal impact to the classified road network. Should the Department approve the proposed interim intersection and recommended road works, Roads and Maritime concurrence is required in accordance with Section 138 of the *Roads Act (1993)*. The works are to be designed in accordance with the *Austrroads Guide to Road Design 2009* (with Roads and Maritime supplements) and relevant Australian Standards to the satisfaction of both Roads and Maritime and Council.

As road works are required on Wine Country Drive and the HEx Link Road (MR220), Roads and Maritime will require the developer to enter into a WAD with Roads and Maritime. Roads and Maritime 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 Roads and Maritime'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. Roads and Maritime 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 Roads and Maritime.*

- 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 Roads and Maritime or Council, and to Council's requirements.

On the Department's determination of this matter, please forward a copy of the Notice of Determination to Roads and Maritime for record and / or action purposes. Should you require further information please contact Marc Desmond on 0475 825 820 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', written over a circular stamp or mark.

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

## **Attachment A: WAD Advice to Consent Authority and Developer**

### **Advice to the Consent Authority**

- On determination of the proposal a copy of the Notice of Determination should be forwarded to Roads and Maritime within the appellant period for advice / consideration and action where required.
- Conditions of development consent do not guarantee Roads and Maritime consent to the specific road works, traffic control signals and /or other structures or works for which it is responsible. The developer must obtain Roads and Maritime authorisation in writing prior to the commencement of any road works on the HEx Link Road and Wine Country Drive, including traffic management, temporary or permanent road works associated with the proposed development.

### **Advice to the Developer**

- Following development consent, early discussion with the Roads and Maritime Project Manager is recommended. Roads and Maritime 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. Roads and Maritime 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 Roads and Maritime is satisfied that all requirements under the WAD have been met by the developer, including Roads and Maritime 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. Roads and Maritime 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 Roads and Maritime 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 Roads and Maritime, under Part 5 of the EP&A Act.
- It is recommended that the developer use design consultants with the experience and knowledge of Roads and Maritime design requirements, in particular the Austroads *Guide to Road Design* (with Roads and Maritime supplements) and relevant Australian Standards.
- A fact sheet providing further information on the WAD process can be obtained from the Roads and Maritime Private Developments Website at:  
[http://www.rms.nsw.gov.au/roadprojects/community\\_environment/private\\_developments.html](http://www.rms.nsw.gov.au/roadprojects/community_environment/private_developments.html)
- Construction on a State road and / or traffic control signals requires the engagement of an Roads and Maritime pre-qualified contractor. A list of pre-qualified contractors can be found on the Roads and Maritime website below.  
<http://www.rms.nsw.gov.au/doingbusinesswithus/tenderscontracts/prequalifiedcontractors.html>