

JOINT REGIONAL PLANNING PANEL (Hunter and Central Coast)

JRPP No	2013HCC023
DA Number	DA44862/2013
Local Government Area	Gosford City Council
Proposed Development	Construction of New Railway Underpass on Woy Woy Road at Base of Bulls Hill and Associated Roadworks
Street Address	LOT: 1 DP: 717038, LOT: 91 DP: 1022527, LOT: 1 DP: 127181, LOT: 183 DP: 755251, LOT: 173 DP: 755251, LOT: 1 DP: 701733 No: 8, 19, 66 Nagari Road WOY WOY & 170, 172, 174 Woy Woy Road WOY WOY
Applicant/Owner	Gosford City Council
Number of Submissions	1 st exhibition period 11 December 2013 to 31 January 2014: 15 public submissions (3 in support) 2 nd exhibition period (Revised Species Impact Statement) 2 April 2014 – 2 May 2014: 4 public submissions (1 in support)
Regional Development Criteria (Schedule 4A of the Act)	Schedule 4A section 4 of the Environmental Planning & Assessment Act 1979 - Council related development over \$5 million
List of All Relevant s79C(1)(a) Matters	Refer to Planning Report
Recommendation	Approval with Conditions
Report by	Peter Drew, Senior Development Assessment Planner

Assessment Report and Recommendation Cover Sheet

REPORT TO HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

TITLE **DEVELOPMENT APPLICATION NO. 44862/2013 PART 1**
APPLICANT: GOSFORD CITY COUNCIL
PROPOSED: CONSTRUCTION OF NEW RAILWAY UNDERPASS ON WOY WOY ROAD AT BASE OF BULLS HILL AND ASSOCIATED ROADWORKS ON LOT: 1 DP: 717038, LOT: 91 DP: 1022527, LOT: 1 DP: 127181, LOT: 183 DP: 755251, LOT: 173 DP: 755251, LOT: 1 DP: 701733, 66 NAGARI ROAD WOY WOY, 8 NAGARI ROAD WOY WOY, 170 WOY WOY ROAD WOY WOY, 172 WOY WOY ROAD WOY WOY, 174 WOY WOY ROAD WOY WOY, 19 NAGARI ROAD WOY WOY
Directorate: Environment and Planning
Business Unit: Development

The following item is defined as a planning matter pursuant to the Local Government Act, 1993 & Environmental Planning & Assessment Act, 1979.

EXECUTIVE SUMMARY

Reason for Referral to Joint Regional Planning Panel (JRPP): Schedule 4A section 4 of the Environmental Planning & Assessment Act 1979 - Council related development over \$5 million

Assessing Officer: P I Drew

Reviewing By:

Manager Development and Compliance
Director Governance & Planning
Chief Executive Officer (CEO)

Application Received: 02/12/2013

This application is subject to savings provisions under Gosford Local Environmental Plan 2014 and as such must be determined as though this plan had not commenced. The assessment and determination of this application has been made under the Gosford Planning Scheme Ordinance and Interim Development Order No. 122.

Synopsis: Gosford City Council with funding from the State Government proposes to remove the existing road/rail crossing at Rawson Road, Woy Woy. To facilitate this, upgrades to the surrounding road network are required. These works, known collectively as the 'Rawson Road Level Crossing Replacement Project', will be undertaken in 4 separate stages.

The current application seeks approval for stage 2 of the 'Rawson Road Level Crossing Replacement Project' and involves the construction of a new railway underpass on Woy Woy Road at the base of Bulls Hill and associated roadworks.

Stage 1 of the project is currently under construction. It is understood Stages 3 & 4 will be assessed under Part 5 of the EP&A Act and are not yet funded.

The Development Application was lodged as Integrated Development as it requires a permit under the Fisheries Management Act 1994. General Terms of Approval were issued by the Department of Primary Industries on 23 December 2013.

The Development Application is Designated Development under SEPP 14 as it involves works within mapped wetlands. The application was accompanied by an Environmental Impact Statement which adequately addresses the environmental and social impacts associated with the 'Rawson Road Level Crossing Replacement Project' and recommends the preparation and implementation of a Construction Environmental Management Plan (CEMP) to minimise potential impacts during and post construction. The concurrence of the Director General of the Department of Planning & Infrastructure was issued on 4 March 2014.

The application was exhibited from 11 December 2013 to 31 January 2014 (1st exhibition period) and a total of 15 submissions were received. An addendum to the Species Impact Statement (SIS) was submitted to Council on 27 March 2014 and the application was re-exhibited from 2 April 2014 – 2 May 2014 (2nd exhibition period). A total of 4 submissions were received from the 2nd exhibition period. The addendum to the SIS concluded that Umina Coastal Sandplain Woodland Ecologically Endangered Community does not apply to proposed stage 2 works. As such, a SIS and the concurrence of the Director General are not required for this application. Public submissions were considered in the assessment of the application and, where appropriate, conditions of consent have been recommended to address the concerns raised. Numerous issues raised in the public submissions relate to other stages of the project which are not the subject of this application. These submissions have been forwarded to Council's Infrastructure Planning section for future consideration.

The application has been assessed against the matters for consideration detailed in 79C of the Environmental Planning and Assessment Act 1979 (EP&A Act) and other relevant legislation.

All relevant matters under section 79C of the EP&A Act, section 89 of the Local Government Act 1993, the objectives of the zone and the principles of ecologically sustainable development have been considered. The proposed development will have a significant public benefit in terms of traffic management and safety and the proposal is recommended for **approval** subject to conditions.

Zone

Gosford Planning Scheme Ordinance (GPSO)

- 2(a) Residential
- 2(b) Residential
- 4(a) Industrial (General)
- 4(d) Industrial (Offensive or Hazardous)
- 5(a) Special Uses
- 5(b) Special Uses (Railways)
- 6(a) Open Space (Recreation)
- 6(e) Open Space (Proposed)

Interim Development Order (IDO122)

- 7(a) Conservation

Permissible Development: The proposed works are permissible under the GPSO, IDO122 and SEPP (Infrastructure) 2007.

Public Submissions:

1st exhibition period - 15 submissions (3 in support)

2nd exhibition period (Addendum to Species Impact Statement) - 4 submissions (1 in support)

Employment Generating: Yes (during construction) **Value of Work:** \$25 million

Political Donations: None declared

Relevant Statutory Provisions

1 Environmental Planning & Assessment Act, 1979 – Section 79C

- 2 Environment Protection and Biodiversity Conservation Act 1999
- 3 Local Government Act 1993 – Section 89
- 4 National Parks and Wildlife Act 1974
- 5 Threatened Species Conservation Act 1995
- 6 Native Vegetation Act 2003
- 7 Noxious Weeds Act 1993
- 8 Fisheries Management Act 1994
- 9 Water Management Act 2000 and Water Act 1912
- 10 Protection of the Environment Operation Act 1997
- 11 Crown Lands Act 1989
- 12 Contaminated Land Management Act 1997
- 13 Waste Avoidance and Resource Recovery Act 2001
- 14 SEPP (Infrastructure) 2007
- 15 SEPP No. 14 – Coastal Wetlands
- 16 SEPP No. 19 – Bushland in Urban Areas
- 17 SEPP No. 44 – Koala Habitat Protection
- 18 SEPP No. 62 – (Sustainable Aquaculture)
- 19 SEPP No. 71 – Coastal Protection
- 20 Gosford Planning Scheme Ordinance
- 21 Interim Development Order No. 122
- 22 Gosford Local Environmental Plan 2014
- 23 Gosford Development Control Plan 2013

Key Issues

1. Gosford Planning Scheme Ordinance & Interim Development Order No. 122
2. Gosford Local Environmental Plan 2014
3. Character
4. Climate change and sea level rise
5. SEPP 14 – Coastal Wetland
6. SEPP 19 – Bushland in Urban Areas
7. SEPP 71 – Coastal Protection
8. Section 5A of the Environmental Planning & Assessment Act 1979
9. Fisheries Management Act 1994
10. Gosford DCP 2013
11. Noise Impacts
12. External Referrals
13. Public Consultation and Submissions

Recommendation

Approval, subject to conditions

REPORT

Background

Gosford City Council (GCC) with funding from the State Government is proposing to remove the existing road/rail crossing of the Newcastle/Central Coast railway line at Rawson Road, Woy Woy. To facilitate these works, upgrades to the surrounding road network, primarily along Woy Woy Road, Railway Street and Nagari Road are required. Collectively these works are known as the 'Rawson Road Level Crossing Replacement Project'. The project will be undertaken in 4 separate stages (refer to Attachment A: Proposed Works Footprint) and aims to address safety concerns associated with the existing level crossing at Rawson Road, upgrade road and drainage infrastructure, and improve traffic movement through Woy Woy. The 4 stages are described as follows:

- Stage 1 - Rawson Road Pedestrian Underpass and Shoalhaven Drive Existing Rail Bridge Augmentation (currently under construction)
- Stage 2 - Shoalhaven Drive along Nagari Road to Woy Woy Road (North)
- Stage 3 - Rawson Road to Shoalhaven Drive upgrade including Upgrade to Waterview Street
- Stage 4 - Woy Woy Road (North) at Bulls Hill up to Banyo Close

Proposal

Development consent is sought from the Joint Regional Planning Panel under Part 4 of the EP&A Act for stage 2 of the 'Rawson Road Level Crossing Replacement Project'.

The works extend from Railway St at the Shoalhaven Drive Underpass to the base of Bulls Hill and is shown as Stage 2 on the Proposed Works - Stage 2 (refer to Attachment B).

The project seeks to:

- Improve pedestrian and cycleway connectivity under the railway tracks at Shoalhaven Drive.
- Upgrade and extend Nagari Road from Shoalhaven Drive to a new roundabout south of the railway tracks.
- Provide a new vehicle underpass at the base of Bulls Hill under the railway tracks.
- Provide a new bridge over Woy Woy Creek at the base of Bulls Hill.
- Close and remove the existing Rawson Road level crossing.

