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24 August, 2012

Our ref: 07/31

Your ref: MP06\_0228 MOD.3

The Manager – Industry  
Department of Planning & Infrastructure  
GPO BOX 39  
SYDNEY NSW 2001

**Attention: Deana Burn**

Dear Sir

**RE: FURTHER RESPONSE TO SUBMISSION REPORT  
SHOALHAVEN STARCHES EXPANSION PROJECT  
PROPOSED RELOCATION OF APPROVED STAFF CAR PARK  
PROJECT APPROVAL MP06\_0228.MOD 3**

I refer to the Department's email dated 30<sup>th</sup> July 2012 which in part requests additional information in relation to the above Modification Application; as well as providing copies of submissions from relevant government agencies with respect to this application. Our firm has been engaged by Shoalhaven Starches to respond to the issues raised in each of these submissions.

The Department has received submissions from:

- NSW Roads and Maritime Services (Transport); and
- Shoalhaven City Council

The Department has also requested a response to several issues as well.

The purpose of this Further Response to Submissions (FRTS) report is to provide a response to the above submissions from government agencies. This report should be read in conjunction with our previous Response to Submission report dated 20<sup>th</sup> July 2012.

## **GOVERNMENT AGENCY SUBMISSIONS**

### ***Department of Planning & Infrastructure (DoPI)***

DoPI have requested further information in relation to the matters outlined in **Table 1** below. Shoalhaven Starches responses to these matters are also provided.

**Table 1**  
**DoPI Comments**

<b><i>Issues Raised by DoPI</i></b>	<b><i>Shoalhaven Starches Responses</i></b>
<p><i>Revise Allen Price &amp; Associates Figure 25003-106 Sheet 1 (from Annexure 1 of EA) - remove future grain handling and storage facilities, and any other proposed works that are not subject to this modification. Remove incorrect Lot &amp; DP reference (241/1130535);</i></p>	<p>The Department have long requested that Shoalhaven Starches provide an outline of future development proposals to provide an understanding of how proposals may be affected by potential development options for the site. It was with this in mind that details of Shoalhaven Starches' future grain silos project were included, particularly given the on-site vehicle movement implications and traffic impacts these structures may have. <b>Annexure 1</b> to this FRTS report includes revised plans that were included in Annexure 1 to the original EA deleting reference to this other project as well as the correct property description to satisfy the Department's request in this regard.</p>
<p><i>Make same revisions to PPLA Figures in Annexure 3 of EA. Note DWG. L01 in Annex 3 shows a different design for the car park, without turning area at western end. Please correct.</i></p>	<p><b>Annexure 2</b> includes revised landscape plans incorporating the correct car park design.</p>
<p><i>Amend Figure in Attachment 2 of RTS to show approved car parking in pink shading as referenced in the text on page 2. Also show on this figure the 12 spaces required by the Interim Packing Plant approval. Confirm if these have been constructed.</i></p>	<p>The plan included in Attachment 2 does outline the original 60 spaces approved in the Project Approval in pink within the original Response to Submission Report. However, whilst this plan shows the original approved layout of these spaces; it has come to our firm's attention that the Master Traffic Plan approved both by Council and the RMS shows these 60 parking spaces located further to the west of the site.</p> <p>As a result a further plan has been prepared which reveals the final approved location of these parking spaces. In addition this plan shows the proposed modified location of these spaces (<b>Annexure 3</b>).</p> <p>This plan also shows the location of the 12 spaces that are required to be provided in association with the approved Interim Packing Plant as approved by Shoalhaven City Council (RA 11/1002). At this point in time, whilst works have commenced in relation to this project, the project has not been finalised, including the provision of these additional parking spaces.</p>
<p><i>Provide a detailed status of delivering 'works as executed' plans to Council for Bolong Road works (as indicated in Council's submission).</i></p>	<p>This matter is further discussed on Page 7 of this report in connection with comments made in response to issues raised by Shoalhaven City Council concerning '<b>Connection with Bolong Road</b>'.</p>

**NSW Roads & Maritime Services (Transport) (RMS)**

RMS have raised the following matters in relation to the Modification Application as outlined in **Table 2** below. Shoalhaven Starches responses to these matters are also provided.

