



27 November 2012

SF2012/000805
CF2012/011225
MJ

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

Attention: Mr Paul Freeman

NELSON BAY ROAD (MR108): EXHIBITION OF ENVIRONMENTAL ASSESSMENT - SECTION 75W MODIFICATION OF ACCESS TO MACCAS SAND PROJECT, LOT 218 DP1044608 (08_0142 MOD 1)

Dear Mr Freeman,

I refer to your email dated 5 November 2012 requesting comment from Roads and Maritime Services (RMS) regarding the Environmental Assessment (EA) for the proposed modification to the subject development. This letter supersedes RMS' previous letter dated 3 February 2012 regarding a proposed modification to access arrangements at the subject site under the same modification identifier 08_0142 MOD 1 lodged in January 2012. It is noted that the previous modification has been withdrawn.

RMS Responsibilities

Transport for 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. Nelson Bay Road (MR108) is a classified (State) road. RMS concurrence is required for connections to this road with Council consent, under Section 138 of the Act. RMS consent is required for traffic control signals and facilities under Section 87 of the Act. Council is the roads authority for these roads and all other public roads in the area.

RMS Response and Requirements

RMS has reviewed the information provided and has no objections to the proposed modification to the access arrangements to Lot 218 DP 1044608 provided the following matters are addressed and included in the conditions of project approval:

Roads & Maritime Services

- The proposed intersection / access driveway on Nelson Bay Road shall be designed and constructed to accommodate left in / left out movements only and the design vehicle. A left turn deceleration lane and a left turn acceleration lane shall be provided at the intersection. The intersection shall be designed in accordance with the Austroads *Guide to Road Design 2009* (with RMS supplements) and relevant Australian Standards, to the satisfaction of RMS / Council. The intersection shall include the provision of a raised concrete median to physically prevent right turns into and out of the access road. Appropriate signage should also be provided to reinforce these restrictions.
- The intersection / access driveway shall be sealed to the returns, as a minimum, and designed / constructed in accordance with Council requirements.
- Street lighting shall be provided at the intersection of the access road and Nelson Bay Road to the relevant Australian Standard, or as determined by RMS.

Comment: This requirement is included as the proponent is seeking approval for 24 hour transportation of sand from the site.

- All works shall be carried out at full cost to the developer and at no cost to RMS or Council, to RMS requirements.
- As road works are required on a State road, RMS would require the developer to enter into a Works Authorisation Deed (WAD) with the RMS. RMS would 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. RMS would require these road works to be completed to the satisfaction of RMS prior to the commencement of operations at the subject site.

Additionally, RMS advise the Department that the proponent has submitted a concept design layout of the proposed intersection to RMS for review.

On 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.

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

Yours sincerely



Michael Dixon
A/Manager, Land Use Management
Hunter Region

Cc General Manager
Port Stephens Council