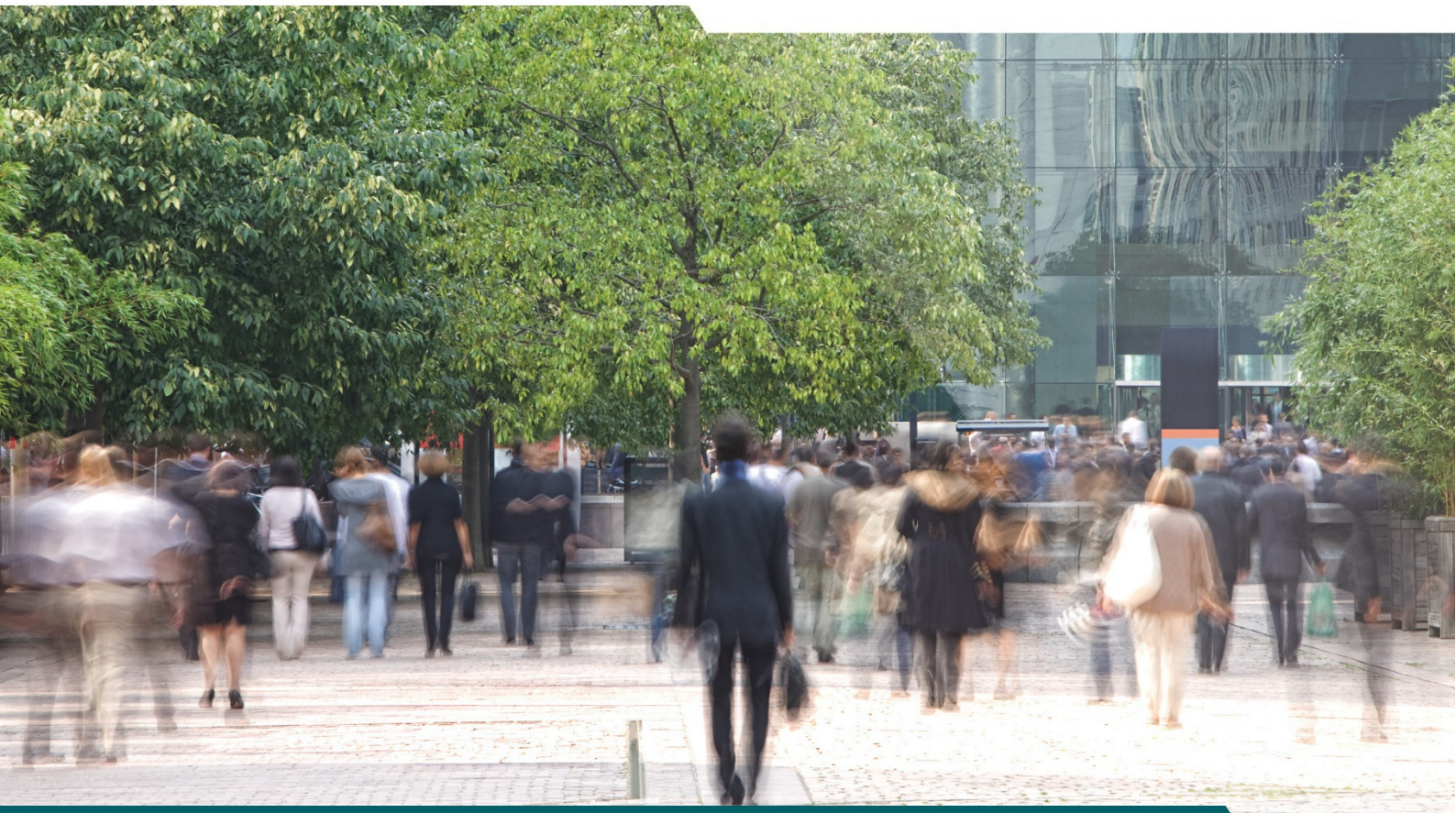
bd infrastructure



C1335

Moss Vale Bypass

Determination Report

Contents

Summary **5**
Background 5
Display of Review of Environmental Factors (REF) 5
Summary of issues and responses 5
Strategic need for the proposal 6
Noise and vibration impacts 6
Biodiversity impacts 6
Traffic and transport impacts 6
Socio-economic impacts 7
Visual amenity and landscape character impacts 7
Changes to proposal 7
Additional studies 7
Decision 7

1 Introduction **9**
1.1 Background 9
1.2 Display of REF 9
1.3 Purpose of this report 10

2 Response to issues raised **11**
2.1 Overview of issues raised 11
2.2 Response to issues raised by Government agencies 11
2.2.1 DCCEEW *11*
2.3 Response to issues raised by the community 14
2.3.1 Community submission 1 ..... *14*
2.3.2 Community submission 2 ..... *17*
2.3.3 Community submission 3 ..... *19*
2.3.4 Community submission 4 ..... *20*
2.3.5 Community submission 5 ..... *21*
2.3.6 Community submission 6 ..... *33*
2.4 Ongoing or future consultation 34

3 Environmental assessment **36**
3.1 Biodiversity (*Brachyscome mittagongensis*) 36
3.1.1 Summary of additional study *36*
3.1.2 Methodology *36*
3.1.3 Description of existing environment *36*
3.1.4 Potential impacts *37*
3.1.5 Additional mitigation measures *37*

4 Statutory and planning framework **38**
4.1 Relevant NSW legislation 38

4.1.1 Environmental Planning and Assessment Act 1979 38
4.2 Matters of national environmental significance 39

5 Environmental management 40
5.1 Environmental management plans (or system) 40
5.2 Licensing and approvals 41
5.3 Summary of mitigation measures 42

6 Decision statement 51
Certification 52
Delegated Authority Sign-Off 52

7 Terms and acronyms 53

8 References 57

Appendix A: Moss Vale Bypass – Mittagong Daisy (*Brachyscome mittagongensis*) surveys 58

List of tables

Table 3-1: Additional biodiversity safeguards and management measures following additional studies 37
Table 4-1: Objects of the Environmental Planning and Assessment Act 1979 38
Table 5-1: Summary of licensing and approvals required 41
Table 5-2: Summary of mitigation measures 42
Table 7-1: Terms and acronyms used in this determination report 53