Details of the proposed works in Stage 2 include:

- Extension of approximately 300m of Nagari Road from Shoalhaven Drive (Ch300) to a new roundabout south of the railway tracks (Ch0) including road realignment and utility adjustments. The new roundabout (Ch0) will consist of two travel lanes and has been designed to allow turning manoeuvres for B double vehicles (approximately 22.5m radius). The level of the roundabout has been set above the 100-years ARI ponded water level on the southern side of the rail embankment.
- Woy Woy Road widening on Bulls Hill (Ch160 to Ch440).
- New access road from the new roundabout to Woy Woy Sewage Treatment Plant (WWSTP) including turning head for passenger vehicles.
- New stormwater box culverts to be constructed under the Nagari Road and WWSTP access road legs of the roundabout. These culverts will be sized to match the capacity of the existing arch culverts that are to be retained.
- Upgraded intersection with Woy Woy Road (South) and former Nicholls abattoir site access road (Ch120).
- Construction of a vehicle bridge at the base of Bulls Hill over Woy Woy Creek (Ch160) to suit the proposed road alignment and intersection layout. The existing twin span bridge at this location would be demolished.
- Construction of a new vehicle underbridge under the existing railway at the base of Bulls Hill (Ch60). The new bridge structure will be constructed to allow the proposed road to pass under the existing railway.
- Upgraded intersection with Woy Woy Waste Disposal Depot access road, including a right turn bay off the southern side of Nagari Road (Ch260) and new slip lane (Ch80 - Ch200) entering the access road from the northern side of Nagari Road.
- A 1.8m wide on road cycle way will be provided on Woy Woy Road (North) going up Bulls Hill.
- Adjustment to road levels along Woy Woy Road South (Ch180 to Ch510) including increasing road levels above 1.65m AHD (100-years ARI flood level in Correa Bay) at the edge line to provide flood free access to residents along Woy Woy Road (South). Property adjustments inside the boundary will be required at some locations.
- Augmentation of existing stormwater culverts under Woy Woy Road (South) (Ch370) to reduce the depth and frequency of stormwater overflowing the road during storm events;
- A reinforced earth, sandstone block or similar retaining structures will be provided along Nagari Road (Ch20 to Ch200) on the southern side of the road formation,

- The proposed road formation will be tapered to meet the existing road part way along Bulls Hill (approximately Ch440).
- Closure and removal of the existing Rawson Road level crossing. Closure of the crossing will involve the following:
 - closure of railway level crossing,
 - decommissioning of associated infrastructure,
 - provision of a new person proof fence across Rawson Road, and
 - augmentation of the Rawson Road/Phegan Street intersection including provision of new kerb across Rawson Road altered turning priorities.

The need for a Development application (DA) was triggered due to the encroachment of the proposed works into the State Environmental Planning Policy (SEPP) No. 14 - Coastal Wetlands No. 947 at the base of Bulls Hill and the western end of Correa Bay Woy Woy.

Stage 1 is currently under construction. It is understood the remaining 2 stages of the project (stages 3 and 4) will be assessed under Part 5 of the Environmental Planning & Assessment Act, 1979.

Assessment

This application has been assessed using the heads of consideration specified under Section 79C of the Environmental Planning & Assessment Act 1979, Council policies and adopted Management Plans. The assessment supports approval of the application and has identified the following key issues which are elaborated upon for Panel's information.

Gosford Planning Scheme Ordinance & Interim Development Order No. 122

a Zoning

The proposed works fall within the following zones:

Gosford Planning Scheme Ordinance (GPSO)

- 2(a) Residential
- 2(b) Residential
- 4(a) Industrial (General)
- 4(d) Industrial (Offensive or Hazardous)
- 5(a) Special Uses
- 5(b) Special Uses (Railways)
- 6(a) Open Space (Recreation)
- 6(e) Open Space (Proposed)
- Unzoned Land (road reserve)

Interim Development Order (IDO122)

- 7(a) Conservation
- 6(b) Open Space (Special Purposes)

The proposed works are consistent with the definitions for 'Roads' and 'Utility installation' under the Gosford Planning Scheme Ordinance & Interim Development Order 122.

"Road" means a public thoroughfare used for the passage of persons, vehicles or animals and includes:

- (a) the airspace above the surface of the road;
- (b) the soil beneath the surface of the road; and
- (c) any bridge, tunnel, causeway, road ferry, ford or other works or structure forming part of the road.

“Utility installation” means a building or work used for a public utility undertaking, but does not include a building designed wholly or principally as administrative or business premises or as a showroom.

“Public utility undertaking” means any of the following undertakings carried on or by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act:

- (a) railway, road transport, water transport, air transport, wharf, harbour or river undertakings;
- (b) undertaking for the supply of water, hydraulic power, electricity, telecommunications or gas or the provision of sewerage or drainage services, and a reference to a person carrying on a public utility undertaking shall be deemed to include a reference to the Council, County Council, Government Department, Corporation, firm or authority carrying on the undertaking.

Roads and Utility Installations are permissible land uses within each of the abovementioned zones, with the exception of the 7(a) zone which only permits Roads.

The proposed works are therefore permissible under the GPSO and IDO122.

b Objectives Of Zones

Clause 10(3) of the Gosford Planning Scheme Ordinance and Clause 5(3) of Interim Development Order No 122 stipulates that consent must not be granted for development of land within the prescribed zone, unless the objectives of the zone have been taken into consideration in conjunction with the objectives of the Local Government Act 1993, pertaining to Ecologically Sustainable Development.

In this instance, it is considered that the proposal does not compromise the stated objectives of the relevant zones and is consistent with the principles of Ecologically Sustainable Development, as specified within the Local Government Act 1993.

Gosford Local Environmental Plan 2014

Gosford Local Environmental Plan 2014 (Gosford LEP 2014) was gazetted on 11 February 2014. Under Clause 1.8A – ‘Saving provisions relating to development applications’ of Gosford LEP 2014 the application is to be assessed and determined as though the plan had not commenced. The assessment and determination of this application has been made under the Gosford Planning Scheme Ordinance and Interim Development Order No. 122.

Although this application is subject to the saving provisions consideration of the zoning, development standards and special provisions of Local Environmental Plan 2014 are discussed for the purpose of consistency.

a Zoning

The proposed works fall within the following zones under Gosford LEP 2014:

- R1 General Residential
- R2 Low Density Residential
- RE1 Public Recreation
- E2 Environmental Conservation
- IN1 General Industrial
- SP2 Infrastructure
- DM Deferred Matter

The proposed works are consistent with the definitions for ‘Roads’ in Gosford LEP 2014.

‘Road’ means a public road or a private road within the meaning of the Roads Act 1993, and includes a classified road and is permissible land use within each of the abovementioned zones.

b Objectives of the Zones

In this instance, it is considered that the proposal does not compromise the stated objectives of the relevant zones.

c Acid Sulfate Soils (ASS)

Excavation for the proposed works will traverse areas mapped as Classes 2, 3 & 5 under the ASS Planning Maps. Given this, prior to the commencement of works ASS investigations will need to be undertaken and if potential or actual ASS are identified an ASS Management Plan will need to be developed and implemented during works.

During the construction phase all works will be carried out in accordance with a comprehensive CEMP. This plan will contain a sub-plan including an ASS Management Plan.

d Flooding

The site drains into Correa Bay. The EIS states that the Brisbane Water Catchment Study indicates that the 1%AEP (1 in 100 year) flood level for this part of Brisbane Water (including Correa Bay) is RL 1.65m AHD. The adopted 1%AEP flood level based on the Brisbane Water Foreshore Flood Study is RL 1.7m AHD. Parts of the Woy Woy Road (South) are currently below the 1%AEP flood level and these are nominated to be raised above the Correa Bay flood level as part of the works.

The 1%AEP event has been used to size the proposed cross drainage structures.

Character

Clause 10(4) of the Gosford Planning Scheme Ordinance and Clause 5(4) of Interim Development Order No 122 stipulate that the Council must not grant consent for development unless it has taken into consideration the character of the development site and the surrounding area, where, for the purpose of this provision, character means the qualities that distinguish each area and the individual properties located within that area.

In this instance, the proposal does not detract from the character of the locality. Refer to Key Issue – Gosford DCP 2013 for detailed assessment.

Climate change and sea level rise

Climate change and sea level rise have been considered in the assessment of this application.

Climate change and sea level rise will be felt through:

- increases in intensity and frequency of storms, storm surges and coastal flooding;
- increased salinity of rivers, bays and coastal aquifers resulting from saline intrusion;
- increased coastal erosion;
- inundation of low-lying coastal communities and critical infrastructure;
- loss of important mangroves and other wetlands (the exact response will depend on the balance between sedimentation and sea level change); and
- impacts on marine ecosystems.

Internationally there is a lack of knowledge on the specifics of climate change and the likely impact it will have on the subject development. Government action may mitigate the impact of climate change and the question of sea-level rise may be able to be addressed through the construction of containment works or through Council's policies that may be developed over time.

A condition of development consent is recommended to ensure that a comprehensive Construction Environmental Management Plan (CEMP) is prepared which includes all specific measures for the protection of the aquatic environments, weed management and site rehabilitation as outlined in Section 6.1.5 of the Environmental Impact Statement (EIS). Given strict adherence to these measures the proposed works are not likely to lead to a significant impact on the SEPP 14 Coastal Wetland No.947.

The Director General issued concurrence for this activity subject to Clause 7 of SEPP 14 – Coastal Wetland on 4 March 2014.

SEPP 19 – Bushland in Urban Areas

The proposed Woy Woy Rd (north) upgrade from approximately Ch240 to Ch680 will result in property acquisition of a narrow linear portion of COSS reserve R0136 – Horsfield Bay Wetland.

Road construction and retaining works will result in the removal of a small highly disturbed portion of Swamp Oak Forest from approximately Ch240 to Ch300 and a linear strip of Hawkesbury Peppermint-Apple Forest through to approximately Ch680.

The interface between the proposed road widening and the bushland reserve will be delineated by a vertical block retaining wall varying in height to a max height of 12m.

