



23 January 2018

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

Attention: Melissa Anderson

BOBS FARM SAND MINE PROJECT – SSD 6395 – NELSON BAY ROAD (MR108), BOBS FARM

Reference is made to the Department of Planning & Environment's (the Department) email dated 22 November 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*.

Roads and Maritime understands the proposal to be for the following:

- establish and operate a quarry to extract and process sand at a rate of 750,000 tonnes per annum, over a period of 15 years, from a total resource of 10 million tonnes;
- extract sand using both dry mining excavation and wet mining dredging methods;
- construct sand processing and transport infrastructure;
- transport sand products off-site via public roads; and
- rehabilitate the site to include approximately 12 hectares of forest and a 24.8 hectare artificial lake,
- access into the site via Nelson Bay Road for both light and heavy vehicles, and Marsh Road for light vehicles,
- egress from the site via Marsh Road only, with heavy vehicles to right only onto Marsh Road and left only from Marsh Road onto Nelson Bay Road, performing a U-turn at the roundabout at Port Stephens Drive for west / southbound vehicles.

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.

Nelson Bay Road (MR108) is a classified State road and Marsh Road is a local road. Council is the roads authority for both roads 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 information and provides the following comments to assist the consent authority in making a determination:

- Roads and Maritime note that access is proposed for heavy vehicles into the site from Nelson Bay Road. Roads and Maritime raise no objection to an access being provided from Nelson Bay Road, subject to a deceleration lane being provided in accordance with Austroads guidelines, and Roads and Maritime satisfaction. The works are required to be completed prior to commencement of and construction or operations on the site.
- Roads and Maritime recommend that any other existing accesses to the site from Nelson Bay Road shall be closed.
- A safety audit is to be undertaken on Marsh Road between Nelson Bay Road and the site entrance to ensure that Marsh Road is adequate to convey the anticipated heavy vehicle traffic. Consideration is to be given to the impact on safety related to the school, particularly during the school pick up and drop off times. Marsh Road is formed as a rural road with a narrow carriageway width.
- It is noted that all heavy vehicles will exit Marsh Road left and use the provided right turn bay at the seagull. As the acceleration lane for the right turn is too short to facilitate the acceleration of a heavy vehicle to the desired speed, restricting heavy vehicles to left out only is supported. This restriction is to be conditioned, and included in any site induction and vehicle movement plans.

Advice to the Department

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

- Roads and Maritime has no proposal that requires any part of the property.
- The consent issued by the Department should ensure that appropriate traffic measures are in place during the construction phase of the project to minimise the impacts of construction vehicles on traffic efficiency and road safety within the vicinity.
- The Department should have consideration for appropriate sight line distances in accordance with Section 3 of the *Austroads Guide to Road Design Part 4A (Unsignalised and Signalised Intersections)* and the relevant Australian Standards (i.e. AS2890:1:2004) and should be satisfied that the location of the proposed driveway promotes safe vehicle movements.
- Discharged stormwater from the development shall not exceed the capacity of the Nelson Bay Road stormwater drainage system. The Department shall ensure that drainage from the site is catered for appropriately and should advise Roads and Maritime of any adjustments to the existing system that are required prior to final approval of the development.
- As road works are required on Nelson Bay Road, 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.

Yours sincerely



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 Nelson Bay Road, 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
- 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>