**Table 2**  
**RMS Comments**

<b>Issues raised by RMS</b>	<b>Shoalhaven Starches Responses</b>
<p><i>RMS notes that a speed zone review has been completed for this location and there is a recommendation to extend the existing 60 km/hour zone further east to a point 140 m west of Hannigans Lane. This change is likely to occur within the next three months. However, it is anticipated that the 85<sup>th</sup> percentile will be closer to 80 km/hour and therefore all works on Bolong Road should be designed based on an 80 km/hour design speed.</i></p> <ul style="list-style-type: none"> <li>• <i>Prior to the commencement of works, the developer shall obtain Section 138 consent under the Roads Act, 1993 from Council for all works on Bolong Road.</i></li> <li>• <i>Prior to any occupation, the developer shall upgrade the junction of Bolong Road and Lot 143 DP 1069758 to be a sealed Type Rural Auxiliary Left Turn (AUL) and a Type Rural Channelised right turn (CHR) configuration in accordance with Austroads Guide to Road Design – Part 4a: Unsignalised and Signalised Intersections. The design of the junction shall be based on an 80 km/hour design speed. The access shall be sealed a minimum distance of 10 m back from the edge of seal.</i></li> <li>• <i>A footpath should be provided linking the new car park with the existing footpath network within the Shoalhaven Starches site.</i></li> <li>• <i>All roadworks, traffic control facilities and other works associated with this development, including any modifications required to meet RMS standards, will be at no cost to RMS. All works shall be completed prior to occupation.</i></li> </ul>	<p>Shoalhaven Starches commit to seeking a Section 138 for works within Bolong Road.</p> <p>Shoalhaven Starches commit to upgrading the junction of Lot 143 to Bolong Road to a Type Rural Channelised Right turn (CHR) and Rural Auxiliary Left turn (AUL) in accordance with the relevant guidelines. It should be noted that the revised intersection design included in <b>Annexure 1</b> to this FRTS report has been prepared in accordance with this requirement.</p> <p>As outlined in the plans supporting the application, it is proposed to link the proposed car park to the remainder of the Shoalhaven Starches factory site via a pedestrian pathway along Bolong Road. Given the configuration of works on the factory site between the factory site and the proposed car park, particularly on-site truck driveways, it is considered safer from a pedestrian perspective to not direct pedestrian movements through the factory site, but rather along the Bolong Road frontage of the site integrating with the existing pedestrian path that has been approved and constructed along this frontage. This approach has been discussed and agreed to by staff from Shoalhaven City Council.</p> <p>Shoalhaven Starches commit to this requirement.</p>

**Table 2 – RMS (continued)**

<b>Issues raised by RMS</b>	<b>Shoalhaven Starches Responses</b>
<ul style="list-style-type: none"> <li>• <i>Prior to occupation, the developer shall obtain formal notification from Council that the works on Bolong Road were designed and constructed to Council's satisfaction.</i></li> <li>• <i>Should the TMP require a reduction of the speed limit on the regional classified road network, a Speed Zone Authorisation shall be obtained from RMS Traffic Operations Unit (TOU) prior to commencing work within the classified road reserve. The requests shall be submitted to the RMS 10 business days prior to commencing work. It should be noted that receiving an authorisation within this 10 business day period is dependant upon the RMS receiving an accurate and compliant TMP. It should be noted that a Road Occupancy Licence from the RMS is not required for works on regional classified roads.</i></li> <li>• <i>Parking allocation, including staff parking and disabled parking, should comply with Council's Parking Code. All car parking space dimensions should be in accordance with AUSTROADS Part 11 Section 8 Offstreet Parking.</i></li> <li>• <i>All internal vehicle and pedestrian facilities, including disabled facilities should be in accordance with RMS' Guide to Traffic Generation Developments.</i></li> </ul>	<p>Shoalhaven Starches commit to this requirement.</p> <p>Shoalhaven Starches commit to this requirement.</p> <p>Shoalhaven Starches commit to constructing parking in accordance with Shoalhaven City Council's DCP 18 and AS2890.1 which are the relevant requirements in this regard and consistent with Council's requirements.</p> <p>Shoalhaven Starches commit to this requirement.</p>

**Shoalhaven City Council (SCC)**

SCC have raised the following matters in relation to the Modification Application as outlined in **Table 3** below. Shoalhaven Starches responses to these matters are also provided.