During the construction phase all works will be carried out in accordance with a comprehensive Construction Environmental Management Plan (CEMP). This plan will contain sub-plans including a Flora and Fauna Management Plan (FFMP), Erosion & Sedimentation Control Plan (ESCP) and Acid Sulphate Soils Management Plan (ASSMP).

It is considered that compliance with these management plans will minimise impacts on R0136 – Horsfield Bay Wetland. Post construction rehabilitation and regeneration will ensure edge effects are minimised and thus achieving the aims and objectives of SEPP 19.

A condition of development consent has been recommended to ensure all works are carried out in accordance with the CEMP and associated sub-plans.

SEPP 71 – Coastal Protection

The provisions of State Environmental Planning Policy (SEPP) No 71 - Coastal Protection requires Council consider the Aims and Objectives of the SEPP together with the matters for consideration listed in Clause 8 of the SEPP when determining an application within the Coastal Zone. The Coastal Zone is an area defined on maps issued by the Department of Planning NSW. The subject property falls within the Coastal Zone and works are proposed within a Sensitive Coastal Location.

The Aims and Objectives and the matters listed under Clause 8 have been considered and the application complies with the provisions of the SEPP.

Section 5A of the Environmental Planning & Assessment Act 1979

a Threatened Species

Section 5A assessments have been completed for a raft of threatened species that have been recorded or have potential habitat that may be affected by the proposed Stage 2 road upgrade works. These assessments have concluded that the proposed activity will not lead to a significant impact on threatened species or their habitats.

During the construction phase all works will be carried out in accordance with a comprehensive CEMP. This plan will contain sub-plans including a Flora and Fauna Management Plan that will mitigate impacts on threatened species and their habitat.

b Endangered Ecological Communities

Coastal Saltmarsh and Coastal Upland Swamp vegetation communities will not be directly or indirectly adversely impacted upon by Stage 2 works. Section 5A assessments have concluded that Stage 2 works will not lead to a significant impact on these communities or their habitats.

c Swamp Oak Forest on Coastal Floodplain (SOFCF)

The proposed Stage 2 works will result in the removal of ~0.27ha of SOFCF primarily from the western fringe of Coastal Wetland No. 947. As discussed above this portion of SOFCF has been subject to extensive weed incursions in the vicinity of the proposed works and is dominated by *Lantana camara*. SOFCF effected vegetation is generally of young age class, fragmented and heavily impacted upon by edge effects.

Section 5A assessment on this community has concluded that the proposal will not lead to a significant impact on SOFCF.

d Swamp Sclerophyll Forest on Coastal Floodplain (SSFCF)

The proposed roundabout intersection between approximately Ch40 (north) and Ch40 (south) adjacent to the Woy Woy Sewerage Treatment Plant will result in the direct removal of ~0.77ha of the endangered ecological community listed as SSFCF.

Based on an inspection of the site and review of the EIS, the SSFCF vegetation was historically partially cleared / disturbed during railway construction and for agricultural activities. This has resulted in extensive weed infestations, particularly Lantana (Photo 1).



Photo1: SSFCF with Lantana weed infestation

Section 5A assessment on this community has concluded that the proposed activity is not likely to lead to a significant impact on SSFCF or its habitat.

During the construction phase all works will be carried out in accordance with a comprehensive CEMP. This plan will contain sub-plans including a Flora and Fauna Management Plan that will mitigate impacts on threatened species and their habitat.

Post development rehabilitation and regeneration will focus on replanting species consistent with this community and providing weed management to remnant in situ areas of this community.

e Umina Coastal Sandplain Woodland (UCSW)

The Species Impact Statement (Ecological Surveys & Management, 2013) was prepared based on the findings of a Section 5A assessment of an area UCSW identified between chainage CH40 to CH840. An initial inspection of the site revealed this area to be generally elevated from the Umina sandplain with existing road cuttings along Nagari Road exhibiting weathered soil profiles with large sandstone floaters outcropping. In addition, a review of the EIS, soil landscape mapping and geological borehole data from BH301 taken at ~CH20 revealed that the area mapped as UCSW was founded on soils consistent with those described as colluvial Watagan soil landscape.

Floristically the dominant tree species is *Angophora floribunda* although non USCW tree species such as *Eucalyptus piperita* is present.

Generally this vegetation is of relatively poor quality due to edge effects from the main northern rail line, the creation and maintenance of Nagari Road and the access road to the sewer treatment plant.

Given questions raised over the presence of UCSW due to geological factors, a site meeting was held with OEH, GCC and the project consultants. It was agreed that further soil sampling and floristic analysis would be undertaken to further examine whether the vegetation forms part of the endangered ecological community listed as UCSW or is more consistent with the commonly occurring Hawkesbury Peppermint – Apple Forest.

Further soil classification based on field investigation and laboratory testing (Cardno 2014) has confirmed the soil landscape is derived from colluvial origins that would be consistent with the Watagan Soil Landscape as described by Chapman & Murphy (1989). The soils are not coastal sands of the Woy Woy Soil Landscape Chapman & Murphy (1989).

Further, additional field investigations of the vegetation above Nagari Road on colluvial derived soils identified the dominant canopy species to be *Angophora floribunda* which is consistent with the vegetation assemblage within the Stage 2 works area.

Additional analysis within the Addendum to Species Impact Statement (Ecological Surveys & Management, March 2014) concludes that UCSW does not apply to Stage 2.

A revised section 5A assessment has concluded that proposed Stage 2 works will not lead to a significant impact on UCSW or its habitat.

Given this, a Species Impact Statement and concurrence of the Director General is not required for Stage 2.

Fisheries Management Act 1994

The Development Application was lodged as Integrated Development as it requires a permit under the Fisheries Management Act 1994. The removal of any mangroves will be subject to a Part 7 permit issued under the *Fisheries Management Act 1994* prior to any works on the site. It is understood that offsets for loss of any mangrove habitat will be negotiated with Fisheries NSW prior to the issuing of the Part 7 permit. General Terms of Approval were issued by the Department of Primary Industries on 23 December 2013 and will form part of any consent granted for this proposal.

Gosford DCP 2013

a Chapter 2.1 – Character

The proposed development footprint extends across numerous character ‘places’ as described in Chapter 2.1 Character. The character statements for each of the character ‘places’ have been developed to guide development on private land and do not generally relate to public works and infrastructure projects. Irrespective, the proposal will have a level of impact on existing character of the area in terms of the road works, extent of vegetation removal, and changes to traffic movement and street hierarchy. Given the design of the road upgrade and associated works, the proposed mitigation measures including construction management, post development rehabilitation and regeneration and the general benefits of the project (relating to safety and traffic management), the level of impact on the general character of the area is considered acceptable.

b Chapter 2.2 – Scenic Quality

The proposed works are located partially in the Woy Woy Bay Land-Unit and partially in the Woy Woy – Umina Land-Unit of the Peninsula Geographic Unit under the provisions of Chapter 2.2 – Scenic Quality. Chapter 2.2 describes the each unit as follows:

Woy Woy Bay Land-Unit

Level of Significance:	Regional
Absorption Capacity:	Low
Visual Sensitivity:	High
Statement of Significant:	The Woy Woy Bays Landscape Unit is of regional scenic value because of the mixture of natural and cultural elements, the visibility of the area to tourists and commuters and the importance of the area to the history of railway development.

Woy Woy – Umina Land-Unit

Level of Significance:	Local
Absorption Capacity:	High
Visual Sensitivity:	Generally low but higher on waterfront.
Statement of Significant:	The Woy Woy/Umina Landscape Unit is of local scenic value only. It is an example of low cost early suburban and beach retreat development on Brisbane Water. The Brisbane Water Escarpment provides a significant backdrop to Woy Woy/Umina.

The proposal will have a level of impact on the scenic qualities of the area, particularly from the works located at the base of Bulls Hill. This impact will result from road works (including associated excavation and retaining walls), the construction of the new roundabout, bridge and underpass, and the extent of vegetation removal.

The proposal has been designed to minimise, where possible, the impact of works on the environment (including the SEPP 14 Wetlands). The extent of vegetation removal has been limited by locating the proposed works within the vicinity of the existing road corridor. The CEMP will include measures to mitigate visual impact during and post construction. Extensive revegetation and rehabilitation will occur in cleared and disturbed areas. Were possible high retaining walls will be screened by new planting.

Suitable measures will be implemented to ensure the proposed road works will not unreasonably detract from the scenic qualities of the area.

c Chapter 6.1 – Acid Sulfate Soils

There is a high probability of acid sulphate soils occurring and being impacted during construction activities. The risks associated with the disturbance of ASSs can be adequately managed and mitigated through the implementation of the management measures documented in the Acid Sulfate Soil Manual and the Acid Sulfate Soil Assessment Guidelines. An Acid Sulfate Soils Management plan will form part of a comprehensive CEMP.

d Chapter 6.3 – Erosion & Sedimentation Control

During the construction phase all works will be carried out in accordance with a comprehensive CEMP. This plan will contain sub-plans including a Soil Water management Plan that will mitigate impacts soils, geology and hydrogeology.

e Chapter 6.4 – Geotechnical Requirements

The majority of the development site for stage 2 works falls within an area mapped as having medium landslip hazard. Geotechnical report(s) will be prepared prior to commencement of works and recommendations implemented during construction.

(Refer to Conditions 2.14 & 3.9)

f Chapter 6.6 - Preservation of Trees and Vegetation

During the construction phase all works will be carried out in accordance with a comprehensive CEMP. This plan will contain sub-plans including a Flora and Fauna Management Plan that will mitigate impacts on trees, vegetation, non threatened and threatened flora and fauna species and their habitat.

Post development rehabilitation and regeneration will focus on replanting species consistent with existing trees and vegetation along with providing weed management to remnant in situ areas of vegetation. Given this Stage 2 works are consistent with the aim and objectives of Chapter 6.6.

g Chapter 7.2 – Waste Management

Waste materials, including ASS generated during construction will be classified in accordance with the NSW EPA Waste Classification Guidelines (2009). Where applicable, resource recovery exemptions under the Waste Avoidance and Resource Recovery (WARR) Act 2001 will be sought from the EPA for the beneficial reuse of waste materials. Wastes disposed offsite will be tracked as legislated under the Protection of the Environment Operations (Waste) Regulation 2005. Waste materials removed offsite are to be disposed of at an appropriately licenced facility approved to accept the specified waste stream.

