

SHOALHAVEN CITY COUNCIL

**SUBMISSION TO THE NSW DEPARTMENT OF PLANNING
PART 3A, ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979**

ENVIRONMENTAL ASSESSMENT REPORT SUBMISSION

**CONCEPT PLAN MP10_0144
MAJOR PROJECT APPLICATION MP 10_0108**

PROPERTY: Land within the Shoalhaven local government area. The pipeline is proposed to run east - south east from the existing Eastern Gas Pipeline at Prestells Lane Meroo Meadow to a boundary of the Shoalhaven Starches site at Railway Road, Bomaderry via the existing public road network and private land.

APPLICANT: Shoalhaven Starches Pty Ltd

OWNER: Shoalhaven Starches Pty Ltd, Local and State road authorities and other private landowners

DEPARTMENT OF PLANNING REFERENCE:
MP10_0144 (Concept) and MP10_0108 (Project)

COUNCIL REFERENCE: 3A10/1005

1. Introduction

Council has reviewed the proponent's Environmental Assessment Report (EAR) (Cowman Stoddart Pty Ltd – March 2012). Council has previously provided a Key Issues submission dated 22 October 2010.

2. Strategic Planning Matters

Council's preferred location for the gas pipeline in Prestells Lane is on the northern side. This is consistent with the Council's Key Issues submission:-

"For the lands and roads within the section between the Eastern Gas Pipeline, Prestells Lane and joining at Meroo Road there are future strategic planning impacts that require consideration by the proponent. The strategic planning is included in the adopted Nowra Bomaderry Structure Plan and the Shoalhaven Local Environment Plan 1985. Future rezoning and development of land south west of Prestells Lane and Council's requirement has been identified in Council's April 2010 letter. Additional pipeline technical information for pipe depth and protection has been provided by Council to the proponent by email dated 1 July 2010."

Council is aware of various constraints relating to the gas pipeline at and near the connection with the Eastern Gas Pipeline (EGP); the proponent in EAR CI 5.5.1

indicates the actual location can be a matter for further discussion as investigations continue:-

Cl 5.5.1 (in part) Shoalhaven City Council's letter dated 19th April 2010 (Annexure 4) addresses this issue. Council indicates that it would be preferred that the pipeline be located on the northern side of Pestells Lane so that as land is redeveloped the pipeline will not impede potential road widening. The letter however acknowledges that given a number of possible constraints within the existing road reserve of the lane; including width and future works; the detail of pipeline placement can be a matter for further discussion as construction investigations within the laneway reserve take place.

Council requests a condition be imposed that requires the proponent to submit detailed pipeline location plans in the section from the EGP to Princes Highway so further consultation can take place and Council can consider implications for future growth areas under the Nowra Bomaderry Structure Plan.

3. Works within the local road reserves

The pipeline has a number of sections that will be located in Council's local road network, some of which are in unformed road reserves. It is noted that the Roads and Maritime Service (RMS) has provided a submission concerning the Princes Highway corridor. It is expected that Railcorp will provide a submission relating to the section of the pipeline that crosses the rail corridor.

Council has concerns in respect of the section that is east of the rail corridor as the information within the text and the plans have inconsistencies. Refer to Annexure 5 aerial photos series and Appendix C of Annexure 13 (16 sheet series – Erosion and Sediment Controls).

In particular, it is noted on the plans and aerial photographs provided by Allen, Price & Associates (AP&A) that the pipeline is to be placed in an 'old road reserve' running parallel to the southern railway. Council's GIS does not show an old road reserve in the location as indicated on the plans. If this is the case Council may not be able to approve of the pipeline being in the location shown. It is noted that there are other road reserves adjacent to the railway which although unconstructed are under Council control.

The traffic report by Stapleton Transportation & Planning (ST&P) indicates that the works are proposed on the kerb or eastern side of Railway Street yet the plans by AP&A show otherwise. The plans by AP&A show the existing gas line within what appears to be railway land (near Concorde Way) yet Council's GIS indicates an easement for gas pipeline on the eastern side of the road reserve to the east of railway land.

