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**State Significant Infrastructure Application
Environmental Impact Statement Submission -
Yallah to Oak Flats Princes Motorway Extension (Albion Park Rail Bypass)**

To whom it may concern

Thank you for sending Council electronic and hard copies of the Environmental Impact Statement (EIS) for the Yallah to Oak Flats Princes Motorway Extension. Continuing Council support for this project is contingent upon the installation of the south facing access ramps at the Albion Park Interchange.

Council is committed to working with the Roads and Maritime Services (RMS) to ensure that Tripoli Way is in place and operational to coincide with the opening of the Yallah to Oaks Flats M1 Motorway Extension.

Council staff have read the documents and have provided the attached submission in response. If there are any items that need clarification or you would like further information please contact my Executive Assistant, Allison Bonaz on 4221 6254 and she will assist you.

Thank you for giving Council an opportunity to provide comments on this report.

Yours sincerely



Lee A. Furness
Director Corporate Policy

Planning and Environment

Biodiversity (Manager Environment)

There is no consideration on the impact of fauna passage to/from Croom Reserve to Frasers Creek and vegetation to the south (mining land). Fauna studies conducted in 2014 showed a population of wallabies that utilise the reserve. An underpass will be provided for traffic travelling within the reserve however, it will not be constructed specifically for fauna passage. Construction of the bypass without dedicated fauna passage will prevent fauna passage to/from the escarpment via Frasers Creek and mining land to the south which will decrease available fauna habitat and impact genetic diversity of the species and other dependent species.

Effects of battering on the adjacent vegetation in Croom Reserve for the on-ground carriageway have also not been considered at this stage of the EIS. Additionally, management of the edge effects (increase run off, access for maintenance, rubbish etc) will need to be considered and managed accordingly in perpetuity

Aboriginal Heritage (Acting Manager Community and Cultural Life)

No specific comments.

Non Aboriginal Heritage (Senior Strategic Planner)

The Study fails to acknowledge that the proposed bypass also transects lands that have been deferred from SLEP 2013 and are currently under SLEP 2000, SRLEP 2004. This generally does not have any impact on the findings of the report. Never the less, the assessment needs to take this into consideration.

An area that is included in the deferred land and is currently under SRLEP 2004 is the proposed Illawarra business park. This land contains both the original location of Marks Villa (which is referred to on p84 as having archaeological potential) and the relocated Marks Villa (58 Tongarra Rd, Albion Park) which is adjacent to Ravensthorpe. The possible impacts of the proposed Bypass on this significant farm complex appear to have not been addressed in this report. Although this site was removed from the heritage schedule as part of the Illawarra Business Park Part 3A approval it currently retains its local heritage significance and should be considered in the assessment as it is located closer to the proposed bypass than Ravensthorpe.

With regards to Swansea homestead (Which is owned by Council and currently located on the same lot as Croom Sporting Complex) council would like to advise that there must be no impact from proposed road widening in front of Swansea homestead which could affect the curtilage or structures of the Heritage item.

The proposed removal of the Boles Meadow Homestead and associated structures is regrettable; Council however supports the proposed archival and archaeological measures that are proposed. This will at least enable the historic story of this significant item to continue to be told.

The mitigation measures proposed for the unlisted remains of Tongarra Road Homestead and Stapletons Bridge are supported. It is worth noting that Stapletons Bridge is also in the proximity of what was known as Missingham's Tannery site. Details of this unlisted area can be obtained from the Tongarra Heritage Museum.

The mitigation Measures proposed for Ravensthorpe are also supported. In this regard, Council has had early discussions with the current owners regarding suitable species for screen planting.

Council would like clarification on whether the bridge referred to on page 81 under the heading Floodways is the Princes Motorway bridge crossing and whether this bridge is scheduled for removal.

Council would also like to bring to your attention the following typographical errors that need to be acknowledged and or corrected.

