

# Appendix A

## Consideration of clause 228(2) factors and matters of national environmental significance

## Clause 228(2) Checklist

In addition to the requirements of the *Is an EIS required?* guideline (DUAP 1995/1996) and the *Roads and Related Facilities EIS Guideline* (DUAP 1996) as detailed in the REF, the following factors, listed in clause 228(2) of the Environmental Planning and Assessment Regulation 2000, have also been considered to assess the likely impacts of the proposal on the natural and built environment.

Factor	Impact
a) Any environmental impact on a community?	
The proposal would reduce travel times and congestion and improve safety for road users. As the proposal is increasing the width of the road to include dedicated turning lanes, there would be better chance for emergency vehicles to easily cross the Stockyard Place intersection.	Long-term positive
Construction of the proposal would result in short-term negative traffic, noise and vibration impacts to the local community as discussed in Section 6.6. Potential traffic impacts include an increase in the volume of heavy vehicles, disruptions to access and local traffic changes. These impacts would be short-term during construction of the proposal. Construction impacts would be managed by preparation of a <i>construction environmental management plan</i> including all mitigation measures identified in the REF.	Short-term negative
Construction of the proposal would require temporary use of a strip of nine commercial properties for the construction footprint. No buildings or residential properties would be impacted. During construction, there is the potential to temporarily impact the amenity of the property due to traffic and access issues, increases in noise, visual impacts, closures for safety reasons and potential dust generation during construction of the proposal.	Short-term negative
The proposal would require partial acquisition of five lots. Property acquisition will be carried out in accordance with the <i>Land Acquisition Information Guide</i> (Roads and Maritime Services, 2013) and the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .	Long-term negative
b) Any transformation of a locality?	
The proposal would reduce traffic congestion in West Gosford by updating the intersection to improve traffic flow. It would decrease the length of time road users remain on Manns Road. The proposal would not alter the existing land use, as it currently operates as a road.	Long-term positive
Construction of the proposal would cause short-term negative impacts while roads are blocked off and plant and machinery reside on Manns Road and in compound areas. The proposal would not change the visual amenity of the Stockyard Place intersection in the long-term, therefore long-term impacts would be negligible.	Short-term negative
c) Any environmental impact on the ecosystems of the locality?	
The proposal would remove and/or impact about 0.74 hectares of planted and exotic vegetation. The proposal footprint comprises a highly modified, urban environment with limited fauna habitat values. It is proposed the road verges be re-planted with vegetation upon completion of construction. The proposal would have minimal impacts to flora and fauna during operation. Mitigation measures provided in Section 6.4.4 would be implemented to minimise potential impacts on biodiversity.	Long-term minor negative

Factor	Impact
d) Any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality?	
The proposal would reduce traffic congestion and increase connectivity between the M1 Pacific Motorway and the Central Coast Highway.	Long-term positive
During construction there is potential for short-term impacts associated with traffic, visual, dust, water quality, noise and vibration. These impacts would be minimised through the implementation of safeguards summarised in Section 7.2.	Short-term minor negative
A footpath and cycleway would be extended as part of the proposal. This encourages recreational and environmentally sustainable activities such as cycling and walking.	Long-term positive
e) Any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations?	
Aboriginal and non-Aboriginal heritage assessments found there are no registered sites and the proposal footprint is unlikely to contain any previously unrecorded sites due to the history of disturbance.	Neutral
f) Any impact on the habitat of protected fauna (within the meaning of the <i>National Parks and Wildlife Act 1974</i> )?	
The proposal would remove about 0.74 hectares of planted and exotic vegetation. The proposal would not result in a significant impact to any protected species or the habitat of protected fauna.	Neutral
g) Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air?	
Construction of the proposal would remove 0.74 hectares of exotic grassland and planted native trees. This vegetation does not have significant biodiversity values for flora or fauna, although it would decrease potential habitat for common and exotic species. No threatened species or communities would be impacted as a result of the proposal.	Neutral
h) Any long-term effects on the environment?	
In the long-term the proposal would reduce travel times and congestion on Manns Road, and increase connectivity between the M1 Pacific Motorway and the Central Coast Highway.	Long-term positive
The proposal would remove and/or impact about 0.74 hectares of planted and exotic vegetation, although this would be re-planted as part of the landscaping for the proposal.	Neutral
i) Any degradation of the quality of the environment?	
During construction there is potential for short-term impacts associated with traffic, visual, dust, water quality, noise and vibration. These impacts would be minimised through the implementation of safeguards summarised in Section 7.2.	Short-term minor negative
j) Any risk to the safety of the environment?	