Noise Impacts

a Noise Impacts from Construction

The noise impact assessment provided in the EIS has concluded that there will likely be significant, short term, intermittent noise impacts resulting from the works during the construction phase. Noise levels are predicted to exceed the NSW Interim Construction Noise Guideline (DECC 2009) target criteria for both “standard” and “non standard” hours of operation. On this basis, mitigation measures are required to reduce noise impact as far as is practical over the construction phase. A further detailed noise impact assessment will be required to determine the predicted level of noise impact once the construction staging, and type of plant and equipment sizes to be used for the Project, are known. The revised results shall be included in a Construction Noise and Vibration Management Plan for the Project, and are to include but not be limited to, the measures identified in Environmental Impact Statement.

(Refer to Condition 2.17)

b Noise Impacts from Operation

Road traffic noise from Nagari Road and Railway Street is predicted to significantly increase (> 2dB(A)) due to traffic using the new railway underpass. Road traffic noise from Woy Woy Road (South) is predicted to decrease due to reduced traffic volumes.

The noise impact assessment provided in the EIS indicates that any reasonable road noise mitigation is not expected to markedly reduce the noise impact and is unlikely to produce a significant noise benefit, particularly in relation to properties along Railway Street. It should be noted that treatments to the road surface will not achieve a significant noise reduction. The assessment concludes that in relation to the Railway Street residences, it is not considered reasonable to implement noise mitigation measures as part of the project, at this stage. Notwithstanding this, an Operational Noise Impact Assessment will be required to be completed once stage 2 is operational and recommended noise mitigation (if any) be implemented within 6 months. Furthermore, Council's Project Implementation Section has agreed to construct acoustic fencing across the frontage of HN 2 Shoalhaven Dr, as requested in a public submission.

(Refer to Conditions 3.11 & 5.1)

External Referrals

External Authority	Reason for referral	Comments
Rural Fire Service	Comment	No objection
Dept. Of Primary Industries	Integrated Development under the Fisheries Management Act, and referral under SEPP 62.	No objection - GTAs issued. Refer to conditions 2.10, 2.12 & 3.6.
Office of Water	Water Management Act	Office of Water confirmed public authorities are exempt from requiring a Controlled Activity Approval
EPA	Comment	EPA has no statutory role in determination.
Office of Environment & Heritage – Environment	Concurrence (significant impact on EEC)	After consideration of additional information (including addendum to SIS) OEH does not have a concurrence role.
Office of Environment & Heritage – Heritage Council	Comment	Referral not required
Department of Planning & Infrastructure	Concurrence – SEPP 14	Concurrence issued.
NSW Transport	Comment	Full support for project. Additional advice provided. Refer to condition 7.6.
NSW Roads & Maritime Services	Comment	No objection raised.

Ausgrid	Comment	No objection, subject to conditions. Refer to conditions 2.13, 3.7 & 3.8
Trade & Investment – Crown Lands	Works on Crown land	Consent to lodge application over Crown Land provided.
Local Aboriginal Land Council – Darkinjung	Comment	Concerns were raised in relation to potential impacts arising from future development outside of the proposed development footprint. Comments are noted. Separate approval and assessment is required for development outside of the approved footprint.
Mingaletta Aboriginal & Torres Strait Islander Corporation	Comment	No comments received.
Guringai Tribal Link Aboriginal Corporation	Comment	No comments received.
Jemena Gas	Comment	No comments received.
Hunter Central Rivers Catchment	Comment	No comments received.
Railcorp	Comment	No comments received.

Public Consultation and Submissions

Extensive community consultation has been undertaken by Council prior to lodgement of the development application.

The Development Application was originally notified and exhibited from 11 December 2013 to 31 January 2014 in accordance with s79 of the EP&A Act and 15 public submissions (3 in support) were received. The application, with addendum to the Species Impact Statement, was re-notified and re-exhibited from 2 April 2014 to 2 May 2014 and 4 public submissions (1 in support) were received.

The following table is a summary of public submissions. Attachment 1 provides a more detailed assessment.

Issues	Submission	Comment
Siltation	Further siltation to Correa Bay due to proposed works.	Erosion and sediment control measures and landscaping and revegetation will be implemented during construction phase. The project is not expected to result in further siltation of Correa Bay.
Danger to cyclists and pedestrians	A walkway should be included along Woy Woy Road (down	Cycle and pedestrian lanes shall be provided along Woy Woy Road

	Bulls Hill).	(North) for the area associated with stage 2. It is expected that they will continue north along Woy Woy Road (North) when stage 4 is undertaken.
Stage 4	<p>Concerns over Stage 4 – Visual Impact, Noise Impact, Trucks/caravans, lighting, speed limit, logistics.</p> <p>Traffic management during construction phase, excavation may cause structural damage to houses.</p> <p>Water from the existing road drains into a water fall next to 236 Woy Woy Road. This should be managed to prevent water run-off and erosion.</p> <p>The bus stops located on both sides of Woy Woy Rd are currently dangerous.</p> <p>Concerns are raised over Stage 4 relating to visual impact, noise impact, lighting, speed limits and logistics associated with the construction phase.</p> <p>Stage 4 should be a priority as Woy Woy Road (North) is dangerous.</p> <p>Concerns over traffic accidents at 'Devils Elbow'.</p>	This application relates to Stage 2 works only. These submissions (relating to Stage 4 works) have been forwarded to Council's Infrastructure Planning Section for consideration.
Stage 3	<p>Concerns over Stage 3 – Improvements to Macarthur Parade will result in increased traffic flow along Paton Street. The corner where Macarthur Parade, Paton St, Watford St and Pratley St is very confusing.</p> <p>Use of Paton Street and Macarthur Pde as a "rat run"</p>	<p>This application relates to Stage 2 works only. These submissions (relating to Stage 3 works) have been forwarded to Council's Infrastructure Planning Section for consideration during the future Part 5 assessment.</p> <p>Once stage 3 is completed the efficiency of the Railway Street and Rawson Road intersection is expected to improve which will reduce the desire to use Paton Street and Macarthur Pde as a "rat run"</p>
Loss of vehicular access and loss of amenity	Closure of the railway crossing at Rawson Road will reduce vehicular access to Woy Woy	Agreed. The closure of the railway crossing will increase travel time and distance to Woy Woy for a number

	from Waterview St, Woy Woy Rd, Phegan St, Pier St and adjacent areas resulting in increased travel time and fuel costs.	of residents. However, this impact is outweighed by the overall public benefits (particularly safety and traffic management).
Pedestrian underpass	The pedestrian underpass will be unusable following heavy rainfall and king tides.	The pedestrian underpass (stage 1) does not relate to the present application and is currently under construction. The pedestrian underpass is above tidal levels.
Alternative option	<ol style="list-style-type: none"> 1) Reduce use of level railway crossing through signage. 2) Enable single cars to use underpass being constructed at Stoney Pass. 3) Construct an additional vehicular access between Shoalhaven Drive and Rawson Road. 	<ol style="list-style-type: none"> 1) Does not meet the objective of the project. 2) The pedestrian underpass is currently under construction and cannot accommodate motor vehicles. 3) This would result in substantial cost with minimal benefit.
Alternative option	The better longer-term option would be the construction of a road/bridge infrastructure from Ocean Beach Road across Woy Woy inlet joining Woy Woy Road above Woy Woy Bay.	<p>Various options have been considered. The EIS concludes that the proposed design solution is the preferred option when considering the project objectives, impacts and overall cost.</p> <p>The suggested alternative option is cost prohibitive.</p>
Concerns over pedestrian underpass	It is not clear whether the pedestrian underpass is to be shared between pedestrians and cyclists.	The approved underpass (stage 1) makes provision for pedestrians and cyclists with ramps on either side.
Increased traffic	The road upgrades will encourage more traffic, especially longer and heavier vehicles.	The project seeks to improve traffic movement in the area and improve safety. This concern does not warrant refusal of the application or abandoning the project.
Impacts during Construction	<p>Major traffic congestion for a considerable period will occur during the construction phase.</p> <p>Impact on health (air quality and noise pollution)</p>	<p>A traffic management plan will be prepared and implemented to minimise the impact on traffic movement during the construction phase.</p> <p>The CEMP will include air quality and dust management/mitigation measures.</p>
Siltation from existing drain	Siltation from stormwater drain adjoining HN 157 Woy Woy Rd.	This is an existing issue and does not arise from the proposal. This matter has been referred to Council's Engineering Investigations section for investigation.