- Page 19: The description of the image is incorrect. The dark blue line is the project area not Terry's Meadow Estate.
- Page 30: Table 5 B should also reference association with the Youll Family. 4.3.1.2 should also reference association with the Youll family.
- Page 33: Last paragraph. Swansea homestead is no longer used as a caretaker's residence and is currently vacant.
- Page 41: 4.3.3.3 refers to figure 21 should be figure 22
- Page 44: spelling mistake 'cum' should read 'which became the ...
Repeated on page 45
- Page 51: Last sentence should read 'old bails'.
- Page 54: Figure does not show total area of LEP listed site – excludes Centenary Hall, Rural Fire Service building and other structure on the southern boundary.
- Page 67: 6.1.1.3 should read Illawarra Light Railway Museum not Albion Park Museum. This occurs again on p68 under D Social significance, and G representativeness.
- Page 84: 3rd line should be 'Rail' not 'Railway'
- Page 87: Last item – House – last column should refer to Wollongong Council not Shellharbour.

Noise and Vibration (Manager Environment)

No specific comments

Socio Economic (Acting Manager Community and Cultural Life)

The EIS recognizes that the project may impact on retail and commercial businesses relying on highway dependent trade. The closing or reduced viability of businesses will potentially lead to loss of income, which is concerning since the median individual, family and household incomes in Shellharbour LGA are all below that of NSW and unemployment rates are already higher. It would be beneficial if the RMS put in place measures to mitigate potential negative impacts.

Similarly, mitigation plans should also be provided to address possible detrimental impacts on community cohesion and identity for residents who currently access Woollybutt Drive and Durgadin Drive.

There is an opportunity for public art to be incorporated into the design and infrastructure and Shellharbour City Council would welcome the opportunity to be involved in the preparation and implementation of a public art strategy for the project.

It is recommended that further community consultation in Albion Park Rail is conducted in the future with established community groups and committees. Shellharbour City Council would be willing to link you with specific committees and networks such as Shellharbour City Business Network and Shellharbour's Crime Prevention Partnership to seek further community comment or relay information about the plans.

Landscape Character and Visual Amenity (Senior Strategic Planner)

Adverse visual and landscape impacts are usually associated with the development of major new motorway works such as those proposed. The proponent's attempts to manage these are acknowledged as are the limitations in doing so given the inherent financial/spatial/functional design constraints and the project stated objectives.

The determining authority in its assessing the EIS needs to ensure that visual and landscape impacts are minimised and managed as far as practicable. In addition the following also needs to be considered:

- potential human/animal access to steep, accidental drops;
- isolated and or vegetated spaces which are conducive to anti – social behaviour (including dumping, graffiti or loitering) contrary to the principles of Crime Prevention Through Environmental Design (CPTED);

The final detailed design including landscape design needs to account for the above.

Land Use (Senior Strategic Planner)

Future Greenfield area yields are mentioned on pg. 471. These figures should be vetted with the Department of Planning and Environment's regional team who are currently working on the latest Illawarra Urban Development Update Report and Illawarra Regional Growth Plan.

In terms of traffic modelling, only West Lake Illawarra is addressed. There is no evidence in this chapter, Chapter 7 (traffic and transport) or its appended technical paper, Chapter 21 (cumulative impacts and interactions) that regional infill growth or growth outside Shellharbour/Wollongong LGAs is factored in. This growth may or may not be factored into the modelling. The determining authority needs to ensure the accuracy of existing populations/trip generation and relevant growth estimates. There is no indication in either chapters 7 or 21 of a planning period for the works, i.e. when their capacity may be reached and whether additional capacity is or needs to be factored into the works.

The determining authority in its assessment/determination should ensure impacts described in this chapter and other parts of the EIS are minimised as far as practical. In doing so, the determining authority should ensure relevant land owners are consulted.

These impacts include:

- Property acquisition (including partial and total acquisitions) resulting in a permanent change in land use
- Property severance impacts and reduced viability of land
- Changes to property access, which would be beneficial for some properties and adverse for others

- Improved access for future growth areas, and separation of through and local traffic
- Conversion of land currently used for agriculture as a result of the reconfiguration of Croom Regional Sporting Complex, which would result in new and upgraded facilities, better parking and improved access.