**Table 3**  
**SCC Comments**

<b>Issues raised by SCC</b>	<b>Shoalhaven Starches Responses</b>
<p><b>The new staff car park</b></p> <p><i>The proponent has indicated the car park will be designed to comply with AS2890 in all respects and this is supported. Appropriate line marking and internal signage should be installed to mitigate conflicts between cars and trucks using the common access and manoeuvring areas.</i></p> <p><i>Car parking spaces are proposed to be the very minimum width under Australian Standards, although the aisle width proposed is considerably wider presumably to compensate for this. Further, we note the ARC traffic study recommends provision of a suitable turnaround area at the western end of the car park which is supported. Provision should be made for at least 2 spaces that meet the additional requirements for people with a disability.</i></p> <p><i>Accordingly modification approval should be conditioned as follows:</i></p> <p><b><i>“A suitable turnaround facility is to be provided at the western end of the car park to facilitate safe efficient turnaround for those vehicles that could not find a car park”; and</i></b></p> <p><b><i>“Applicant is to consider providing an overflow car parking area (gravel all weather surface) at the western end of the car park to accommodate overflow car parking on site.”</i></b></p> <p><i>Council requests the submission of detailed plans for approval.</i></p>	<p>The attached plans held in <b>Annexure 1</b> include a revised parking layout showing a suitable manoeuvring area at the western end of the car park (as shown in plans submitted with original proposal); as well as disabled parking spaces.</p> <p>Shoalhaven Starches commit to this requirement, refer plans included in <b>Annexure 1</b>.</p> <p>Shoalhaven Starches <u>objects</u> to this requirement. Project Approval MP06_0228 requires the provision of 60 spaces to be provided to southern side of Bolong Road. This Modification Application seeks to in effect comply with this requirement. Council’s submission provides no justification for the provision of <u>additional</u> ‘overflow’ car parking. It should be noted that with the closure of one of the driveways to the ‘Moorehouse’ site as required by Council an additional 4 spaces were able to be provided in this car park. In addition the proposed modified car park provides 61 spaces rather than the required 60 spaces. The overall development will therefore provide more on-site parking than that originally required by the Project Approval. Under these circumstances Shoalhaven Starches objects to the imposition of this draft condition.</p>

**Table 3 – SCC (continued)**

<b>Issues raised by SCC</b>	<b>Shoalhaven Starches Responses</b>
<p><b>Landscape and visual screening</b></p> <p><i>The proponent has submitted a landscape masterplan that is consistent with the plan submitted as part of the recent Mod 2 application. Project approval condition 43 provides for the landscaping requirements and this is still applicable to the Mod 3 application. Sufficient landscaping is seen as a crucial consideration. In the past Council has been extremely disappointed at the complete disregard of any substantial landscaping, at one of the key entrances to Bomaderry.</i></p> <p><b>Landscape and Vegetation Management</b></p> <p><i>43. The Proponent shall prepare and implement a Vegetation Management Plan for the project to the satisfaction of the Director-General. This plan must:</i></p> <ul style="list-style-type: none"> <li><i>a) be prepared in consultation with DWE and Council and be submitted to the Director-General for approval within 6 months of this approval;</i></li> <li><i>b) be prepared in accordance with DWE's Guidelines for Controlled Activities – Vegetation Management Plans; and</i></li> <li><i>c) include:</i> <ul style="list-style-type: none"> <li><i>▪ a Landscape Plan for the project, which identifies screen plantings to minimise visual impacts;</i></li> <li><i>▪ detailed plans and procedures to:</i> <ul style="list-style-type: none"> <li><i>○ restore and maintain the waterways and riparian zones of Shoalhaven River, Bomaderry Creek, Abernethy's Creek and Broughton Creek on the site;</i></li> <li><i>○ manage weeds in the vicinity of the riparian zones;</i></li> <li><i>○ integrate works into the proposed landscaping for the rest of the site;</i></li> <li><i>○ manage impacts on fauna; and</i></li> <li><i>○ monitor the performance of the proposed restoration works.</i></li> </ul> </li> </ul> </li> </ul> <p><i>Council supports the concept plan and requests the Department include a requirement that the landscaping be implemented within six (6) months of the completion and use of the car park and access road.</i></p>	<p>As outlined in the RTS document with respect to the Mod. 2 Project, Shoalhaven Starches have submitted a Vegetation Management Plan (VMP) for the site in accordance with condition 43 of the Project Approval. This VMP was submitted to Council prior to its submission and approval by the Department contrary to the assertion in Council's submission. Council did not require additional landscaping along the street frontage. As outlined in our submission dated 4 May 2012 tree planting was commenced in accordance with this plan. Shoalhaven Starches however now propose to provide additional landscape tree planting along the frontage of the site as part of landscape plans that have been submitted in conjunction with the Mod. 2 and Mod. 3 applications. Furthermore, Shoalhaven Starches commit that the landscaping will be commenced within six (6) weeks of works commencing on these projects, subject to such works not interfering with construction works.</p>