List of figures

Figure 2-1: Location of hollow-bearing trees 14
Figure 2-2: Proximity of the proposal to Bong Bong Common 24

bd infrastructure Pty Ltd
ABN 84 161 384 596
www.bdinfrastructure.com

Quality control
Document: Moss Vale Bypass Determination Report
Version: V3-0
Date: 11 September 2026
File: C1335_Moss Vale Bypass Determination Report_V3-0.docx

Document review tracking

Version	Date	Comments	Author	Reviewer	Council reviewer
First draft	12/06/2026	First draft for Council review	J. Mifsud	T. Brookes	A. Maskiell S. Rocks
Final draft	04/08/2026	Final draft for Council review	J. Mifsud	T. Brookes	A. Maskiell S. Rocks
Final	11/09/2026	Final	J. Mifsud	T. Brookes	

Summary

Background

Wingecarribee Shire Council (Council) proposes to construct approximately 3.8 kilometres of new road comprising 1 travel lane in each direction to connect Berrima Road and Moss Vale Road to the north of (and bypassing) the Moss Vale town centre (the proposal). The proposal would assist in addressing increased traffic congestion on Argyle Street and road safety issues at this location while also improving freight efficiency, town centre amenity, and regional connectivity.

Key features of the proposal would include:

- 2-lane carriageway with 3.5 metre-wide lanes
- Roundabouts at Berrima Road, Beaconsfield Road, Suttor Road, Argyle Street, and at Link Road
- Bulwer Road converted to a cul-de-sac on northern side and left in/ left out on southern side
- Intersections designed for 26 metre B-Double movements along the bypass, and 19 metre semitrailers on the minor roads
- Western end of Suttor Road would be left in/ left out to the bypass road, and the existing connection to Argyle Street would be retained with safety improvements
- Provision of a 2.5 metre-wide shared path adjacent to the carriageway
- Provision of a flood free connection over the Main Southern Railway that is not height restricted
- The bridge cross section consists of 2 x 3.5 metre-wide traffic lanes with 2.5 metre-wide shoulders on each side and a 3.2 metre-wide shared path
- A pedestrian underpass structure proposed at the eastern end near Argyle Street
- Retaining walls would be required for a large extent of the corridor with combined noise walls at certain locations
- Full depth reinforced soil walls (RSWs) at the bridge over the Main Southern Railway and at Lackey and McCourt Roads
- Installation of streetlights
- Landscaping around the bypass.

Display of Review of Environmental Factors (REF)

Council prepared a REF to assess the potential environmental impacts of the proposal in February 2026. The REF was publicly displayed between 23 February 2026 and 20 March 2026 on the project's Participate Wingecarribee website. The website link was advertised in the project webpage, Council's Participate Wingecarribee website, as well as weekly email community newsletters. Community members that had registered their interest in the project were emailed directly with information about the REF and their opportunity to comment on the documentation.

During this time, Council invited the public to provide feedback on the proposal. Council also met with residents and businesses who would be directly affected by the proposal.

Summary of issues and responses

Public display of the REF and supporting consultation activities resulted in a total of seven submissions, of which six were from the general community and one was from a government agency.

Of the community submissions, two submissions expressly stated support for the proposal, two submissions objected to the proposal and two raised issues with some parts of the proposal but did not offer an overall position or sentiment on the proposal.

The main issues raised and responses to those issues are summarised below.

Strategic need for the proposal

Submissions on strategic need questioned whether the proposal is justified, whether it would reduce traffic and heavy vehicle movements through Moss Vale town centre, and how it supports planned growth, including the Southern Highlands Innovation Park. Some submitters supported the proposal for its freight, connectivity and town centre amenity benefits, while others questioned its cost, impacts and relationship to broader strategic planning.

Council's responses confirm the strategic need remains as described in the REF. The proposal would provide an alternative route for through traffic and heavy vehicles, an additional flood-resilient Main Southern Railway crossing, improved connectivity between Berrima Road, Moss Vale Road and the surrounding network, and support improved safety, town centre amenity, freight efficiency and planned growth.

Noise and vibration impacts

Noise and vibration issues related to predicted construction noise, including construction duration, out-of-hours works, exceedances of noise management levels and potentially highly noise affected receivers. Submitters also sought clarification on operational noise mitigation, including noise barriers, at-property treatments and access to the noise and vibration assessment results.

Council's responses confirm construction noise impacts were assessed in the REF and would be managed through a Noise and Vibration Management Plan, consultation, notification and feasible and reasonable mitigation in accordance with the Transport for NSW Construction Noise and Vibration Guideline. Operational noise mitigation would include proposed noise barriers in identified locations and further consideration of at-property treatment for identified properties before construction, including field inspections. No design changes to the proposal have been made in response to noise and vibration submissions.

Biodiversity impacts

Biodiversity issues related to potential impacts on threatened flora, fauna habitat and wildlife connectivity. DCCEEW raised concerns about *Brachyscome mittagongensis*, *Eucalyptus macarthurii* regeneration, hollow-bearing trees and habitat replacement, while community submissions raised fauna injury and mortality, culvert suitability for fauna passage and use of local native species in revegetation.

In response to DCCEEW's comments, Council undertook targeted surveys for *Brachyscome mittagongensis* after public display with no individuals being recorded. The REF's biodiversity conclusions remain generally valid, subject to additional mitigation requiring preliminary habitat mapping, targeted surveys of any remaining suitable habitat before disturbance, and review of the biodiversity assessment and mitigation measures if the species is identified. Existing measures would also manage vegetation clearing, fauna handling, hollow-bearing tree impacts, habitat replacement, weeds, pathogens and revegetation. No design changes to the proposal have been made in response to biodiversity submissions.

Traffic and transport impacts

Traffic and transport issues related to the effectiveness of the bypass in reducing town centre traffic, the currency and adequacy of traffic modelling, construction traffic impacts and use of local roads, including Suttor Road, for construction access. Submitters also queried whether nearby development traffic, temporary construction impacts and benefits for local travel had been adequately considered.

Council's responses confirm the traffic assessment considered existing and future scenarios, including forecast growth associated with Moss Vale land use and development, and remains adequate for the REF. The proposal is expected to reduce traffic on Argyle Street, improve efficiency, safety and network resilience, and provide an alternative route and additional rail crossing. Construction traffic impacts would be managed through a Traffic Management Plan, including haulage routes, access arrangements, pedestrian and cyclist access, notification and emergency services coordination. No design changes to the proposal have been made in response to traffic and transport submissions.