Soils & Surface Water Quality (Manager Environment)

No specific comments

Groundwater (Manager Environment)

No specific comments

Air Quality (Manager Environment)

No specific comments

Greenhouse Gas (Manager Environment)

No specific comments

Waste (Manager Environment)

No specific comments

Cumulative Impacts and Interactions (Senior Strategic Planner and Manager Environment)

Future Greenfield area yields are mentioned throughout this chapter. These figures should be vetted with the Department of Planning and Environment's regional team who are currently working on the latest Illawarra Urban Development Update Report and Illawarra Regional Growth Plan.

The Department of Planning and Environment should clarify on pg. 569 whether or not their concept plan approval for the Illawarra Regional Business Park has lapsed.

Sustainability (Manager Environment)

No specific comments

Airport

Lighting

Addressed in final document

Air Space Protection

Page 20 of the aviation paper in the last paragraph of the clearance to vehicles states that there will be no impact on current operations but effects on aspirational operations, with some restrictions on north take off. The exact extent of these impact and possible actions to be taken will need to be considered in the detailed design stage and that all incursions into the surfaces, current and aspirational need to be assessed by Council. The design stage should allow for this in its program and if possible a hold point be put on approval of heights pending assessment of the impact and mitigation measures. It needs to be noted that this process is estimated to take 6 to 8 weeks. Any adjustments required to the airport infrastructure or flight procedures should be at the cost of the project.

This comment also applies to the last paragraph on page 20.

Council requests a confirmation of any increases in penetration of the OLS and VSS so that we can work with CASA and Air Services on the impact of the flight operations. This information should include details of any shielding that may exist from existing constructions. Also where possible if the RMS can assist in the reduction of existing obstructions that may lie within its area of work.

Construction

The mitigation measures in this section need to be addressed and work has commenced on some items in here and these should be considered as hold points in the process. It is noted that RMS has commenced consultation with Council and the operators on management of impacts of construction on flight operations.

Wildlife

The report has addressed the wildlife impact and the noted actions need to be passed onto the project that is the use of trees and shrubs in landscaping that does not attract wildlife and consideration in the planning of carparks, particularly considering waste management. Council also needs further information on the proposed ponds and the impact on wildlife attraction and the impact on flights.

Sports field relocations

No assessment has been made of any impacts on the proposed adjustments to the Croome Complex as part of the EIS review, this development will need to be assessed for lighting, height and wildlife impacts as part of the design and construction planning process.

Hydrology and Flooding

Project objectives – a 20yr Average Recurrence Interval (ARI) flood immunity objective is considered too low for a project of this scale and significance. Council considers that a minimum flood immunity of 100yr (1%Annual Exceedance Probability) plus a consideration of freeboard be considered for design. Council is unsure what flood immunity is being achieved in design at various locations and as whole, with and without climate change impacts considered. It may also be worth considering whether part of the road can be trafficable in events greater than the design flood immunity event in order to understand how emergency

services vehicles can use the motorway in extreme events. The objectives need to be determined through assessment of the damages and effects on people, property and infrastructure.

Flood impact objectives on Agricultural Lands – The flood impact objectives of 400mm for agricultural lands should be reviewed. Council is of the view that this would have significant impacts on the usability of the land for agricultural purposes. Remedial works such as widening the opening between bridge abutments on stock refuge mounds should be considered.

Access in and out of Albion Park in a 1% Annual Exceedance Probability (AEP) Event – It appears from the current design that access in and out of Albion Park in a 1%AEP will not be achieved. This could be addressed by raising the access road adjacent to Green Meadows Basin to above the required level.

Potential Dam Safety Committee (DSC) Prescribed Dams including Green Meadows Basin – A Dam Break Analysis is expected and this must include a consequence category assessment for all proposed basins, particularly Green Meadows Basin and the proposed Basin at Croome Road. It would be appreciated if Council could be consulted on any correspondence received from DSC on these matters.

Reserve downstream of Green Meadows Basin - It is noted that there are numerous (at least 10) proposed discharge points into this reserve. Thought needs to be given at detailed design stage as to how all of these discharge points are to be managed in the reserve. There are concerns regarding the long term maintenance liability for Council and we seek discussions on this.

Potential for Basin upstream of Oak Flats interchange – It is unclear whether the basin upstream of the Oak Flats interchange been considered in the assessment. This basin is identified in the Draft Horsley Creek Floodplain Risk Management Study and has been endorsed by Sydney Trains/Railcorp. It also provides benefits for the Princes Hwy downstream. Preliminary investigations identify that a basin could be incorporated into the Albion Park Rail Bypass.