**Table 3 – SCC (continued)**

<b>Issues raised by SCC</b>	<b>Shoalhaven Starches Responses</b>
<p><b>Connection with Bolong Road</b></p> <p><i>Shoalhaven Starches own the site known as the “old Dairy Farmers site” that is east of the project area. As part of the DF redevelopment a new access was constructed under a Part 4 approval issued by Council. This access is integrated with the Bolong Road upgrade that has been required under the project approval. Council has received verbal advice from the Roads and Maritime Service (RMS) that the 100/60 kph speed limit will be moved to the east of the DF access in the near future.</i></p> <p><i>The proponent has been requested to submit works-as-executed plans (WAE) for the Bolong Road works as part of the project approval. These have not been submitted and are necessary to assess the suitability of the Mod 3 works when details are submitted.</i></p> <p><i>Council requests the Department to remind the proponent of this outstanding requirement and also to include this requirement for Mod 3.</i></p>	<p>Neither the Project Approval granted by the Minister; nor the Master Plan approved by Council and RMS for the roadworks required the submission of Works-as-Executed plans. Shoalhaven Starches have sought estimates on the cost implications for the preparation of such plans – the cost to prepare such plans would be significant. Contrary to Council’s assertions, there is no requirement or obligation for Shoalhaven Starches to prepare and submit Works-as-Executed plans for these previously approved roadworks. Under these circumstances Shoalhaven Starches <u>disagree and object</u> to Council’s comments in this regard. Shoalhaven Starches would much prefer that Council work with them to undertake any minor modifications which may be required; rather than spending tens of thousands of dollars on the preparation of plans.</p>
<p><b>Specific comments from Council’s Traffic and Transport Manager</b></p> <p><i>The Traffic report by ARC Traffic + Transport (ARC) has been reviewed and its proposals generally supported. Council is aware of the RMS submission to DPI and requests the additional conditioning. Specific comments are as follows:</i></p> <ul style="list-style-type: none"> <li>• <i>The recent RMS decision to move the 60/100 kph speed zone change to a new location 140 m west of Hanigans Lane has design consequences at the location of Dairy Farmers access. The existing access lies within a 100 kph speed zone. When the signs are eventually moved (over the coming months) it will be appropriate to reduce the design standard in regards to some aspects of the access.</i></li> <li>• <i>The left turn acceleration lane has already been designed based on 80 kph design speed.</i></li> <li>• <i>In preliminary discussions with RMS it has been agreed that in light of the speed zone change; both the right turn entry treatment (CHR) and the left turn entry treatment (minimum AUL but most likely CHL) shall be designed based on 80kph design speed.</i></li> </ul>	