Socio-economic impacts

Socio-economic issues related to potential effects on nearby residents, businesses and community values during construction and operation. Submitters questioned the adequacy and currency of the assessment, including demographic data, consultation inputs, employment and social infrastructure, and raised concerns about local amenity, access, utilities, construction disruption and the balance between localised impacts and broader benefits.

Council's responses confirm the assessment was informed by census data, strategic planning documents, consultation and the REF technical assessments. Temporary construction impacts and localised operational changes would be managed through the Construction Environmental Management Plan (CEMP), Communication Plan, traffic, noise, air quality and utility measures, and ongoing consultation. The proposal is expected to provide long-term benefits through improved traffic efficiency, freight movement, safety, town centre amenity and connectivity to open space and employment lands.

Visual amenity and landscape character impacts

Visual amenity and landscape character issues related to changes to views, landscape character and residential amenity during construction and operation. Submitters sought clarification on specific viewpoints, potential views of the bypass, retaining walls, traffic and infrastructure from Suttor Road, and whether vegetation screening, landscape planting and visual safeguards would adequately benefit nearby residents.

Council's responses confirm visual and landscape impacts were assessed in the REF and supporting Landscape Character and Visual Impact Assessment in accordance with Transport for NSW guidelines. The proposal includes urban design and landscape measures to integrate the road corridor, including planting along Suttor Road, vegetation screening near sensitive receivers and heritage items, dark finishes to retaining walls, and progressive restoration of construction areas and ancillary facilities. Construction visual impacts would be managed through standard safeguards outlined in the REF. No design changes to the proposal have been made in response to visual amenity and landscape character submissions.

Changes to proposal

The proposal, as detailed in Section 3 of the REF, remains unchanged.

Note: Should further design changes be required as a result of the design refinement, tendering and construction processes, these would be assessed accordingly.

Additional studies

An additional biodiversity study comprised targeted surveys for *Brachyscome mittagongensis* within selected areas of the Moss Vale Bypass proposal footprint following issues raised during public display of the REF. Surveys were undertaken by Council during the recommended survey period for the species, focusing on areas of suitable habitat. These areas were prioritised as they are the sites of the early works which may commence prior to the next recommended survey period.

No individuals of *Brachyscome mittagongensis* were recorded within the boundary of the proposal during the surveys. A known reference population at Moss Vale Cemetery was confirmed to be flowering at the time of survey, indicating that flowering individuals would likely have been detectable if present in the surveyed areas. The study concluded that only a subset of the broader bypass footprint is likely to provide suitable habitat for the species. Additional mitigation has been included requiring preliminary habitat mapping, targeted surveys of any remaining suitable habitat before disturbance, and review of the biodiversity assessment and mitigation measures if the species is identified during future surveys.

Decision

As the determining authority for the proposal, Council has considered the information in the REF and this determination report and has made a decision whether or not to proceed with the proposal (refer Section 6).

Based on the REF, consideration of the submissions received and the environmental studies following public display of the REF, it is recommended that the proposal be approved, subject to the mitigation measures included in Section 5.3. Council will continue to liaise with the community and other stakeholders as the proposal progresses into the construction phase.

1 Introduction

1.1 Background

Wingecarribee Shire Council (Council) proposes to construct approximately 3.8 kilometres of new road comprising 1 travel lane in each direction to connect Berrima Road and Moss Vale Road to the north of (and bypassing) the Moss Vale town centre (the proposal). The proposal would assist in addressing increased traffic congestion on Argyle Street and road safety issues at this location while also improving freight efficiency, town centre amenity, and regional connectivity.

Key features of the proposal would include:

- 2-lane carriageway with 3.5 metre-wide lanes
- Roundabouts at Berrima Road, Beaconsfield Road, Suttor Road, Argyle Street, and at Link Road
- Bulwer Road converted to a cul-de-sac on northern side and left in/ left out on southern side
- Intersections designed for 26 metre B-Double movements along the bypass, and 19 metre semitrailers on the minor roads
- Western end of Suttor Road would be left in/ left out to the bypass road, and the existing connection to Argyle Street would be retained with safety improvements
- Provision of a 2.5 metre-wide shared path adjacent to the carriageway
- Provision of a flood free connection over the Main Southern Railway that is not height restricted
- The bridge cross section consists of 2 x 3.5 metre-wide traffic lanes with 2.5 metre-wide shoulders on each side and a 3.2 metre-wide shared path
- A pedestrian underpass structure proposed at the eastern end near Argyle Street
- Retaining walls would be required for a large extent of the corridor with combined noise walls at certain locations
- Full depth reinforced soil walls (RSWs) at the bridge over the Main Southern Railway and at Lackey and McCourt Roads
- Installation of streetlights
- Landscaping around the bypass.

Council prepared a review of environmental factors (REF) to assess the potential environmental impacts of the proposal in accordance with sections 5.5 and 5.7 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), and section 171 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation).

A detailed description of the Moss Vale Bypass proposal is found in the Moss Vale Bypass Review of Environmental Factors prepared by Council in February 2026. Since the public exhibition of the REF, there have been no changes to the proposal. The proposal, as detailed in Section 3 of the REF, remains unchanged.

Wingecarribee Shire Council is the Proponent for the Moss Vale Bypass.

1.2 Display of REF

The REF was publicly displayed for 26 days between 23 February 2026 and 20 March 2026 on the project's Participate Wingecarribee website. The website link was advertised in the project webpage, Council's Participate Wingecarribee website, as well as weekly email community newsletters. Community members that had registered their interest in the project were emailed directly with information about the REF and their opportunity to comment on the documentation.

1.3 Purpose of this report

This determination report relates to the REF prepared for the Moss Vale Bypass and should be read in conjunction with that document.

This determination report:

- Summarises the issues raised by submissions received during the public display of the REF and provides Council's responses to each issue (Section 2)
- Describes additional environmental investigations carried out since finalisation of the REF (Section 3)
- Outlines the relevant statutory and planning framework for the proposal, including any relevant legislative changes since the display of the REF (Section 4)
- Lists the environmental mitigation measures, including any new and/or updated measures to minimise potential environmental impacts (Section 5)
- Makes a determination in accordance with Division 5.1 of the EP&A Act whether potential environmental impacts are likely to be significant, address whether the provisions of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) apply and includes a decision statement to reflect that determination (Section 6).

2 Response to issues raised

During public display of the REF, Council received seven submissions, accepted up until the 20 March 2026. This included:

- One submission from a government agency
- Six submissions from the community.