Factor	Impact
<p>There is potential for road safety to be decreased during construction due to altered traffic conditions and increased heavy vehicle movements. Traffic management safeguards including the preparation of a traffic management plan, would address safety risks.</p>	<p>Short-term potential negative</p>
<p>k) Any reduction in the range of beneficial uses of the environment?</p>	
<p>The proposal would reduce travel times and congestion on Manns Road, and improve connectivity between the M1 Pacific Motorway and the Central Coast Highway. These benefits could result in opportunities for beneficial uses of areas within and surrounding Gosford.</p>	<p>Long-term positive</p>
<p>l) Any pollution of the environment?</p>	
<p>The proposal could potentially result in minor short-term water pollution from sediments, soil nutrients, waste, and spilt fuels and chemicals if not managed appropriately. Management of water quality impacts would be carried out in accordance with the mitigation measures summarised in Section 6.5.4. The proposal would result in minor short-term air pollution from plant and machinery and the generation of dust during construction. Management of air quality impacts would be conducted in accordance with the mitigation measures outlined in Section 6.9.3.</p>	<p>Short-term minor negative</p>
<p>m) Any environmental problems associated with the disposal of waste?</p>	
<p>Small quantities of excess spoil not suitable for reuse would be disposed of in accordance with the safeguards and mitigation measures outlined in Section 6.5.4.</p> <p>The proposal has the potential to generate waste from the following activities:</p> <ul style="list-style-type: none"> <li>• Vegetation to be removed as part of the proposal</li> <li>• Earthwork</li> <li>• Utility adjustments</li> <li>• Waste from the removal of the existing road alignment.</li> </ul> <p>Waste streams likely to be generated during construction of the proposal include:</p> <ul style="list-style-type: none"> <li>• Excess spoil</li> <li>• Green waste as a result of vegetation clearing</li> <li>• Roadside materials (for example fencing, guard posts, guard rails)</li> <li>• Packaging and general waste from staff (for example lunch packaging, portable toilets)</li> <li>• Chemicals and oils</li> <li>• Waste water from wash-down and bunded areas</li> <li>• Excess concrete</li> <li>• Redundant erosion and sediment controls.</li> </ul> <p>The potential to reuse materials would be investigated during detailed design. Unsuitable fill material which cannot be used on site would be classified in accordance with the EPA's Waste Classification Guidelines (2014) and disposed of at an approved materials recycling or waste disposal facility.</p>	<p>Negligible</p>
<p>n) Any increased demands on resources (natural or otherwise) which are, or are likely to become, in short supply?</p>	

Factor	Impact
All resources required for the proposal are readily available and are not in short supply. However, materials such as metal and fuel are non-renewable and would be used conservatively.	Negligible
o) Any cumulative environmental effect with other existing or likely future activities?	
The long-term effect of the proposal would add to the positive cumulative impact on travel times and road connectivity as a result of the road upgrades to the north and south of the proposal.	Long-term positive
Temporary potential cumulative impacts may occur as a result of construction activities occurring simultaneously with other projects in the local area. Cumulative impacts are not expected to be significant and would be minimised through the application of individual proposal specific environmental safeguards and management measures.	Short-term minor negative
p) Any impact on coastal processes and coastal hazards, including those under projected climate change conditions?	
The proposal would not cause changes to any coastal hazards as it is not located on the coast and would not cause changes to hydrology of surrounding waterways.	Nil

# Matters of National Environmental Significance

Under the environmental assessment provisions of the *Environment Protection and Biodiversity Conservation Act 1999*, the following matters of national environmental significance and impacts on Commonwealth land are required to be considered to assist in determining whether the proposal should be referred to the Australian Government Department of the Environment and Energy.

A referral is not required for proposed actions which may affect nationally listed threatened species, endangered ecological communities and migratory species. Impacts on these matters are still assessed as part of the REF in accordance with Australian Government significant impact criteria and taking into account relevant guidelines and policies.

Factor	Impact
Any impact on a World Heritage property? No world heritage listed properties are located within a ten kilometre radius of the proposal footprint.	nil
Any impact on a National Heritage place? No national heritage places are located within a ten kilometre radius of the proposal footprint.	nil
Any impact on a wetland of international importance? No wetlands of international importance are located within a ten kilometre radius of the proposal footprint.	nil
Any impact on a listed threatened species or communities? The proposal would not result in significant impacts on any threatened species or communities. The proposal would remove and/or impact about 0.74 hectares of predominantly planted and exotic vegetation which is not considered habitat to any threatened species.	nil
Any impacts on listed migratory species? An assessment of the likelihood of occurrence of migratory species was conducted for the proposal (Appendix E (Volume 2)). This assessment found that based on the nature and condition of habitat and recent local records (including the results of the field survey for the proposal) there are no migratory species listed under the EPBC Act which may utilise the proposal footprint on an opportunistic or seasonal basis.	nil
Any impact on a Commonwealth marine area? The proposal would not have any impact on a Commonwealth marine area.	nil
Any impact on the Great Barrier Reef Marine Park? The proposal would not impact on the Great Barrier Reef Marine Park.	nil
Does the proposal involve a nuclear action (including uranium mining)? The proposal does not involve a nuclear action.	Not applicable
Any impact on a water resource, in relation to coal seam gas development and large coal mining development? The proposal is not a coal seam gas development or large coal mining development.	Not applicable
Any impact (direct or indirect) on Commonwealth land? The proposal would not impact Commonwealth land.	nil