**Table 3 – SCC (continued)**

<b>Issues raised by SCC</b>	<b>Shoalhaven Starches Responses</b>
<ul style="list-style-type: none"> <li>• <i>Because Bolong Road is a classified main road (MR293) Council cannot issue Section 138 approvals without having concurrence from RMS to the design, accordingly based on the preliminary discussions with RMS the speed design parameters need to be included as conditions of consent.</i></li> <li>• <i>The ARC traffic impact study recommends that the intersection of Dairy Farmers access / Bolong Road be upgrade from CHR(S) to full CHR, this is agreed and an appropriate condition is as follows:</i> <p style="margin-left: 40px;"><b><i>“Upgrade the right turn treatment at the intersection of Dairy Farmers access / Bolong Road (right turn into the site from Bolong Road) from CHR(S) to rural CHR, in accordance with AUSTROADS standards, including shoulder provision in accordance with standards, design to be based on 80 kph design speed, to the satisfaction of Council and NSW Roads &amp; Maritime Services.”</i></b></p> <p><i>The ARC traffic impact study recommends that the intersection of Dairy Farmers access / Bolong Road be upgraded from BAL to full AUL. It is agreed that the left turn treatment needs to be constructed as a separate left turn deceleration lane, however in the very narrow timeframe provided to consider the application it is felt that a CHL may provide more appropriate and safer form of intersection due to the increase in left turning traffic anticipated (noted by ARC), the higher proportion of trucks using the access, and presence of recreational cyclists along Bolong Road. Accordingly if feedback is required urgently to the department as requested the left turn treatment should have an appropriate condition as follows:</i></p> <p style="margin-left: 40px;"><b><i>“Upgrade the left turn treatment at the intersection of Dairy Farmers access / Bolong Road (left turn into the site from Bolong Road) from BAL to rural CHL, in accordance with AUSTROADS standards, including shoulder provision in accordance with standards, design to be based on 80 kph design speed to the satisfaction of Council and NSW Roads &amp; Maritime Services.”</i></b></p> </li> </ul>	<p>This recommendation is consistent with the recommendations of the ARC traffic assessment that supports the Mod.3 EA as well as the recommendations of the RMS. Shoalhaven Starches commit to this requirement.</p> <p>Shoalhaven Starches <u>object</u> to this recommendation. This issue has been specifically addressed by ARC in the Traffic Assessment that supports Mod. 3 application. ARC indicate:</p> <p style="margin-left: 40px;"><b><i>“ARC would therefore recommend the provision of an AUL to provide for the left turn.</i></b></p> <p style="margin-left: 40px;"><i>The difference between an AUL and CHL treatment relates to the provision of a protected turn at the intersection itself, generally a protective island (to reduce conflicts with the right turning traffic to the same leg of the intersection). The use of a CHL is generally recommended where the intersection lies within a horizontal curve, or where the arriving trips could impede the sight distance for departing trips. In our opinion the low flows at the intersection (and particularly the low left turn demand) coupled with good sight distances would suggest that an AUL is an appropriate treatment.”</i></p> <p>It is also noted that the RMS submission agrees with the above recommendation of ARC recommending an AUL intersection treatment. Given both ARC and the RMS recommend an AUL type intersection; it is considered that Council’s recommendations in this instance should not be supported.</p>



**Table 3 – SCC (continued)**

<b>Issues raised by SCC</b>	<b>Shoalhaven Starches Responses</b>
<ul style="list-style-type: none"> <li> <p><i>Council is aware of many aspects of the works recently completed in Bolong Road that do not comply in all respects with standards or the approved design. This will also affect the assessment of the works required under this modification (upgrade of the intersection with Bolong Road / Dairy Farmers access). Accordingly modification approval should have an appropriate condition as follows:</i></p> <p><b><i>“A full works as executed drawing showing the constructed works overlaid against the approved designs must be prepared and submitted to Council in the first instance for all road and rail works undertaken under the major project approval to date. Rectification works may be required at the discretion of Council, in consultation with RMS,” and</i></b></p> <p><b><i>“Council may not issue 138 approval for any new works (including works associated with this modification) if it is not satisfied that all road and rail works undertaken to date under the major project approval have been undertaken in accordance with standards and the approved design plans, or if design of all rectification works are not included with the designs submitted for works under this modification.”</i></b></p> </li> <li> <p><i>The ARC traffic impact study recommends that the existing informal access to the east of AP1 be removed. This was an original coordinated condition of approval of Council and RMS to remove this and other informal access points used at the time. It is disappointing that Shoalhaven Starches have not taken any action to remove this access (which was never approved) in the interest of safety. Accordingly modification approval should have an appropriate condition as follows:</i></p> <p><b><i>“Remove the existing informal access to the east of AP1 by removing the physical access and reinstating the shoulder, verge, table drain, and nature strip within the road reserve to the same condition as the shoulder, verge, table drain, and nature strip adjacent to the access point, to the satisfaction of Council and NSW Roads &amp; Maritime Services. Reinstate continuous fence along the boundary. A gate will not be accepted.</i></b></p> </li> </ul>	<p>As outlined above, neither the existing Project Approval nor the approval issued for road works granted by Shoalhaven City Council and the RMS required the preparation of Works-as-Executed plans for the approved road works. Furthermore the current Modification Application only proposes works associated with the vehicle access to the former ‘Dairy Farmers’ factory site only. No works or modifications are proposed to any other vehicle entrances.</p> <p>As outlined above full Works-as-Executed plans for the entire length of Bolong Road associated with this Project Approval would involve significant costs; and have not been previously required.</p> <p>If Works-as-Executed plans are to be required they should relate specifically to the works associated with this Modification Application, that is the vehicle access to the former ‘Dairy Farmers’ factory site – Lot 143.</p> <p>The removal of this informal access is shown on the approved Roadworks Master Plan approved by Council. Shoalhaven Starches has closed this informal access.</p>

