

ASSESSMENT REPORT

Salt Ash Sand Quarry

Intersection Upgrade Modification (MP 07_0094 MOD 2)

1 BACKGROUND

ATB Morton Pty Limited owns and operates the Salt Ash Sand Quarry, located approximately 33 kilometres northeast of Newcastle in the Port Stephens LGA (see Figure1).

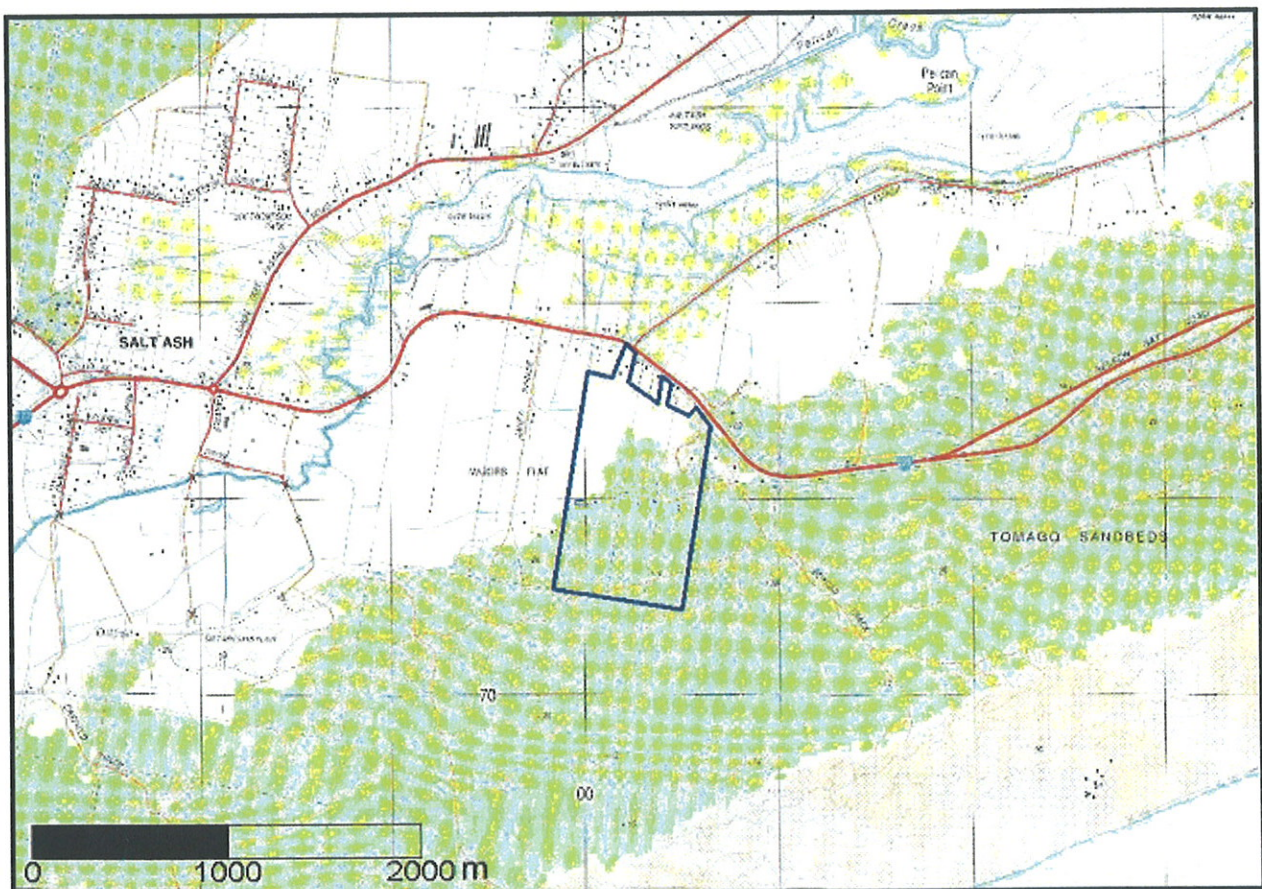


Figure 1: Location of the Salt Ash Sand Quarry Project.

On 24 January 2010, the Minister for Planning approved a major project application (07_0094) for the Salt Ash Sand Quarry Project. The approval allows ATB Morton to extract up to 200,000 tonnes of sand per year for a period of 18-20 years.

2 PROPOSED MODIFICATION

On 18 February 2011, ATB Morton submitted a modification application under section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Minister's approval requires ATB Morton to upgrade the intersection of Janet Parade and Nelson Bay Road, prior to the commencement of quarrying operations. ATB Morton is seeking to modify this condition to allow an auxiliary right turn lane (AUR) type intersection instead of a channelised right turn lane (CHR) type intersection.