2.1 Overview of issues raised

Each submission has been examined individually to understand the issues being raised. The issues raised in each submission have been extracted and corresponding responses to the issues have been provided. The issues raised and Council's response to these issues forms the basis of this chapter. Each submission and the issues raised have been responded to individually.

One submission was received from a government agency, being the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW). The main issues raised by DCCEEW related to:

- Consideration of *Brachyscome mittagongensis* in the REF
- Consideration of *Eucalyptus macarthurii* in the REF
- Management of hollow-bearing trees during construction
- State Environmental Planning Policy (Transport and Infrastructure) consultation requirements with the State Emergency Service.

Of the community submissions received, two submissions expressly stated support for the proposal, two submissions objected to the proposal and two raised issue/s with some parts of the proposal but did not offer a on overall position or sentiment on the proposal.

The main issues raised by the community related to:

- The strategic need for the proposal
- Impacts from noise and vibration during both construction and operation
- Impacts to biodiversity
- Impacts to traffic and transport
- Socio-economic impacts
- Visual amenity and landscape character impacts.

2.2 Response to issues raised by Government agencies

2.2.1 DCCEEW

Consideration of *Brachyscome mittagongensis* in the REF

Issue description

DCCEEW raised concerns that the REF did not consider or assess the threatened species *Brachyscome mittagongensis* that is recorded within the road reserve adjoining Moss Vale Cemetery and that is highly likely to occur within the 'proposal area'. This would mean that current conclusions reached regarding threatened species has not taken into account impacts to *Brachyscome mittagongensis*. The following was recommended by DCCEEW to take into account impacts to *Brachyscome mittagongensis*:

- Conduct targeted survey for *Brachyscome mittagongensis* during sunny weather within February – April, with a maximum distance of 10 metres between parallel field traverse across the 'proposal area' and any ancillary sites (storage or laydown areas).

- Upload into Bionet any new *Brachyscome mittagongensis* detected during targeted survey.
- Spatially display records of *Brachyscome mittagongensis* to update the current figure 6-5.
- Identify measures to avoid, minimise and mitigate impact to the existing recorded *Brachyscome mittagongensis* along Berrima Road and any detected during targeted survey. These measures should follow the hierarchy to avoid first, then minimise where not possible to avoid, and mitigate where not possible to minimise.
- Update the biodiversity assessment within the REF including the test of significance (5-part test) following the Threatened Species Test of Significance Guidelines to include an impact assessment on *Brachyscome mittagongensis*. If Impacts are determined to be significant, preparation of a Biodiversity Development Assessment Report (BDAR) will be required.
- Where direct impacts are proposed to *Brachyscome mittagongensis*, and biodiversity offsets are not proposed, mitigation measures should be included within the project scope. These measures should be developed in conjunction with the Threatened Species Accountable Officer. Measures may include collaboration with other stakeholders (e.g. Royal Botanic Gardens) to develop ex-situ populations. Measures for large scale impacts could include developing ex-situ population in conjunction with funding for actions under this species SOS Conservation Strategy (e.g. genetic testing and research into adverse rust pathogen).

Response

On 31 March and 16 April 2026, Council staff conducted targeted surveys for *Brachyscome mittagongensis* within the footprint of the proposal deemed as suitable habitat for the species. All three surveyed sites were characterised by dense cover of exotic grasses, likely to exert high competitive pressure on native groundcover species, including *Brachyscome mittagongensis*. No individuals of *Brachyscome mittagongensis* were observed at any of the three locations. On the same day, a reference population of *Brachyscome mittagongensis* was observed to be flowering at the time of survey. Accordingly, if *Brachyscome mittagongensis* had been present within the surveyed sites, it is likely that flowering individuals would have been detectable.

Consistent with DCCEEW's recommendations, the remaining footprint within the proposal area would be surveyed during the recommended December to April survey period where feasible. If this is not feasible, preliminary habitat mapping would be undertaken before to identify suitable habitat within the remaining sections of the proposal area for targeted surveys. Based on our observations of the bypass footprint to date, it is likely that only a small portion of the total area would constitute suitable habitat for the species. If *Brachyscome mittagongensis* is identified during future surveys, further assessment of the impacts of the proposal would be undertaken and mitigation measures explored.

Consideration of *Eucalyptus macarthurii* in the REF

Issue description

DCCEEW raised that there are additional locations where the threatened species *Eucalyptus macarthurii* are believed to occur within or very close to the 'proposed area'. Removal of *Eucalyptus macarthurii* is concerning, due to this species' low recruitment across its habitat, making the value of its regeneration high. Early detection should ensure that these can be considered during detailed design so that impacts can be avoided wherever possible. The following was recommended by DCCEEW to take into account impacts to *Eucalyptus macarthurii*:

- Investigate further locations for *Eucalyptus macarthurii* including at intersection of Argyle Street and Suttor Road, and in 38 Suttor Road. Note: this will address measure B03 which should be done before completion of 'detailed design' so they benefit from measure B12
- Consider options to avoid *Eucalyptus macarthurii* regeneration removal. Failing avoidance, we request a site visit to review site characteristics, tree health, and collect seed
- Include any additional *Eucalyptus macarthurii* in 5-part test and an updated BAR (e.g. Figure 7) and other REF documentation so that measures B12 and B13 can apply to them
- Collect seed from *Eucalyptus macarthurii* identified for removal, for future revegetation projects, preferably submitted to the Australian Botanic Gardens Seed Bank for storage
- We encourage Council to investigate opportunity to replant *Eucalyptus macarthurii* within adjoining land, where Council can maintain these trees until established. For example, Lot 42 DP850568, zoned as Public Recreation.

Response

Field surveys conducted for the Biodiversity Assessment Report (Appendix E of the REF) confirmed the presence of the endangered species *Eucalyptus macarthurii* within the proposal area. Fifteen semi-mature/mature individuals and numerous saplings were identified within the proposal area, with a further 46 individuals recorded outside the impact area. In accordance with measure B03 of the REF, pre-clearing surveys would be conducted prior to the start of construction and vegetation clearing. If pre-clearing surveys find any additional individuals of *Eucalyptus macarthurii* which would be impacted, an additional assessment would be undertaken and would include a 5-part test. Following the determination of the REF, measure B12 and B13 of the REF, to avoid removal of *Eucalyptus macarthurii* where possible and protection of individuals which are not removed, would be used to inform the development of detailed design and construction planning of the proposal.