Illegal dumping ground	A small pocket of land located near the bridge crossing of Woy Woy Creek is used as an illegal dumping ground for waste. Access to this land should be blocked and the area should be revegetated.	Suitable physical barriers shall be provided to discourage vehicular access and illegal dumping to the west of HN 167 Woy Woy Road, Woy Woy (Lot: 1041 DP: 514438). Refer to condition 3.10.
Impact on fish	The new bridge may impact on fish.	The proposed bridge abutments are located outside the creek. Submission considered by DPI. No objection was raised to proposal, subject to conditions.
Safety concerns over road design	This proposal creates two intersections at the foot of the steepest descent in Bulls Hill, including a blind intersection as traffic emerges from the underpass at the roundabout.	The intersection of Woy Woy Road (south) and Woy Woy Road (north) is design to have compliant stopping sight distance.
Traffic congestion	The space available between the railway embankment and Woy Woy Creek simply cannot accommodate an adequate number of vehicles waiting to turn right into Woy Woy Rd (south)	The design allows for a right-hand turn storage bay into Woy Woy Road (south) of sufficient length for the expected number of vehicles.
Heavy Vehicle Restriction	The existing heavy vehicle restriction should be maintained.	The heavy vehicle restriction will remain in place until stage 4 works are complete.
Impact from Increase in traffic	<p>The development will result in increased traffic which will have long-term impacts on residents.</p> <p>Will an acoustic fence be constructed along Woy Woy Road (in the vicinity of HN 2 Shoalhaven Dr) to reduce traffic noise?</p>	<p>The Construction Environmental Management Plan (CEMP) will include air quality and dust management/mitigation procedures.</p> <p>It is acknowledged that the operational noise affecting this property will increase as a result of this development. Council's Project Implementation Section has agreed to construct acoustic fencing across the frontage of this site, as requested. (Refer to condition 3.11)</p>
Land Value	<p>The proposed works will devalue properties.</p> <p>Will compensation be provided to affected property owners at HN 2 Shoalhaven Dr?</p>	No evidence has been submitted to support this claim. No compensation will be offered as acquisition of this property is not required.
Increased travel times and reduced access	Closure of the crossing will increase travel time from streets to the north-west of Railway	It is expected that the bus route will now be located on Railway Street. Safety pedestrian access to Railway

	Street and the bus route will be altered.	Street can occur via the new pedestrian underpass (currently under construction). The increase in travel time and distance for some residents will be outweighed by the overall public benefits of the project relating to improved traffic movement through the area and improvements to safety.
Traffic Management	Concerns raised and suggestions provided in relation to traffic management and improvements to the south-east of Railway Street.	The concerns and suggestions do not fall within the scope of Stage 2 and are not relevant to the current application. Traffic modelling is included in the EIS and this matter will be considered during stage 3 of the project.
Bus Stops	Will bus stops (and footpaths to the bus stops) be provided in the vicinity of the abattoir site?	The design has been modified to provide a footpath from the mentioned site for a distance of approximately 200m to a safe location where a pedestrian refuse will be installed. The design can accommodate the installation of a bus stop in this area, if required in the future.
Access to private property	Verify that a semi trailer leaving the abattoir site is able to enter traffic heading towards Woy Woy	Vehicle swept paths have been provided to demonstrate this manoeuvre can occur.

Conclusion

Stage 2 of the 'Rawson Road Level Crossing Replacement Project' involves the construction of a new railway underpass on Woy Woy Road at the base of Bulls Hill and associated roadworks. The proposal aims to address safety concerns associated with the existing level crossing at Rawson Road, upgrade road and drainage infrastructure, and improve traffic movement through Woy Woy.

The application is Integrated / Designated Development and concurrence has been issued by Director General of the Department of Planning & Infrastructure and General Terms of Approval have been issued by the Department of Primary Industries.

The application was accompanied by an Environmental Impact Statement which provides a detailed analysis of the existing environment and potential impacts associated with the proposed works. These potential environmental impacts will be minimised through the implementation of various, mitigation and management measures both during and after the construction phase of the project.

The proposal is considered to be essential infrastructure works which meet the objectives of the 'Rawson Road Level Crossing Replacement Project' and therefore in the public interest.

All relevant matters under Section 79C of the Environmental Planning and Assessment Act, Section 89 of the Local Government Act, relevant Environmental Planning Instruments, the

objectives of the zones and the principles of ecologically sustainable development have been considered and no objection is raised to the proposal subject to compliance with the conditions contained within the recommendation.

- Attachments:**
- A Proposed Works Footprint
 - B Proposed Works - Stage 2
 - C Public Submissions

Tabled Items: Nil

RECOMMENDATION

- A The Joint Regional Planning Panel as consent authority grant consent to Development Application No 44862/2013 for Construction of New Railway Underpass on Woy Woy Road at Base of Bulls Hill and Associated Roadworks on LOT: 1 DP: 717038, LOT: 91 DP: 1022527, LOT: 1 DP: 127181, LOT: 183 DP: 755251, LOT: 173 DP: 755251, LOT: 1 DP: 701733 No: 8, 19, 66 Nagari Road WOY WOY & 170, 172, 174 Woy Woy Road WOY WOY, subject to the following conditions.
- B The applicant be advised of the Joint Regional Planning Panel's decision and of their right to appeal in the Land and Environmental Court under Section 97 of the Environmental Planning and Assessment Act 1979 six (6) months after the date on which the applicant receives notice with respect to the Joint Regional Planning Panel's decision.
- C The objectors are notified of the Joint Regional Planning Panel's decision.
- D The External Authorities be notified of the Joint Regional Planning Panel's decision.

1.. PARAMETERS OF THIS CONSENT

1.1. Approved Plans and Supporting Documents

The development shall be implemented substantially in accordance with the plans and supporting documents listed below as submitted by the applicant, as they relate to stage 2, and to which is affixed a Council stamp "*Development Consent*" unless modified by any following conditions.

Concept Design Drawings by Cardno

Drawing
Plans in Appendix D – Concept Design Drawings of the Environmental Impact Statement NA80513600 (IR14913335), dated November 2013.
Proposed Works – Stage 2 Figure 4-2, dated 2013-11-14 of the Environmental Impact Statement NA80513600 (IR 14913335), dated November 2013.

Supporting Documentation

Document	Title	Date
NA80513600 IR 14913335	Environmental Impact Statement (Cardno)	November 2013
-	Species Impact Statement (Ecological Surveys &	November 2013

	Management	
-	Addendum to Species Impact Statement (Ecological Surveys & Management)	March 2014
GS1177-009.2	Woy Woy Upgrade Soil Classification (Cardno)	25 March 2014

- 1.2. This consent only relates to works associated with 'Stage 2' of the 'Rawson Road Level Crossing Replacement Project'. Refer to Proposed Works – Stage 2 Figure 4-2 (prepared by Cardno), dated 2013-11-14 of Environmental Impact Statement NA80513600 (prepared by Cardno), dated November 2013.

2.. PRIOR TO COMMENCEMENT OF ANY WORKS

- 2.1. Site works are not to commence until the sediment control measures have been installed in accordance with the approved Construction Environmental Management Plan (CEMP).
- 2.2. All work required to be carried out within a public road reserve must be approved by Council, under Section 138 of the Roads Act 1993.

Engineering plans for the required work within a public road must be prepared and designed by a suitably qualified professional, in accordance with Council's "Civil Construction Specification", "GCC Design Specification for Survey, Road and Drainage Works" and "Policy 'D6.46 Erosion Sedimentation Control", Austroads Guide to Road Design and RMS supplements. The proposed bridges must be designed by a practising Structural/Civil Engineer and they are to be designed in accordance with AS5100 Bridge Design, RMS Bridge Technical Directions, and RailCorp Standards. The rail crossings are to be designed in accordance with RailCorp requirements.

The required works to be designed are to be generally in accordance with the civil engineering plans associated with Stage 2 of the development associated with the plans contained within Appendix D of the Environmental Impact Statement titled "Appendix D - Concept Design Drawings Book 2", and Designed by Cardno (NSW/ACT) Pty Ltd, Drawing Number 80513600 Rev 2 dated 14/10/13.

The engineering plans for the Stage 2 works (i.e. works associated with this DA) must be approved by Council prior to the commencement of works.

- 2.3. Road pavements shall be designed by a practising Geotechnical Engineer. The pavement designs must be included in the approved engineering plans.
- 2.4. The signage and line marking plans associated with the required road works and/or any changes to regulated speed zones shall be approved by the Council Traffic Committee prior to commencement of any works.
- 2.5. A copy of the Certificate of Compliance under Section 307 of the Water Management Act 2000 shall be obtained prior to the commencement of works. Developers should make early application for a Section 307 certificate from Council. For a copy of the application form 'Application for Certificate under Section 305' contact Customer Service on (02) 4325 8200 or visit Councils web site www.gosford.nsw.gov.au to download a form from the Water & Sewerage forms index.
- 2.6. The developer shall be responsible for relocation of major sewer trunk mains, water and sewer reticulation mains and associated infrastructure servicing the Woy Woy Peninsula and Woy Woy Sewer Treatment Plant. These services include pipelines, civil / mechanical / electrical assets, access roads, structures, cables and other infrastructure. All relocations / adjustments of water and sewer infrastructure required as a consequence

of the proposed development are to be carried out to the satisfaction of and at no cost to the Water Directorate. Engineering plans prepared by a practising engineer shall be submitted to and approved by Council's Water Directorate prior to the approval of engineering plans under the Roads Act. The developer shall be responsible for the full cost of design and construction of sewer and water infrastructure impacted by the development.

- 2.7. Submission of odour, noise and visual impact assessments concerning the proximity of the development (road works) within the Woy Woy Sewer Treatment Plant, including appropriate mitigation measures to the satisfaction of the Water Directorate prior to the approval of engineering plans under the Roads Act.
- 2.8. Submission of a flood impact assessment on the Woy Woy Sewer Treatment Plant as a consequence of the significant fill proposed within the Woy Woy Sewer Treatment Plant site, prior to the approval of engineering plans under the Roads Act. The developer shall be responsible for installation of suitable drainage infrastructure to remove the risk of flooding within the Woy Woy Sewer Treatment Plant site.
- 2.9. Development constructed near or over the sewer main and / or adjacent to Council's water main shall comply with Council's guidelines for "Building Over or Near Council Sewer and Water Mains". Details prepared by a practising structural engineer shall be submitted to and approved by Council in accordance with the Water Management Act 2000 prior to the approval of engineering plans under the Roads Act.
- 2.10. Prior to the commencement of works a comprehensive Construction Environmental Management Plan (CEMP) including sub-plans shall be prepared and encompass all mitigation measures as outlined in Section 7 of the Environmental Impact Statement – Cardno, Ref: NA50613600, date November 2013). The Plan is to be approved by Council.
- 2.11. Prior to the commencement of works a comprehensive Rehabilitation and Revegetation Strategy is to be prepared. This strategy shall focus on the rehabilitation of vegetation (including EEC's), tree replacement and weed management.

Further, in developing this strategy attention needs to be given to post construction soils to ensure successfully revegetation. Soils will need to be appropriately treated for acid sulphate soils and sub-surface B horizon soils buried and overlain by more organic enriched soils for post construction plantings.