3 STATUTORY CONTEXT

Approval Authority

The Minister was the approval authority for the original project application, and is consequently the approval authority for this modification application. However, under the Minister's delegation of 25 January 2010, the Deputy Director-General, Development Assessments and Systems Performance, may determine the application.

Section 75W

The proposed modification would not involve changes to any of the quarry's operating functions. The Department is satisfied that the proposed modification falls within the scope of section 75W and consequently the modification request can be determined under section 75W of the EP&A Act.

Consultation

Under section 75W, the Department is not required to exhibit the modification application or undertake consultation. Given the minor nature of the modification, no public consultation was undertaken. However the modification was referred to the Roads and Traffic Authority (RTA) and Port Stephens Council (Council) for their comment.

The **RTA** advised that difficulties may arise in attempting to integrate a CHR-type intersection into the surrounding road environment. Consequently, the RTA does not object to the proposed modification providing that the following matters are addressed and included in modified conditions of approval:

- the intersection shall be designed and constructed in accordance with the RTA's *Road Design Guide* and Austroads guidelines and shall be able to be integrated with the access for the approved development west of Janet Parade;
- the throat of Janet Parade shall be widened to accommodate the turning path of the longest vehicle likely to service the site;
- street lighting shall be provided at the intersection in accordance with the relevant Australian standard, to the satisfaction of the RTA;
- provision shall be made for on-road cyclists at the intersection;
- the developer will be required to enter into a Works Authorisation Deed with the RTA; and
- all works associated with the subject development shall be at no cost to the RTA or Council.

Council advised the Department that it supports the RTA's approach.

4 ASSESSMENT

The project will generate a maximum of 50 truck movements (25 laden truck and dog movements) and 10 light vehicle movements a day. A maximum of 5 truck movements per hour is predicted. Trucks will access and exit the site by turning from/to Nelson Bay Road into Janet Parade and then by a planned access road from Janet Parade to the sand processing area on the project site. Nelson Bay Road is predicted to carry 1400 vehicles per hour during peak periods. Consequently, the vehicle movements generated by the project would have no perceptible impact on traffic flow on Nelson Bay Road. However, right-turning movements from Nelson Bay Road into Janet Parade need to be managed to avoid traffic flow interruptions and safety concerns.

An AUR-type intersection provides a widened section of sealed pavement, equivalent in width to the through lane, on the primary road. It allows following traffic to pass by a right-turning vehicle, without stopping or leaving the pavement. A CHR-type intersection involves not only a widened section of sealed pavement, but construction of a separated right-turning bay, protected by a painted median.

When the project was first assessed, the RTA advised that a CHR-type intersection would be required to manage the impacts of increased vehicle movements. However, the RTA later advised ATB Morton that a CHR-type intersection may not be the best option for the particular local traffic circumstances and that an AUR-type intersection may be more suitable. In particular, a CHR-type intersection may cause potential impacts to residential access on the northern side of Nelson Bay Road and access to an approved service station development west of Janet Parade. Consequently, the RTA has indicated its support for the proposed modification, contingent on the measures listed above being addressed and included in the modified conditions of approval.

The Department agrees that it is reasonable and appropriate that the approval is modified to require the upgrade of the Janet Parade and Nelson Bay Road intersection to an AUR-type intersection. The Department considers that the modification would have no environmental impacts, and would have no

the intersection is upgraded to the satisfaction of the RTA and the Council. This will enable the RTA to enforce the measures that it has listed as necessary.

Currently, condition 29 of Schedule 3 of MP 07_0094 reads:

Prior to the commencement of quarrying operations, the Proponent shall upgrade the intersection of Nelson Bay Road and Janet Parade to a painted channelised right turn (CHR) intersection to the satisfaction of Council and RTA.

The Department proposes that this condition be amended to instead require an AUR-type intersection.

5 RECOMMENDED CONDITIONS

The Department has recommended a modified condition of approval for the Salt Ash Sand Extraction Project and is satisfied that the recommended condition will manage the project appropriately.

6 CONCLUSION

The Department has assessed the application in accordance with the relevant requirements of the EP&A Act. This assessment has found that the proposed modification would cause no environmental impacts.

On this basis, the Department is satisfied that the proposed modification is justified, and should be approved.

7 RECOMMENDATION

It is RECOMMENDED that the Deputy Director-General, Development Assessments and Systems Performance:

- **consider** the findings and recommendations of this report;
- **determine** that the proposed modification is within the scope of section 75W of the EP&A Act;
- **approve** the proposed modification under section 75W of the EP&A Act; and
- **sign** the attached Notice of Modification (Tag A).


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22.3.11


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30/3/11