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20/1/15

Ms Evelyn Craigie  
Planning Services  
Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Madam

**Section 75W Request to Modify the Minister's approval of Project Application 06\_0250 (Mod 7)  
– Seaside Boulevard, Fern Bay**

Thank you for your email dated 8 January requesting Council's comments for the above development proposal. The modification seeks to redesign the subdivision layout in the North East Precinct of Fern Bay.

The following concerns have been raised in regards to the modification.

Block lengths

- The blocks have been increased up to approximately 300m long and do not comply with Port Stephen's Development Control Plan 2013. The lengths of the proposed blocks create safety concerns relating to vehicle and pedestrian interaction due to the potential of and probable excessive vehicle speeds. This will also lead to an increase in complaints to Council about road safety.
- It is not conceivable that all lots in the north-east precinct will be within 400m of a bus stop, which is the preferred distance. The block lengths of 300m mean that lots on the eastern side will have at least 600m to a bus stop.

It is recommended that a number of conditions or amendments be made to the proposal if the application is to be approved, including:

- Each lot shall be within 400m from a bus stop.
- Local Area Traffic Management (LATM) devices shall be designed and implemented in accordance with Engineering Best Practice.
- Roundabouts shall be designed and constructed at all four-way intersections in accordance with Austroads Publications and Council's Infrastructure Specifications.

Shared Pathway (Removal of Condition B4)

It is acknowledged that modification 6 of the proposal is also currently being assessed by the Department of Planning, whereby condition B4, requiring the construction of a shared path alongside Nelson Bay Road is proposed to be removed. Council has reconsidered its position on this issue following a presentation of a new alternative option by the RMS, and a number of concerns have been raised.

The proposed path represents a critical piece of infrastructure that will greatly improve safety for cyclists and pedestrians along this very busy road. The proposed path is a critical link for alternative transport between the Seaside Boulevarde residential development and the Fern Bay and Stockton community facilities.

Council understands that the property boundary issues identified may make it difficult to achieve a best-practice outcome in terms of separation of the path from the road. However, as identified by RMS (in discussion), in the area where road reserve width does not allow for a full-width off-road shared path to be constructed, it will still be possible to provide alternative treatment that will improve pedestrian and cyclist safety that would be acceptable to Council and RMS.

Thankyou for the opportunity to comment on the proposed modification to the development. If you wish to discuss any of the above issues please contact me on the number below.

Yours faithfully



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