The Plan is to be approved by Council

- 2.12. The proponent must apply for and obtain a Part 7 permit for dredging and reclamation and harm marine vegetation under the FM Act from Fisheries NSW prior to any works on site. Permit application forms are available from the Fisheries NSW website at: <http://www.dpi.nsw.gov.au/fisheries/habitat/help/permit>. Offsets for the loss of mangrove habitat are to be negotiated with Fisheries NSW prior to applying for this permit.
- 2.13. A title search of the development site should be completed to check for existing electricity easements. If easements are present details must be forwarded to Ausgrid for further assessment of the proposed activity within the easement.
- 2.14. Geotechnical Report(s) shall be prepared for stage 2 works in accordance with the requirements of Chapter 6.4 – Geotechnical Requirements of Gosford Development Control Plan.
- 2.15. A further detailed noise impact assessment shall be carried out to determine the predicted level of noise impact once the construction staging, and type of plant and equipment sizes to be used for the Project, are known. The revised results shall be included in a

Construction Noise and Vibration Management Plan for the Project, and are to include but not be limited to, the measures identified in Environmental Impact Statement – Cardno, Ref: NA50613600, date November 2013).

3.. DURING WORKS

- 3.1. Clearing of land, excavation, and/or earthworks, roadworks, building works, and the delivery of materials shall be carried out between the hours specified in the Construction Environmental Management Plan.
- 3.2. Erosion and Siltation control measures must be undertaken and maintained in respect to any part of the land where the natural surface is disturbed or earthworks are carried out.
- 3.3. The works within the road reserve that required approval under the Roads Act shall be constructed in accordance with Council's 'Civil Construction Specification', 'GCC Design Specification for Survey, Road and Drainage Works' and Policy 'D6.46 Erosion Sedimentation Control', Austroads Standards, and RMS supplements.
- 3.4. The approved comprehensive Construction Environmental Management Plan (CEMP) is to be implemented.
- 3.5. Should any Aboriginal objects or artefacts be uncovered during works on the site, all works shall cease. The Office of Environment and Heritage shall be contacted immediately and any directions or requirements complied with.
- 3.6. Environmental safeguards are to be used during construction to ensure that there is no escape of turbid plumes or sediment into the aquatic environment. Turbid plumes have the potential to smother aquatic vegetation and have a deleterious effect on benthic organisms.
- 3.7. There are existing 11,000 Volt underground electricity network assets in the roadway and on private property adjacent to the development. Ausgrid's Network Standard NS156 'Working Near or Around Underground Cables' must be consulted and all applicable requirements adhered to when excavation works occur.
 - <http://www.ausgrid.com.au/Common/Our-network/Standards-and-Guidelines/Networkstandards.aspx>
- 3.8. There are existing 66,000, 11,000 & 415 Volt overhead electricity network assets in the roadway and on private property adjacent to the development.

Workcover Document - Work Near Overhead Powerlines outlines the minimum safety separation requirements between mains poles to structures throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction.

 - [http://www.workcover.nsw.gov.au/formnspublications/publications/Documents/work near overhead power lines code of practice 1394.pdf](http://www.workcover.nsw.gov.au/formnspublications/publications/Documents/work%20near%20overhead%20power%20lines%20code%20of%20practice%201394.pdf)
- 3.9. All recommendations of the geotechnical report(s) must be implemented during works. This includes, but is not limited to, the carrying out of all inspections as required by the geotechnical engineering report with a view to the geotechnical engineer providing written certification to Council that all works have been carried out on site in accordance with the recommendations contained within the geotechnical engineers report(s).

- 3.10. Suitable physical barriers shall be provided to discourage vehicular access and illegal dumping to the west of HN 167 Woy Woy Road, Woy Woy (Lot: 1041 DP: 514438). Refer to ECM IR 15197786.
- 3.11. Suitable acoustic fencing for noise mitigation purposes shall be erected across the frontage of HN 2 Shoalhaven Drive, Woy Woy (SP 36731). The fence design (size, materials and location) is to be prepared in consultation with a qualified acoustic engineer so as to ensure reasonable noise mitigation for residents of the property.

4.. PRIOR TO ACCEPTANCE OF WORKS

- 4.1. The works within the road reserve that required approval under the Roads Act shall be completed to Council's satisfaction and in accordance with Council's 'Civil Construction Specification', 'GCC Design Specification for Survey, Road and Drainage Works' and Policy 'D6.46 Erosion Sedimentation Control', Austroads Standards, and RMS supplements.

5.. POST CONSTRUCTION

- 5.1. Once stage 2 works are complete and the road is operational an Operational Noise Impact Assessment shall be prepared. This assessment shall include additional traffic noise monitoring to verify the result of the assessment by Cardno (refer to Appendix J of Environmental Impact Statement – Cardno, Ref: NA50613600, date November 2013) and shall provide more detailed consideration of specific acoustic treatments to affected dwellings (namely those located at HN 2 Shoalhaven Drive Woy Woy – SP 36731, and HN286 Railway St Woy Woy - Lot: 1 DP: 591958). Any recommended acoustic treatments to affected dwellings shall be implemented within 6 months of the completion of road works for stage 2.

6.. ONGOING OPERATION

- 6.1. The approved Rehabilitation and Revegetation Strategy is to be implemented.

7.. ADVICE

- 7.1. The public authorities may have separate requirements and should be consulted in the following aspects:
- a *Australia Post* for the positioning and dimensions of mail boxes in new commercial and residential developments;
 - b *Jemena Asset Management* for any change or alteration to the gas line infrastructure;
 - c *Energy Australia* for any change or alteration to electricity infrastructure or encroachment within transmission line easements;
 - d *Telstra, Optus* or other telecommunication carriers for access to their telecommunications infrastructure.
 - e *Gosford City Council* in respect to the location of water, sewerage and drainage services.
- 7.2. All work carried out under this Consent should be done in accordance with WorkCover requirements including the Workplace Health and Safety Act 2011 No 10 and subordinate regulations, codes of practice and guidelines that control and regulate the development industry.

- 7.3. Any water or sewer works are to be undertaken with the consent of Council. Application is to be made with Council under the provisions of Section 68 of the Local Government Act 1993 prior to commencement of any works on the site.

7.4. Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

- 7.5. Developers should make early application for a Section 307 Certificate under the Water Management Act 2000 from the Water Authority (Council). For a copy of the application form 'Application for Certificate under Section 305' contact Customer Service on (02) 4325 8200 or visit Council's web site to download a form from the Water & Sewerage forms index.
- 7.6. Consideration should be given to the detailed advice provided in attachment 1 of correspondence from NSW Transport dated 29/1/14 (IR 15179012).

8.. RIGHT OF APPEAL

- 8.1. Section 97 of the Act, confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court within six (6) months, from the date of determination.
- 8.2. To ascertain the date upon which the determination becomes effective refer to Section 83 of the Act.

Attachment A – Proposed Works Footprint



Proposed Works Footprint

RAWSON ROAD LEVEL CROSSING REPLACEMENT AND WOY WOY ROAD (NORTH) UPGRADE PROJECT

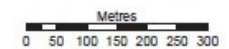
Legend

- Project Boundary
- 80% Concept Design
- Proposed Compound/Stockpile Sites



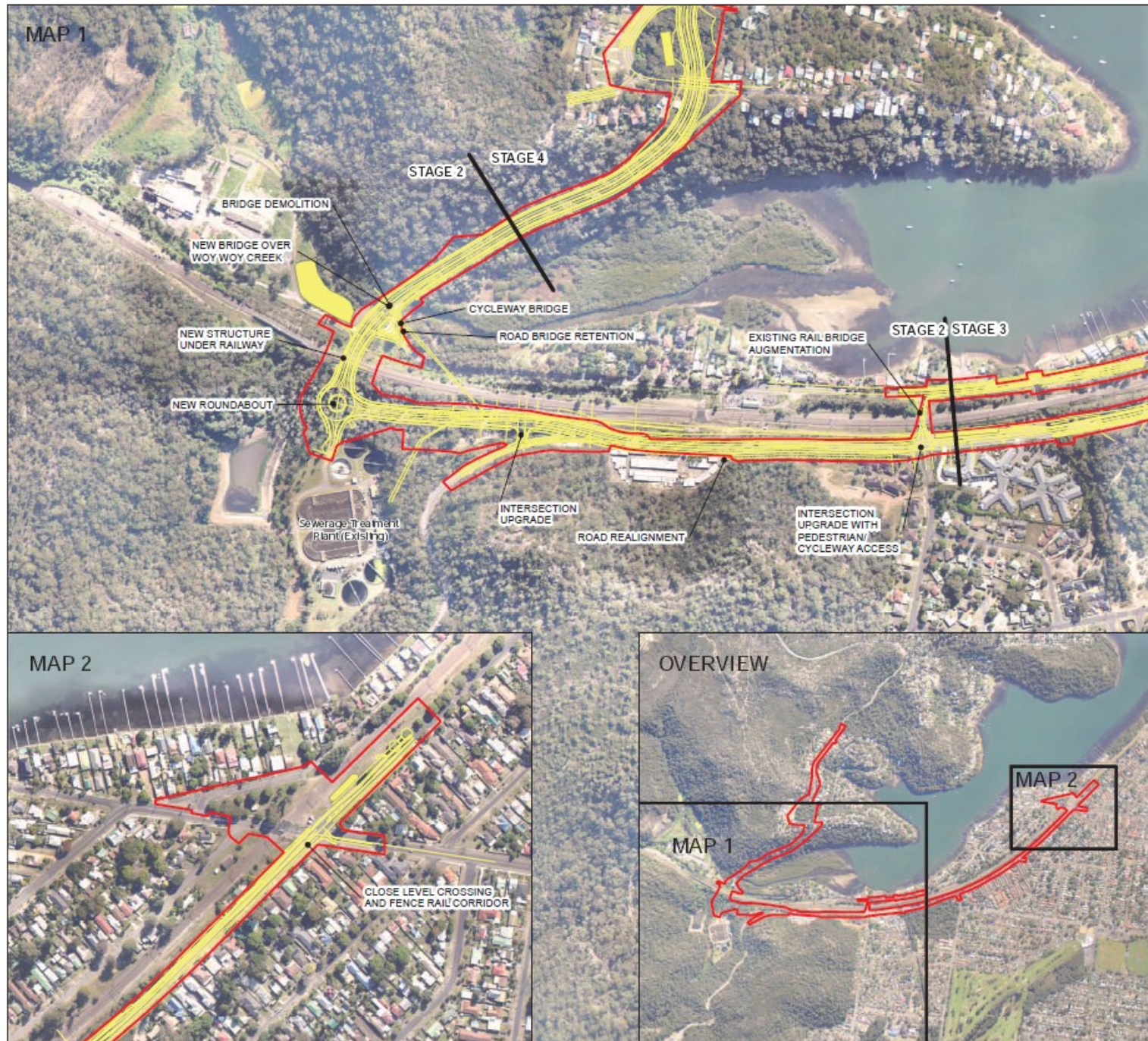
FIGURE 1-3

1:8,000 Scale at A3



Map Produced by Cardno NSWACT Pty Ltd (2812)
 Date: 2013-11-26
 Coordinate System: GDA 1994 MGA Zone 56
 Project: NA80513600
 Map: G013002_Fig1-3_ProposedWorksFootprint.mxd 02