Seed collection of *Eucalyptus macarthurii* would be undertaken prior to construction to collect the seeds from the individuals present within the proposal area. Council would undertake further consultation with DCCEEW regarding participation in seed collection and providing seeds to Australian Botanic Gardens Seed Bank. In addition, 46 *Eucalyptus macarthurii* trees would be planted as part of the landscaping for the proposal, as well as a range of other native trees, shrubs and ground cover species. The above have been included in the mitigation measures outlined in Section 5.3. In total, including all species, 141 trees would be removed for the proposal and 889 trees would be planted as part of the landscape plan, as well as a range of other native trees, shrubs and ground cover species.

Management of hollow-bearing trees during construction

Issue description

DCCEEW stated that the REF did not include a map of hollow-bearing trees. They detailed that the management of impacts to hollow-bearing trees should also be investigated as early as possible in the determination of the REF and before construction.

The following was recommended by DCCEEW to take into account impacts to hollow-bearing trees:

- Update the BAR to display locations of hollow-bearing trees
- Engage an ecologist to develop an Artificial Hollow Strategy during the project planning and well before construction
- Update measure B10 from ‘during construction’ to occur ‘Prior to construction’ to reflect Guide 8 requirement to install at least 70 per cent of artificial hollows before any clearing.

Response

Hollow-bearing trees were identified in the Biodiversity Assessment Report (Appendix E of the REF), including photos of example trees. The locations of the hollow bearing trees are shown on Figure 2-1. The BAR concluded that these habitat types are unlikely to offer highly suitable breeding habitat for threatened fauna owing to the highly degraded surrounding vegetation and proximity to surrounding rural, industrial and residential land use. Therefore, the development of Artificial Hollow Strategy and installation of artificial hollows prior to construction is not considered to be an appropriate mitigation measure for the proposal. The mitigation measures identified in the REF are appropriate to offset the impacts of the proposal on species which use hollow-bearing trees as habitat.

Tree hollows would be identified and recorded during pre-clearing surveys and final pre-clearing checks in accordance with Guide 1: Pre-clearing process of the Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects (Transport for NSW, 2024). Habitat will be replaced or re-instated in accordance with Guide 5: Reuse of woody debris and bush rock (Transport for NSW, 2024) and Guide 8: Artificial hollows of the Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects (Transport for NSW, 2024). Management measure B11 is the measure which relates to replacement of habitat and the timing has been updated to 'Pre-construction and during construction'.

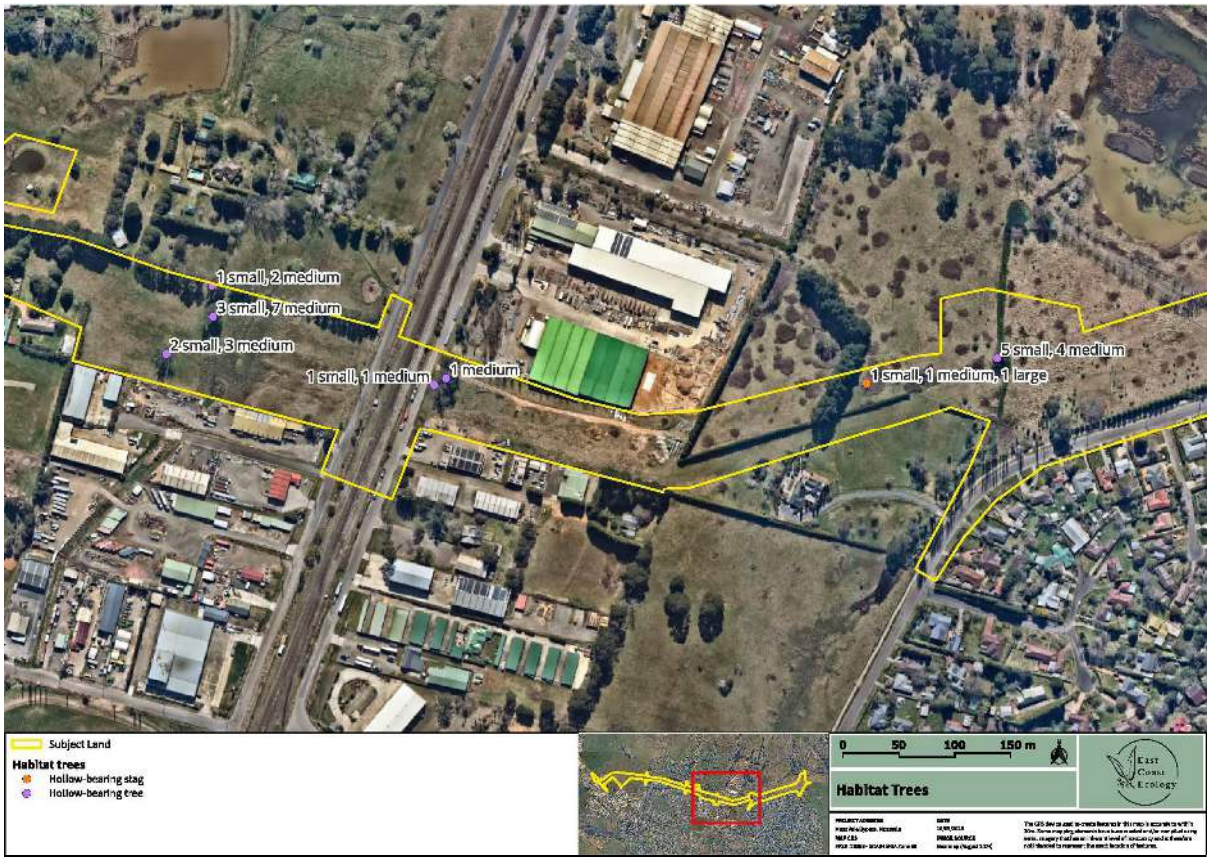


Figure 2-1: Location of hollow-bearing trees

State Environmental Planning Policy (Transport and Infrastructure) consultation requirements with the State Emergency Service

Issue description

DCCEEW noted Council's consultation requirements with the State Emergency Service (SES) under the State Environmental Planning Policy (Transport and Infrastructure) 2021 and encourage Council to engage as early as possible with SES, if not already done so. The DCCEEW South East Coast Estuary and Flood team is available to provide Council with technical flood advice if requested.

