



18 January 2018

Department of Planning & Environment
Resource Assessments
PO Box 39
SYDNEY NSW 2001

Attention: Anthony Barnes, Senior Environmental Assessment Officer

NELSON BAY ROAD (B63): MAJOR PROJECT MP07/0094 MOD 4, SALT ASH QUARRY PROJECT, LOTS: 632 & 633 DP: 609506 AND LOT: 4042 DP: 609506, 7 JANET PARADE, SALT ASH

Reference is made to Department of Planning and Environment's ('DPE') email received 7 December 2017, regarding the abovementioned application which was referred to Roads and Maritime Services (Roads and Maritime) for comment in accordance with Clause 16 of the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

Roads and Maritime understands the proposal involves the modification of an existing consent for a quarry to increase the annual rate of extraction from 201,000 tonnes to 400,000 tonnes thereby increasing truck movements from 30 to 42 per day. The existing access point via Janet Parade ('local road') will be retained and no upgrades or changes are proposed for the intersection of Nelson Bay Road, a classified (State) road and Janet Parade. The proposal also seeks to increase operating hours from 7am to 5pm Mondays to Fridays to 6am to 6pm Mondays to Fridays. No weekend operation hours are proposed.

Roads and Maritime response

Roads and Maritime has reviewed the information provided and raises no objection subject to the following requirements:

- The intersection of Nelson Bay Road and Janet Parade shall be upgraded to comply with the intersection warrants within Section 2.3.6 of *Austroads Guide to Traffic Management Part 6: Intersections, Interchanges and Crossings*.

Comment: Based on the information provided within the SECA Solutions Traffic Impact Assessment dated October 2017, including:

- o *Design speed = 90kph,*
- o *>10 movements in AM peak period (includes existing traffic generated by development in Janet Street and proposed traffic generated by quarry), and,*
- o *Daily traffic flow of >12,000 vehicles (c. 2017) and up to 16,200 vehicles by 2027*

the intersection treatment warrants an upgrade to include a channelised-right turn / channelised-left turn (CHR / CHL).

Roads and Maritime are also acutely aware of the need to ensure new development, specifically development generating heavy vehicle movements, does not compromise the safety of the classified network. SECA's traffic assessment identifies that westbound through traffic already comprises of a high number of heavy vehicle movements (almost 1 per minute in the AM peak) which reduces the number of opportunities for right-turning vehicles into Janet Parade and increases the likelihood of queuing vehicles on Nelson Bay Road. A channelised-right turn treatment serves to protect the stationary right turn vehicle, prevent the incidence of rear end collisions, and promote a clear lane for through vehicles to pass.

- As road works are required on Nelson Bay Road (B63), 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 DPE 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.

- The WAD must be executed and all road works under the WAD completed prior to the commencement of operations under the amended consent (MOD 4).
- The Proponent should not permit the arrival or dispatch of more than 4 laden truck movements to or from the site per hour.

Comment: It is not recommended that reference be made to the average dispatch over the course of the day as such a condition could permit a higher number of trucks to be dispatched in a peak period.

- 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.

Comment: While Nelson Bay Road is a classified (State) road, Council is the roads authority for this road and all other roads in the local network.

Roads and Maritime 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 (i.e. the required CHR / CHL construction). Depending on the level of environmental assessment undertaken to date and the nature of the works, the DPE may require the developer to undertake further environmental assessment for the road works.

Advice to DPE

Roads and Maritime recommends that the following matters should be considered by DPE in determining this development:

- Roads and Maritime has no proposal that requires any part of the property.
- All matters relating to internal arrangements on-site such as traffic / pedestrian management, parking, manoeuvring of service vehicles and provision for people with disabilities are matters for DPE to consider.

On DPE'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 Hunter Land Use on 4908 7688 or by email at development.hunter@rms.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'P. Marler', with a stylized circular flourish at the start.

Peter Marler
Manager Land Use Assessment

Attachment A: WAD Advice to Consent Authority and Developer

Advice to the Consent Authority

- On the Minister's determination a copy of the approval 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 Nelson Bay Road (B63), 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 Project Approval, 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 2010* (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
- 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>