Proposed Croome Road Basin – Council notes the provision for new basin at this location. It is preferred that the discharge from this basin be directed to Frasers Creek as per the final mitigation option identified in the Draft Horsley Creek Floodplain Risk Management Study and Plan. Council seeks clarification on who will be responsible for the ongoing maintenance of the basin. It is stated that "A total of 23 properties in Albion Park Rail would now be flood free due to the provision of a detention basin near Croome Road." By definition this would mean that these 23 properties will no longer be flooded in all events up to the Probable Maximum Flood, this should be confirmed. It would be appreciated if Council could have the details of these properties.

Water Quality treatment and management – reference is made to detail in the EIS, however council is unaware as to how Water quality impacts will be managed and what /if any devices are proposed and where they will be located. In managing the stormwater it is anticipated that the RMS will create and maintain any and all stormwater treatment ponds.

Transverse Drainage and Flood Mitigation Structures – For those structures that council currently maintains that are proposed to be extended or augmented e.g. Green Meadows Basin, East West Link – Council seeks clarification on whether the ongoing maintenance of these assets be the responsibility of NSW RMS.

Taylor Road – Council is unclear on what options have been considered to manage impacts on Taylor Road re flood levels and duration of flooding. It is evident from the modelling that there are detrimental impacts in some events particularly more frequent flood events. Consideration should be given to what options are available to reduce the flood vulnerability at this location. Any detrimental impact on flood behaviour at this location is considered unacceptable given the frequency of flooding and vulnerability of flooding.

2013 Bureau of Meteorology (BOM) Intensity Frequency Duration (IFD) Data – The process of preparing the Macquarie Rivulet flood study has identified significant issues with the 2013 BOM IFD data. It is recommended that RMS avoid the use of the data until further advice from Shellharbour City Council, NSW Office of Environment and Heritage and Engineers Australia.

Flood Impacts – It is noted that two properties are detrimentally impacted in Macquarie Rivulet and that the impacts reported relate to overfloor flooding. What is unclear is what impacts are expected over private properties including impacts on garages etc, in addition to habitable areas of dwellings. Council is of the view that identification of the location of these impacts and proposed remediation is important.

WATERWAY IMPACTS - Geomorphic assessment should be completed in conjunction with flood modelling if the aim is to minimise changes to natural stream flow and velocity, especially at critical locations where creek alignment or function is proposed to change. There is significant evidence that the soils in the project area are very erosive if not stabilised sufficiently. Reference to Dr. Gerald Nanson's (University of Wollongong) paper on the Geomorphology of the Illawarra streams may be of assistance. Assessments to consider flow behaviour, including depth, velocity and direction, resistance of material to scour, including soil shear stress, particle size and vegetation and other land uses (e.g. is access required across scour protection area) should be considered.

Croom Regional Sporting Complex (Manager Property and Recreation)

With regard to the Croom Regional Sporting Complex, Council has worked cooperatively with RMS on a master plan for the complex. This has also involved sporting groups located at Croom. The master plan has been publically exhibited and has been endorsed by the Council. Council notes that the following requests have been agreed to by RMS:

- All directly impacted sporting facilities are replaced with similar facilities
- Council as owner of the facility will work directly with RMS in the more detailed design phase on the amenities, car parking and other infrastructure to be replaced or in addition to what is currently there (e.g. lighting and irrigation)
- There is a vehicle and pedestrian access throughout the Croom Regional Sporting Complex
- The addition of a single land vehicle access into the complex from the western Terry Reserve sporting area into the Croom Regional Sporting Complex.
- Access to the Croom Stadium is available at all times
- New sporting facilities for AFL/Cricket to be constructed and horse arenas, junior rugby league fields to be reconfigured, public horse arenas relocated and new grass netball courts to be constructed as per the concept plan that was provided by RMS and endorsed by Council.

Further Council would like the opportunity to explore stormwater reuse options with RMS to use run off to irrigate the neighbouring sportsfields and bush regeneration areas.