Response

Prior to the start of construction, Council will provide written notice of the intention to carry out the development (together with a scope of works) to the State Emergency Service and take into consideration any response to the notice that is received from the State Emergency Service within 21 days.

2.3 Response to issues raised by the community

2.3.1 Community submission 1

Issue category: strategic need for the proposal

Sub issue: general support for the proposed bypass

Issue description

Submitter expresses in-principal support for the Moss Vale Bypass, recognising it as an important new sub-arterial road for trucks and heavy vehicles that will connect Argyle Street and Berrima Road to the Hume Motorway.

Response

Council notes the submissions that expressed support for the proposal. Supportive submissions include general endorsement of the proposal as well as support for improved traffic, travel and freight efficiency for Moss Vale.

Supportive submissions have been considered alongside submissions raising concerns, and form part of the overall consideration of the proposal documented in this submissions report.

Sub issue: strategic relationship to SHIP, Planning Proposal PP-2025-1529, and Moss Vale

Issue description

Submitter raises the strategic geographic importance of the bypass location, noting it sits at the intersection of Planning Proposal PP-2025-1529, the Southern Highlands Innovation Park (SHIP), and the town of Moss Vale, which has an ageing demographic and is experiencing increased traffic congestion.

Response

Council notes the submitters point that the bypass holds important strategic function to support growth and development of the SHIP, and to ease congestion in Moss Vale. As outlined in Section 2 of the REF, the benefits for traffic, travel and freight efficiency for Moss Vale fed into the development of the proposal through the strategic need and proposal objectives.

Issue Category: traffic and transport

Sub-issue: direct road access to the Hume Highway

Issue description

Submitter suggests that the proposal has a shortcoming in that it lacks direct access to the Hume Highway.

Response

The proposal's aim is to improve transport efficiency within Moss Vale town centre by providing an alternate route for long-haul freight traffic. The proposal would provide an accessible freight route that will bypass the Moss Vale town centre, a second rail crossing and improve the commute for heavy vehicles and remove a large proportion of traffic from the town centre. A new, dedicated connection with the Hume Highway is outside of the scope of the proposal. Traffic using the bypass would be able to access the Hume Highway via the existing connection by using Berrima Road and Taylor Avenue. This connection makes for the efficient use of the existing road network, while providing new infrastructure to deliver on the aims of the proposal to produce a value-for-money solution.

The Moss Vale Enterprise Zone (now SHIP) Traffic Facilities Infrastructure Plan shows the connection of the Moss Vale Bypass to the Hume Highway via Berrima Road, Rail Overbridge (Berrima Road Deviation) and New Berrima By-pass. This infrastructure is under review and refinement as part of the development of the SHIP. The adopted SHIP Mater Plan provides a holistic and comprehensive framework for the future development of the precinct. In preparing the Master Plan, consideration was given to the proposed bypass (this proposal) and the broader transport network to ensure an integrated approach to future access and movement. The SHIP Master Plan was informed by the Moss Vale Enterprise Zone Traffic Facilities Plan. As noted in the Master Plan, the proposal is expected to divert through traffic from Moss Vale Town Centre, improve access to the SHIP and enhance the efficiency of the wider road network.

The Moss Vale Enterprise Zone Traffic Facilities Infrastructure Plan is available here: https://www.wsc.nsw.gov.au/files/assets/public/v/1/plan-and-build/developer-contributions-plans-amp-development-servicing-plans/moss-vale-enterprise-zone-2080-overall-plan-combined.pdf

Issue Category: out of scope of the proposal

Sub-issue: strategic planning for the SHIP

Issue description

Submitter recommends the preparation of long-term strategic planning including infrastructure, jobs and housing for the SHIP, including a detailed transport plan for the SHIP that incorporates the proposed bypass, infrastructure delivery plan, annual job targets, dwelling typology assessment.

Response

The proposal's aim is to improve transport efficiency within Moss Vale town centre by providing an accessible freight route that will bypass the Moss Vale town centre and improve the commute for heavy vehicles, removing a large proportion of traffic from the town centre. The proposal would provide a new road connection with the SHIP, as well as existing residential and industrial areas, adding capacity and resilience to the Moss Vale road network. A coordinated transport plan for the SHIP is beyond the scope of this proposal, however, this is a key element of the development of the SHIP Master Plan and supporting planning framework and the implementation of the SHIP Master Plan. Council is actively seeking funding opportunities to assist with implementation of the Master Plan.

Sub-issue: housing for SHIP workforce

Issue description

Submitter's support is conditional on the plans addressing the fundamental shortcoming of providing meaningful housing choice for the SHIP's predicted workforce.

Response

The proposal's aim is to improve transport efficiency within Moss Vale town centre by providing an accessible freight route that will bypass the Moss Vale town centre and improve the commute for heavy vehicles, removing a large proportion of traffic from the town centre. Planning for and delivering housing within the Wingecarribee Local Government Area (LGA) is a separate strategic and land use planning issue which is outside of the scope of Moss Vale Bypass proposal.

In accordance with Action 2.2.3.3 OP2 of Council's 2026/27 Operational Plan, Council will commence a comprehensive review of the Local Housing Strategy (LHS). This review will consider key employment and growth drivers across the Shire, including the SHIP. The submitter is encouraged to participate in future engagement opportunities on the LHS review regarding these matters.

Sub-issue: regional strategic planning context – Illawarra-Shoalhaven integration

Issue description

Submitter raises the inclusion of Wingecarribee in the Illawarra-Shoalhaven region as opportunity for change in strategic planning context, arguing this gives the bypass and the SHIP the opportunity to strengthen road connections east to the Hume Highway and west to the Illawarra/Princess Highway to continue the connectivity and transport efficiency benefits created by the proposed bypass. The submitter also recommended reassessment of rail freight potential for the region, including contributions to the Illawarra Rail Resilience Plan and prepare for immediate inclusion into the Illawarra Shoalhaven Urban Development Program (UDP) to support the coordinated delivery of infrastructure and land use development.

Response

It is acknowledged that the NSW Government's previously exhibited A New Approach to Strategic Planning: Discussion Paper identifies that the Wingecarribee Shire LGA will be incorporated into the Illawarra Shoalhaven Regional Plan. However, at the time of preparing this report, these reforms have not been finalised and Wingecarribee remains within the South East and Tablelands strategic planning framework. Accordingly, there is no current basis to assume immediate inclusion within the Illawarra-Shoalhaven Urban Development Program. Council also advocated for improved regional connectivity through its submission on the draft South-East and Tablelands Strategic Regional Integrated Transport Plan (SRITP). The submission supported stronger east west connections, network reliability and resilience, and specifically supported further investigation of the Moss Vale Bypass, including access improvements to the SHIP precinct (Attachments Ordinary Meeting of Council 19 March 2025). The final South East and Tablelands SRITP includes Action 20 to develop the Moss Vale Bypass project, including access improvements to the SHIP.