Further, the proposed method of pipeline laying within close proximity to trees particularly those close to sealed roadways, is not included.

Council requests the Department:

- (a) require clarification of the location of the pipeline so Council can assess impacts and provide comment. (Note: Council staff are prepared to meet with

the proponent to discuss this matter to expedite the clarification and detail required).

- (b) require details of pipe laying methods in proximity to trees so impacts of the method can be assessed

4. Noise and Vibration

The proponent's Annexure 16 – Noise and Vibration has been reviewed. It is noted that the Department and other agencies are assessing the noise and vibration component and will include appropriate conditions.

The information about vibration damage to building and infrastructure impacts from expected rock hammering is inadequate. The report sections 5.4, 6.3 and 7.3 indicate that investigations and monitoring of likely or actual damage to buildings due to rock hammering after an event is likely to be increased. The EAR and the Construction Noise and Vibration Management Plan makes reference to monitoring vibration during any rock hammering and requires monitoring alarms to trigger at a Peak Particle Velocity of 15 mm/s at the nearest residential building but does not say what shall be done should the alarm be triggered (ie stop work for a time period, install vibration controls etc).

Council requests the department ensure, that conditions are imposed so there is an action plan should the vibration levels be exceeded, thus ensuring that property and infrastructure owners are protected from damage through vibration rather than relying on the current statements in Annexure 16 as part of the broad inclusion of the document in the application reference condition.

5. Water and Sewer

Shoalhaven Water is the water and sewer authority and have provided the following comments:-

- A large portion of the proposed design will impact upon Shoalhaven Water's assets, the proposed design route does not appear to have taken into consideration the congestion of existing services located within the existing roads reserves. Of particular concern is the section of main from approximately 160m north of Edwards Ave Bomaderry to Cambewarra Rd. Based on the proposed design route the gas main is going to be located in close proximity to twin sewer rising mains and also a trunk water main.
- With reference to Annexure 14 –Infrastructure Impact "*Section 3.3. Shoalhaven City Council Sewerage Drainage infrastructure*" and also "*Section 3.4 Shoalhaven City Council Water Infrastructure*" the applicant's proposal to remove Shoalhaven City Council Infrastructure until completion of the proposed gas main is **unacceptable and inappropriate**. A large majority of the infrastructure is part of the trunk Water and Sewer networks and approval shall not be granted for any removal of these assets. The proposed gas lines shall be designed so as to not impact upon Shoalhaven City Council Water and Sewer Assets. Any alterations to Councils infrastructure is to be at the applicants cost.
- Prior to commencement of any works the applicant shall apply to Shoalhaven Water for a Certificate of Compliance under Section 307 of Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000.

- Adequate clearance is to be provided between existing water and sewerage infrastructure and the proposed gas main in accordance with Councils website for Shoalhaven Water Sewer Design Specification and Drawings. <http://www.shoalwater.nsw.gov.au/Publications/publications>.
- The Developer is to indicate protective measures to be utilised where construction and / or construction plant movement is proposed in the vicinity of water and / or sewerage infrastructure.
- Detailed design plans (of the proposed gas pipeline) are required to be submitted to Council (Shoalhaven Water) for Approval prior to the works commencing. Plans are to accurately detail all water and sewer assets within close proximity (10m) of the proposed route of the gas pipeline.
- A Shoalhaven Water inspector shall be onsite at all time when works are undertaken in proximity to Shoalhaven Water assets, where works are required to cross Shoalhaven Water assets the works shall be by open excavation, at the applicants cost.
- The alignment of all water and sewerage infrastructure shall be accurately located and clearly marked on site prior to the commencement of works within 10m

Council requests that these matters be incorporated into conditions of approval.

6. Conclusion

Council's submission requests more detail from the proponent. In particular detailed design drawings that relate to the location of the proposed gas pipeline within the road reserves and also to identify Council infrastructure and assets that are impacted. The submission of this detail should require an approval from Council before work commences.

T Fletcher
Director
Development and Environmental Services Group
22 May 2012