Attachment B – Proposed Works - Stage 2



Proposed Works - Stage 2

RAWSON ROAD LEVEL CROSSING REPLACEMENT AND WOY WOY ROAD (NORTH) UPGRADE PROJECT

Legend

- Project Boundary
- 80% Concept Design
- Proposed Compound/Stockpile Sites



FIGURE 4-2

1:5,000 Scale at A3



Map Produced by Cardno NSWACT Pty Ltd (2812)
 Date: 2013-11-14
 Coordinate System: GDA 1994 MGA Zone 58
 Project: NA80513600
 Map: G013005_Fig-4-2_ProposedWorks_Stage2.mxd 01

Attachment C – Public Submissions

1 Concerns over siltation to Correa Bay

Comment

Adequate erosion and sediment control measures will be implemented during construction phase of stage 2 works. The completed project will also include suitable landscaping and revegetation to prevent erosion of exposed areas.

The project is not expected to result in further siltation of Correa Bay.

2 The corner in front of our property has (referred to by locals as Devil's Elbow) has been an all too frequent crash zone. This section of road is insanely dangerous and it would be negligent of the council not to proceed with the reconfiguration of the road as part of the underpass project.

Comment

The proposed works in stage 2 do not specifically relate to the area known as 'devils elbow'. The submission will be considered during assessment of stage 4.

3 Concerns are raised over Stage 4 relating to visual impact, noise impact, lighting, speed limits and logistics associated with the construction phase.

Comment

The issues raised in the submission relate to stage 4 works and not the current application. The submission has been forwarded to Council's Infrastructure Planning Section for consideration during the future Part 5 assessment for stage 4 works.

4 I support the entire project for deleting the railway crossing and replacing it with an underpass at the base of Bulls hill. Because of the severe danger to any pedestrian or cyclist attempting to use the road on Bulls Hill from vehicles, I hope that a walkway is included. It is after all, the only route into Woy Woy by foot. The realignment of the road at the top of the hill is as much a necessity as the rail underpass, the S-bend there is highly dangerous with constant near misses and accidents many of which are unreported. I feel that to put stage four on the back burner would be a grave mistake leading to deaths in the future.

Comment

Stage 4 works are currently unfunded and do not relate to the current application. The submission has been forwarded to Council's Infrastructure Planning Section for consideration. Cycle and pedestrian lanes shall be provided along Woy Woy Road (North) for the area associated with stage 2. It is expected that they will be continue north along Woy Woy Road (North) when stage 4 is completed.

5 Concerns are raised over Stage 4 relating to visual impact, noise impact, lighting, speed limits and logistics associated with the construction phase.

Comment

The submission does not relate to the current application. The concerns raised will be considered during assessment of stage 4 which is unfunded at this stage.

- 6 As a resident of Waterview St, Woy Woy I am strongly concerned about the loss of amenity and vehicular access to Woy Woy station, shops and other facilities that will occur as a result of the proposed fencing of the rail corridor at Rawson Road. The permanent closure of the rail crossing at Rawson Road and the fencing of the rail corridor will mean ongoing lack of access for vehicles from Waterview St, the lower sections of Woy Woy Road, Phegan Street, Pier Street and adjacent areas to the north of the railway. This will entail considerable extra travel time and fuel costs for anyone needing to make what is now a simple trip across the line to Woy Woy centre.**

The pedestrian and bike rail underpass currently under construction in Stoney park near the current Rawson Road railway crossing would be a welcome addition to the access options if the existing rail crossing remains in operation. But it is a very inadequate substitute for those needing to use the car to attend Gosford or Woy Woy Hospitals, to go to the Woy Woy shopping area or station, or to use other facilities such as the Peninsula Leisure Centre.

As the current published plans do not allow for any use of Vehicles in the Rawson Road underpass, the only alternative for us will be to drive up to four extra kilometres (to and from the Shoalhaven Road underpass), on each side of the railway, to simply get to the other side.

We are also concerned that for certain times of the year, following heavy rain and at the times of the King Tides, that the pedestrian underpass will be unusable. And we are concerned that if there is an emergency, the additional travel time could prove fatal.

There are three simple improvements that could be made to the proposal that would enhance, access and amenity rather than diminish it. Each of these could be implemented relatively easily.

- 1. Continue the operation of the existing railway crossing for local traffic, but with appropriate signage to direct long-distance traffic around the area towards the new underpass at the foot of Bulls Hill;**
- 2. Enable single cars to access the underpass being constructed at Stoney Park, providing local northside residents with vehicular access to the south side;**
- 3. Construction of an additional vehicular overpass or underpass somewhere between Shoalhaven Drive and Rawson Road - such as at MacArthur Parade.**

The first two of the options are low or no cost and should be considered as a matter of priority. The third would have some cost implications, but these would not be unreasonable. Without action, I fear that the local residents of the north side of the railway will be cut off from Woy Woy and left to pay the costs on an individual basis for years to come. This is unfair and unnecessary – a saving to local government that will be paid for to come by individual residents. Appropriate modification of the plans will provide significant long term benefits for the entire community.

Comment

It is expected that the residential amenity for some residents on Waterview Street will be improved due to a reduction in traffic volumes (redirected to railway street), particularly those properties located at the south-western end of the street.

It is acknowledged that the proposal will result in increased travel time and distance to Woy Woy for residents of Waterview Street and neighbouring streets. Residents will now be required to travel south along Woy Woy Road before turning onto Railway Street at the Shoalhaven Drive Rail Underbridge and travelling north to Woy Woy. However, the overall

public benefits of the project outweigh the impact on residents on Waterview Street in terms of increased travel times and distance to Woy Woy.

The pedestrian underpass is currently under construction and was previously approved under stage 1. The pedestrian underpass is above tidal levels.

In response to the suggested improvements the following comments are provided:

1. The option is undesirable as the objective of the project is to minimise conflict between train and pedestrian/vehicles for the safety and operation of both road users and rail operations.
2. The construction of a single underpass would result in substantial costs and its operation would be subject to flooding if the pumps fail.
3. This option will result in substantial cost with minimal benefit.

- 7 There is an intention to improve the egress from Macarthur Pde to newly widened Railway Street, no objections there. However the result of that improvement will have the effect, desired or not, of increasing the traffic flow along Paton Street.**

The current 'corner' - where Macarthur Pde, Paton St, Walford St and Pratley St meet is a very confusing intersection. Your proposal, as previously stated, will force much more traffic in all directions through this convergence, cars and trucks ducking on and off Railway St via Macarthur Pde.

Where will this traffic flow to and from? :-

If the 'off' movements try and go down and through to Walford St they will be cutting across the traffic from Paton St, trying to access Railway Pde. The 'on' movements from Walford will cut across the 'on' movements from Paton St. Walford St does not go anywhere, it stops at the Community Garden in Moana St. and is barely wide enough for two cars to pass each other at normal village speed.

The egress points off Walford St are:-

1. Rothwell St - which will only take cars/trucks back onto Dunbar Rd
2. Cogra St South - which will only take cars/trucks back onto Dunbar Rd and the other end.
3. Cogra St North - which will only take cars/trucks back onto Rawson Rd

My proposal would be to restrict access to Paton St from Walford St, and from Macarthur Pde and Paton St to Walford St, by closing the Paton St end of Walford St, thus making the traffic flow along Paton St, and onto Rawson Rd, to join the main traffic flow at the roundabout on Ocean Beach Rd. This would also help the traffic flows from Dunbar Rd via Pratley St. and the along Paton Street.

Comment

These works fall outside DA not stage 2. Traffic modelling is included in the EIS and this matter will be considered during stage 3 of the project. It should be noted that Stage 3 is unfunded.

- 8 A longer term road/bridge infrastructure corridor plan from Ocean Beach Rd across Woy Woy Inlet joining Woy Woy Rd above Woy Woy Bay would serve the community on the Peninsula more appropriately. The present proposal does not address the grade and narrowness of Bulls Hill nor the winding road beyond above Horsefield and Phegans Bay. This option will attempt to address current and future traffic demands.**

Comment

This option is cost prohibited and would required extensive adjustment to properties, waterway, parks (reserves) and the like.

9 Concerns over pedestrian underpass

Comment

The approved pedestrian underpass makes provision for pedestrians and cyclists with ramps on either side. Pedestrian underpass is not part of current application and was previously approved under Part 5 of EP&A Act.

10 The road upgrade will encourage more traffic, especially longer and heavier vehicles.

Comment

The project seeks to improve traffic movement in the area and improve safety. This concern does not warrant refusal of the application or abandoning the project.

11 Traffic Management – Paton Street (between Walford Street and Rawson Road)

Comment

Once stage 3 is completed the efficiency of the Railway St and Rawson Road intersection will improve, which will reduce the desire to use Paton Street and Macarthur Street as a 'rat run'. Stage 3 is unfunded and not part of the current application.

12 I have serious concerns about the two major roads going into Gosford being construction zones at the same time. There will be major traffic congestion for a considerable period and no alternative routes. I am also concerned about the Stage 4 roadworks that are on the DA. I think the excavations that would be necessary to lower Woy Woy Rd at the corner of Horsfield Rd would cause structural damage to the surrounding residential buildings. How are the Horsfield Rd residents going to access their street when this is happening?