The Wingecarribee LGA neighbours the Illawarra Shoalhaven region and has key connections and relations with the region. The proposed Moss Vale Bypass offers benefits in improving regional connectivity and travel efficiency between the Southern Highlands and Illawarra/Shoalhaven regions, and benefits to local road network connectivity and travel efficiency within Moss Vale town centre. Council will look for opportunities to utilise the proposed bypass in future strategic planning for the Wingecarribee LGA and beyond. Broader strategic connections between Wingecarribee and the Illawarra Shoalhaven region are considered in Council's Local Strategic Planning Statement and the State Government's South East and Tablelands Regional Plan. Section 2.1 of the REF outlines how the proposal addresses these strategic plans.

Sub-issue: Housing Productivity Contribution (HPC) - Illawarra Shoalhaven region

Issue description

Submitter recommends Council assess (with NSW Department of Planning, Housing and Infrastructure, and Transport for NSW) the inclusion of the SHIP in the Illawarra-Shoalhaven Housing Productivity Contribution (HPC) region, arguing this could facilitate early delivery of the bypass, improved Hume Highway links, and activation of the heavy rail network for passenger and freight.

Response

Wingecarribee and the proposal are not located within the Illawarra Shoalhaven Special Contributions Area which the HPC applies to. Council is investigating appropriate funding mechanisms for the proposal which may include a combination of grant funding and development contributions.

2.3.2 Community submission 2

Issue category: Strategic need for the proposal

Sub issue: general support for the proposed bypass

Issue description

Submitter expresses in-principal support for the construction of the bypass.

Response

Council notes the submissions that expressed support for the proposal. Supportive submissions include general endorsement of the proposal as well as support for improved traffic, travel and freight efficiency for Moss Vale.

Supportive submissions have been considered alongside submissions raising concerns, and form part of the overall consideration of the proposal documented in this submissions report.

Issue category: REF document quality

Sub-issue: Typographical errors — incorrect road names and other errors

Issue description

Submitter identifies that the REF contains typographical errors in the document.

Response

Council acknowledges that the REF documents contained some typographical errors. While efforts are made to avoid these wherever possible, the typographical errors do not affect the assessment outlined in the REF.

Issue category: Aboriginal cultural heritage

Sub-issue: incorrect identification of Aboriginal group

Issue description

Submitter raises concern that the document incorrectly identifies the Gundungara as the primary Aboriginal group associated with the area, when a recent Conservation Management Study identifies the Dharawal people as the main Aboriginal group.

Response

The REF acknowledges both the Gundungurra people and Dharawal people in the main report. Council notes that the Aboriginal Cultural Heritage Assessment makes mention of only the Gundungurra people which has now been outdated by more recent information. However, this does not affect the assessment outlined in the REF.

Issue category: Non-Aboriginal heritage

Sub-issue: Bong Bong Common

Issue description

Submitter contests the characterisation of the Bong Bong site as unimportant, noting that the process for having it recognised as a Site of State Significance is already well underway.

Response

The REF does not state that Bong Bong Common is 'unimportant'. Section 6.7 and Appendix K of the REF outline that no original fabric associated with listed heritage items will be harmed by the Proposal and the portion of the ‘Bong Bong Common’ within the Proposal Area has a low potential to contain intact archaeological deposits due to pre-existing disturbances and a lack of known structures in the area.

Sub-issue: 1820 causeway significance and capping stones

Issue description

Submitter raises concern that the historic value of the 1820 causeway, as the first structure of its type in NSW — is not mentioned in the document, and notes that capping stones are known to have been removed to the Sydney Church of England Girls Grammar School (SCEGGS) grounds.

Response

Section 4.1 in Appendix K of the REF details the significance of the Bong Bong causeway. The Bong Bong causeway is not located within the proposal area. The proposal does intersect with the former SCEGGS property, now referred to as Austermere. As outlined in Section 6.7 of the REF, an Unanticipated Finds Protocol (as per Appendix K) will be followed if any unexpected heritage items are encountered during works, should any items of historical or archaeological value be encountered.

Sub-issue: potential impacts to Austermere, (former SCEGGS School) house and ground (LEP I398)

Issue description

Submitter raises concern that the SCEGGS garden, which is listed as a Heritage item in the Shire LEP, could be harmed by bypass works, and calls for appropriate awareness and care to be taken during construction.

Response

As outlined in Section 6.7 and Appendix K of the REF, the proposal will be undertaken in the southern-most portion of the curtilages of the 'Austermere, (former SCEGGS School) house and ground' (I398), the 'Bong Bong Common' (A1191), and the Burradoo Landscape Conservation Area (C1834). The proposal will require the removal of trees within the curtilages of I398 and C1834. These trees have been assessed to be non-significant, therefore the proposal would not impact the historical, social, technical, and aesthetic significance of the heritage items. The landscaping design for the proposal has taken consideration towards a native vegetation screen to further minimise impact to the aesthetic value of the gardens associated with the listing 'Austermere, (former SCEGGS School) house and ground' (I398) that are noted as contributing to the significance of the item. The curtilages in the proposal area have been previously disturbed and there are no significant views from the heritage items that would be impacted. The proposed works will avoid the entry sign and gate of 'Austermere, [former SCEGGS School] house and ground' (I398), located off Suttor Road.

Issue Category: hydrology, water and flooding

Sub-issue: Wingecarribee River and the Sydney drinking water catchment

Issue description

Submitter raises concern that the document does not adequately recognise the Wingecarribee River as Sydney's major drinking water supply, or that all ephemeral creeks and drainage lines in the proposal area drain to it.

Response

Section 4 and Appendix B of the REF address the assessment requirements as required by the proposal being located within the Sydney drinking water catchment. The proposal has been assessed to have a neutral effect on water quality. Management measures would be implemented during construction to minimise and contain spills and sediments.