**Table 3 (continued)**

<b>Issues raised by SCC</b>	<b>Shoalhaven Starches Responses</b>
<p><b><i>Undertake appropriate landscaping within the site boundary at this location, consistent with the landscape master plan, to remove any evidence of the access.</i></b></p> <ul style="list-style-type: none"> <li>The ARC traffic impact study recommends a footpath connecting the new car park to the existing footpath adjacent AP1, and that pedestrian paths within the site be reviewed. The plan showing extent of footpath works is generally agreed. Accordingly modification approval should have an appropriate condition as follows:                     <p><b><i>“Extend the existing footpath on Bolong Road (southern side) from the AP1 access, continuing east to a location adjacent the eastern extent of the new car park, and provide a gated access at the boundary and footpath connection to the car park, to the satisfaction of Council including provision of appropriate lighting of the pedestrian pathway in accordance with standards”;</i></b></p> <p><b><i>“Undertake a review of pedestrian movements on site and prepare a car parking and pedestrian management plan including identifying pedestrian accessibility and safety improvements, including but not limited to the extension of footpath along Bolong Road, all paths currently shown on the plans subject of the modification (except modified at eastern end of the car park to link to the proposed path along Bolong Road), and general pedestrian safety improvements at all vehicle access points and where all pedestrian desire lines conflict with vehicles on site, to the satisfaction of Council”;</i></b> and</p> <p><b><i>“Prepare a plan of works to address the recommendations of the car parking and pedestrian management plan, to the satisfaction of Council”.</i></b></p> </li> <li>The use of the Dairy Farmers access as a de facto turnaround area was only approved by Council and RMS on a trial basis. Works under this modification will further reinforce the Dairy Farmers access as a more permanent turnaround arrangement which relocated turning movement conflicts into a higher speed zone. Physical works must be undertaken to provide greater appearance of the 60 kph speed</li> </ul>	<p>Shoalhaven Starches do not raise objection to this requirement.</p> <p>Shoalhaven Starches <u>object</u> to this requirement. The proposed works associated with this modification application have no relationship or nexus with pedestrian movements within the overall Shoalhaven Starches factory site.</p> <p>Shoalhaven Starches <u>object</u> to this recommendation.</p> <p>Contrary to Council’s assertion the development consent enabling the use of the former “Dairy Farmers” factory site access as a turnaround facility was not approved on a trial only basis. The modified consent (DA10/1843 &amp; DS10/1522) imposes no timeframe restrictions on this development approval. Under these circumstances this access already provides a permanent</p>