Comment

Any impact on traffic during construction will be minimised by the coordination of any partial road closures with any other local / major road projects. A traffic management plan will be prepared and implemented to minimise impact on traffic movement. Stage 4 – excavations. This is not part of the current application. These comments will be considered when funding is obtained for stage 4.

13 Water currently drains from this road into a waterfall next to 236 Woy Woy Road. Any water runoff should be managed rather than allowed to continue this current path with its uncontrolled erosion. The properties on the lower side of Woy Woy Road are highly susceptible to flooding if the roadwork design does not adequately manage water run-off and stormwater drainage. We are concerned about the visual impact and also future stability of Bull Hill. The bus stops located on both sides of the road of Woy Woy Rd are currently dangerous for passenger pickup/drop off.

Comment

This submission relates to Stage 4 works which are not part of the current application. These comments will be considered when funding is obtained for stage 4.

14 Environmental Impacts.

- a) The major factor of silting and blockage of Woy Woy Creek isthmus is the result of heavy sand entering the creek from a stormwater drain adjoining 157 Woy Woy Road. When the creek is clear, it is obvious from the change in water depth and sand trails swinging from the drain to the river towards the bay that this is the source of the build-up.

I strongly urge Council to investigate what sediment is entering the stormwater capture there and take remedial action to avert the river being fully blocked from Horsefield Bay.

- b) On the small pocket of land between my property and the bridge crossing of Woy Woy Creek. This parcel of land is completely degraded and because it is open to the public has become a dumping ground. Most recently there were lounge sets and TVs and computer monitors dumped there. When we first moved down (2009) there were car bodies there.

Given that it should be environmentally sensitive (it is on the join of the two tributaries). I strongly urge Council to block access and allow the parcel of land to regenerate. I am happy to transplant some fir trees from my property here if that helps. They are the native tree on my property immediately adjoining this block.

- c) Immediately adjacent to this block of land in the river where the tributaries join is a breeding pool for bream. The pool is between 3.5 and 4.5 metres deep and 4 metres deep. The surrounding depth is .5m (immediately alongside) to 1.5m. The pool is natural and I suspect is caused by swirling of excess water from both tributaries after heavy rain. Again in clear water you can see fish swimming (estimate 500 to 2000 - mature bream 25cm to 5cms in size) swimming in a clockwise fashion. Please contact me and I will send an attachment showing the exact location. I strongly urge Council to take this into consideration in the planned works. I understand the new bridge will be on another alignment and to the east of the current bridge. My concern is this may impact on the fish pool.

Comment

- a) Suitable Erosion and Sediment control measures will implemented during the construction phase. A Gross pollutant trap will be installed to collect rubbish where the road drainage outlets into the existing pipe crossing of the rail line. This matter has been referred to Council's Engineering Investigations section for investigation into the current situation.
- b) Suitable physical barriers shall be provided to discourage vehicular access and illegal dumping to the west of HN 167 Woy Woy Road, Woy Woy (Lot: 1041 DP: 514438). Refer to condition 3.10.
- c) The proposed bridge abutments are outside the creek. The existing bridge will be removed as part of the project. It is understood piers may be cut off at creek bed level. The completed project will be landscaped and stabilised to minimise the siltation. NSW Fisheries considered the lodgement documentation and all public submissions and have raised no objection to the proposal, subject to conditions.

15 Safety - Intersections at the foot of any incline are inherently more dangerous. This proposal creates two intersection at the foot of the steepest descent in Bulls Hill, including a blind intersection as traffic emerges from the underpass at the

roundabout. If this proposal goes ahead the entire road between Horsfield rd and Nagari Rd becomes 40kph and controlled by speed cameras.

Comment

The intersection of Woy Woy Rd (south) and Woy Woy Rd (north) will have compliant intersection stopping sight distance. This is a road design requirement. The section between Horsfield Road and Nagari Road will be 60kph which is considered appropriate for the area. Speed cameras are not installed by Council.

16 Congestion - Woy Woy Road (south)

The space available between the railway embankment and Woy Woy Creek simply cannot accommodate an adequate number of vehicles waiting to turn right into Woy Woy rd (sth). It is inevitable that sooner or later these waiting vehicles, including heavy trucks, will back up to obstruct Woy Woy rd (north). To alleviate this retain the current one lane light vehicles only underpass. 10kph shared zone.

Comment

The existing Shoalhaven Drive underpass will be retained. The design allows for a right-hand turn storage bay into Woy Woy Road South. The length of the storage bay is appropriate given the expected volume of traffic that will use this turn.

17 Heavy Vehicles - There is a restriction on heavy vehicle use of Woy Woy Rd Bulls Hill. The need for this restriction was dramatically demonstrated a few years ago when half the road suddenly collapsed. The new underpass will have to allow heavy vehicles, such as garbage and cement trucks, access to Woy Woy Road (south). How then can they be prevented from continuing up the hill, causing further loss of the road.

Comment

The heavy vehicle restriction will remain in place until the completion of stage 4. Stage 4 is currently unfunded.

18 It appears that our homes (2 Shoalhaven Drive) will be the main ones affected by this development and would like your advice as to what provision would be made to protect us firstly with the initial impact created on our health with the environment of noise pollution, the air quality while and during construction period of the development, also long term affect that the traffic impact will have on us once the road is opened.

Will we be compensated for this against the traffic noise by means of a fence?

The development of road works here will obviously impact on the value of our properties. We are all very concerned that there was no reference of this when we purchased our property.

Comment

The Construction Environmental Management Plan (CEMP) will include air quality and dust management/mitigation procedures including procedures for controlling/managing dust, an outline of the dust control inspection regime and potential contingency measures for dust control where standard measures are deemed ineffective. The CEMP will also include measures to reduce the generation of carbon dioxide and other greenhouse gases during works.

It is acknowledged that the operational noise affecting residential properties located along Railway Street will increase as a result of this development. Council's Project Implementation Section have agreed to construct acoustic fencing across the frontage of the objector's property, as requested in the submission.

(Refer to Condition 3.11)

The objector has failed to provide any evidence to support the claim that the proposal will impact negatively on property values in the long-term. Irrespective, compensation will not be offered unless acquisition of this property is required. A notice has not on the 149 certificate for this property as no road widening is proposed.

- 19 The construction of the Railway underpass and closure of the crossing will cut the people of the area off from the main and quickest way of access Woy Woy town central. There needs to be consideration given to the transportation needs of the elderly who cannot drive and the walk may, sometimes, be too much. Buses need to be able to travel through the area and back into town. This development also raises safety and health concerns due to the extended period of time it will take for emergency services to respond and need to use the Nagari Road underpass.**

Comment

It is expected that the bus route will now be located on Railway Street. Safety pedestrian access to Railway Street can occur via the new pedestrian underpass (currently under construction). The increase in travel time and distance for some residents will be outweighed by the overall public benefits of the project relating to improved traffic movement through the area and improvements to safety.

- 20 A number of right hand turning lanes are being added to at least three of the streets turning right off Railway Street, to allow traffic to access Umina Beach and other suburbs in that direction. The right hand turning lanes, prior to the Rawson Road Woy Woy right hand turning option, will link up with Dunban Road, intersecting with Ocean Beach Road Woy Woy, at the other end.**

The intersection of Dunban Rd and Ocean Beach Road has no traffic lights to allow for a right hand turn to Umina Beach, and no round about, to allow for constant traffic flow. Traffic is often stuck waiting for a space to turn right, or takes a risk by speeding into a small space. There have been many car accidents at this intersection as a result of impatient drivers doing this.

The intersection of Rawson Road and Ocean Beach Road Woy Woy does have a roundabout, to allow traffic to access Ocean Beach Road with ease, and all of the traffic turning right would take this option, rather than risk getting caught in a queue at the Dunban Road intersection.

My concern is that traffic will ignore the right hand turn options at Nagari and other streets, in order to use the Rawson Road right hand turn option, and benefit from the roundabout access at Ocean Beach Road.

Does Council/RTA/State Rail intend to add traffic lights, or a roundabout to the intersection of Dunban Road and Ocean Beach Road as part of this DA, to encourage motorists to use all of the right hand turning options off Railway Street Woy Woy?

Without a secondary access point to Ocean Beach Road, vehicles will be left to drive around the area in search of an access route to Rawson Road, causing extra noise, pollution, and possible injury to the elderly residents, enjoying morning and afternoon walks with their little dogs. There are no gutters in most of these side

streets, and extra vehicles would impact heavily, causing extra potholes, and deterioration of the unguttered road sides. This expense may prove more costly than just including traffic lights or a roundabout at the Ocean Beach Road and Dunbar Street intersection.

When will a set of traffic lights, or a roundabout at the intersection of Dunbar Road and Ocean Beach Road Woy Woy be funded and built? Will this project be part of this DA project, or shelved until more funding becomes available?

Comment

These works fall outside DA not stage 2. Traffic modelling is included in the EIS and this matter will be considered during stage 3 of the project. It should be noted that Stage 3 is unfunded.

- 21 We are in the process of purchasing the old abattoir site off Woy Woy Road. We plan to rezone the area and to build an affordable housing estate. Part of the assessment process will need to deal with public transport access. In relation to this I would like to ask the following questions as I am unable to see any references in the plans. What allowance has been made for bus stops in the area? What allowance has been made for members of the public to reach those bus stops? What allowance has been made for foot traffic under the rail underpass? Assuming there has been no allowance for public transport access to the area what can be done to correct this?**

Comment

The design has been modified to provide a footpath from the mentioned site for a distance approximately 200m to a safe location where a pedestrian refuge will be installed. The design can accommodate the installation of a bus stop in this area, if required in the future.

- 22 Verify that a semi trailer leaving the abattoir site for Woy Woy will be able to join the right turn lane into the new section of Woy Woy rd and whilst continuing the turn be able to join the new extension underpass for Woy Woy as indicated.**

Comment

Semi trailers leaving the abattoir site will be able to undertake a manoeuvre to allow vehicles to easier enter the southbound lane. Vehicle swept paths have been provided to confirm this manoeuvre.