**Table 3 (continued)**

<b>Issues raised by SCC</b>	<b>Shoalhaven Starches Responses</b>
<p>zone environment, if to achieve greatest benefits from the relocation of the 60/100 speed zone change, and following preliminary discussions this position is supported by RMS and formed part of their consideration of relocation of the speed zone. Accordingly modification approval should have an appropriate condition as follows:</p> <p><b><i>“Extend the existing median from the eastern side of the AP1 access, continuing east to the location of Dairy Farmers access, terminating to the eastern side of Dairy Farmers access, leaving a minimum gap at the Dairy Farmers access only, sufficient to accommodate turning movements at the Dairy Farmers access only, to the satisfaction of Council and RMS. The median shall be of minimum 900 mm width for most of the mid-block length (between AP1 and Dairy Farmers access) however will taper to increased width to accommodate the physical channelization required as part of the CHR/CHL designs to the satisfaction of Council and RMS”; and</i></b></p> <p><b><i>“Lighting must be upgraded at the Bolong Road / Dairy Farmers access in accordance with standards, including addressing the eastern termination of the median to the east of the Dairy Farmers access”.</i></b></p>	<p>turnaround facility. This current modification application therefore does not alter this situation.</p> <p>Council indicates that RMS support this recommendation, however the RMS submission is silent with respect to such requirement.</p> <p>The extension of the median as proposed will involve significant road widening and works, and therefore significant costs. There is however no nexus between what is proposed and the provision of such works.</p> <p>There is no regulatory standard or justification that requires the provision of a median as requested by Council.</p> <p>RMS have already undertaken a review of this speed zone and support a reduction in the speed zone in this location. This decision was made without any requirement for an extension of the median as now suggested by Council.</p> <p>The reason why a median was provided further to the west in front of the existing Shoalhaven Starches factory site was to; prevent right turning movements from Bolong Road into existing driveways located along the Shoalhaven Starches factory site; prevent right turning movement out from the BOC plant located on the northern side of Bolong Road; and to enable the provision of fencing along the central median to prevent pedestrian movements across Bolong Road given the presence of the BOC plant on the northern side of the road.</p> <p>There is no similar justification for that section east of the existing median given there are no further vehicle entrances until the ‘Dairy Farmers’ entrance, and there is no pedestrian desire line to cross Bolong Road along this particular section of Bolong Road. The fact that the RMS has agreed to reduce speed limit to 60 km/h along this section of road does not itself justify the provision of a median, indeed the RMS has not required such works as part of its decision making.</p> <p>There is no justification or nexus for imposing such a requirement on Shoalhaven Starches and its operations.</p> <p>Shoalhaven Starches agree to upgrading the lighting at the Bolong Road/Dairy Farmers access, but not to the extension of this lighting further along Bolong Road which is unrelated to this modification application. Under these circumstances Shoalhaven Starches agree to a modified condition as follows:</p> <p><b><i>“Lighting must be upgraded at the Bolong Road/Dairy Farmers access in accordance with relevant standards”.</i></b></p>

**Table 3 (continued)**

<b>Issues raised by SCC</b>	<b>Shoalhaven Starches Responses</b>
<ul style="list-style-type: none"><li>• <i>Re the internal turnaround island inside the Dairy Farmers access; this requires construction as a physical (raised) facility, accordingly modification approval should have an appropriate condition as follows:</i>  <b><i>“In regards to the proposed turnaround island immediately inside the Dairy Farmers access the applicant is to construct this island as a physical (raised) treatment to the satisfaction of the Local Shoalhaven Traffic Committee.”</i></b></li></ul>	Shoalhaven Starches <u>object</u> to the requirement. No justification is provided by Council as to why painted linemarking will not be sufficient. Painted line marking is accepted in many instances as sufficient to control traffic movements generally and no justification has been given for this requirement.
<ul style="list-style-type: none"><li>• <i>Re signs / lines, the modification approval should have an appropriate condition as follows:</i>  <b><i>“Applicant is to provide a detailed signs / lines plan for all aspects of the rectification works required and for all works required under this modification, to the satisfaction of the Local Shoalhaven Traffic Committee.”</i></b></li></ul>	Shoalhaven Starches raise no objections with respect to this requirement.

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I trust the above is of assistance to the Department’s consideration of this Modification Application. If you require any clarification of the matters raised above please do not hesitate to contact me.

Yours faithfully



Stephen Richardson  
COWMAN STODDART PTY LTD

Enc.

# **ANNEXURE 1**

**Revised Figures  
from Annexure 1 to original EA**

**prepared by  
Allen Price & Associates**

## **ANNEXURE 2**

### **Revised Landscape Plans**

## **ANNEXURE 3**

**Plan showing location of  
approved car parking spaces (Master Plan);  
Interim Packing Plant car parking;  
and parking associated with Modification 3**