Issue Category: biodiversity

Sub-issue: fauna assessment adequacy and wildlife connectivity

Issue description

Submitter raises concern that the document has not adequately identified the fauna present in the area, including a recently sighted quoll, and highlights the Wingecarribee River's role as a significant east-west wildlife corridor subject to major bushland regeneration. Submitter requests that culverts be designed to be wildlife-friendly to allow animal movement and that wildlife protection fencing be installed to prevent roadkill.

Response

As outlined in Section 6.3, the proposal area consists of agricultural, residential and industrial land that has already fragmented the landscape. Historical clearing already presents a barrier to the movement of terrestrial and arboreal mammals, reptiles and amphibians. The proposal would not result in excessive landscape scale habitat fragmentation, due to there already being a high degree of fragmentation in the landscape, associated with historical clearing and the surrounding land use. The proposed activity has also minimised habitat fragmentation by aligning closely to existing infrastructure and land uses, and in this way avoids further large-scale fragmentation.

The proposal includes substantial landscaping which incorporates a number of species from the Southern Highlands Shale Woodland. In many locations the existing vegetation is predominantly exotic grasses which would be replaced by road pavement and infrastructure supported by native vegetation. The proposal also integrates culverts at perennial and non-perennial watercourses which cross the bypass corridor, which would enable the flow of water and the movement of small fauna species within these watercourses.

Sub-issue: revegetation and use of local native species

Issue description

Submitter requests that tree planting along the bypass route use local native species.

Response

The planting mix for the landscape plan for the road corridor included locally occurring native trees, *Eucalyptus amplifolia*, *Eucalyptus macarthurii* and *Eucalyptus viminalis* and smaller trees *Melaleuca linariifolia* and *Melaleuca styphelioides*. Shrubs including *Indigofera australis*, *Melaleuca nodosa*, as well as various grasses and ground covers, will embellish the corridor to soften the visual appearance and replace vegetation that will be removed. Vegetation will be used across narrow and wider spaces around the road corridor. In the narrower sections, single lines of native tree planting can be used for windbreaks, while groupings that emulate woodland copses will be used in the wider sections of the corridor.

2.3.3 Community submission 3

Issue Category: strategic need for the proposal

Sub-issue: effectiveness of the bypass

Issue description

Submitter objects to the proposed bypass as a waste of resources and time and raises concern that the proposed bypass will not effectively divert traffic from Argyle Street, as the proposed bypass route is longer than the existing route via Argyle Street to the Hume Highway, and argues that only local residents on the Moss Vale and New Berrima side will benefit.

Response

The Moss Vale Bypass would provide an accessible freight route that will bypass the Moss Vale town centre, improve the commute for heavy vehicles and remove a large proportion of traffic from the town centre. The Traffic Impact Assessment (Appendix C of the REF) indicated that during peak times the Moss Vale Bypass would reduce traffic volumes on Argyle Street by 25 to 30 per cent.

Currently, traffic moving through the town centre passes through a school zone, a single set of traffic lights, one roundabout and under a low railway overpass, which is subject to flooding, which all impact on travel time. Once completed, the Moss Vale Bypass would provide an additional crossing over the Main Southern Railway. This would improve transport efficiency for both local and long-distance transport by reducing existing and future traffic volumes within Moss Vale town centre. Safety within the town centre would be improved through a reduction in traffic and the visual amenity of the town would likely improve. Furthermore, by diverting a substantial portion of heavy vehicle traffic there would be an increased longevity of road quality within the town centre and reduced traffic noise for residents situated along the existing main roads. Further details on the expected changes in traffic volumes from the bypass were presented in Section 6.1.3 and Appendix C of the REF.

Issue Category: proposal description

Sub-issue: alternative alignment — flyover from McCourt Road via Lacky Road to Berrima Road or Douglas Road

Issue description

Submitter objects to the proposed alignment from Suttor Road through to Berrima Road and recommends an alternative alignment comprising a flyover from McCourt Road over the railway lines, continuing along Lacky Road to Berrima Road or Douglas Road.

Response

The proximity of infrastructure to the proposal, including gas pipelines, rail corridors, optic fibre networks, drainage infrastructure and existing roads were key engineering constraints which fed into the design of the proposal. Investigations of previous staging options for the bypass between Suttor Road and Beaconsfield Road indicated that if only this section was built there would be adverse traffic impacts on adjoining streets including Suttor Road, as well as additional impacts from temporary connection roads including tree removal (Wingecarribee Shire Council, 2022).

The development criteria for the proposal included provision of a new bypass for the town of Moss Vale, with 1 lane in each direction undivided, connections to the existing roads at multiple intersections in Moss Vale and a rail crossing over the Main Southern Railway that is flood resistant, with no height restrictions. The proposal also utilises the corridor for the bypass which is under the ownership of Council. The bypass corridor connects Argyle Street and Berrima Road, two arterial roads, to create a dedicated route, separated from local roads. The proximity of the rail corridor and the requirements to meet the relevant design standards requires a bridge to pass over both Lackey Road and McCourt Road, as well as the rail line. The proposed alignment was chosen to accommodate for the engineering constraints, achieve the development criteria and utilise the existing corridor.

Sub-issue: road upgrades — Lackey Road kerb and guttering

Issue description

Submitter recommends that Lackey Road be upgraded with kerb and guttering comparable to Douglas Road.

Response

The proposal would be constructed to meet the relevant design criteria, including along Lackey Road where it is within the proposal area. Upgrades to Lackey Road beyond the proposal area are outside the scope of the Moss Vale Bypass project. The Moss Vale Enterprise Corridor Section 94 plan includes the upgrade of Lackey Road including pavement widening, kerb and guttering. This will be reviewed as the Southern Highlands Innovation Park Master Plan is developed.

Sub-issue: bypass alignment

Issue description

Submitter strongly objects to the proposed alignment along Suttor Road, characterising it as inappropriate.

Response

The bypass has been designed to provide a dedicated two-lane carriageway with roundabouts connecting to Argyle Street and Suttor Road in order to create a separation between traffic bypassing Moss Vale and local traffic within Moss Vale.

2.3.4 Community submission 4

Issue category: document quality

Sub-issue: missing viewpoint — viewpoint 5 absent from page 88

Issue description

Submitter identifies that viewpoint 5 is missing from page 88 of the document and raises concern that this omission directly affects the submitter and their neighbours.

Response

Due to the large number of viewpoints considered in the Landscape Character and Visual Impact Assessment (Appendix M), Table 6-28 details only the viewpoints with an impact rating of moderate-low or higher are summarised. Viewpoint 5 was assessed as having a low visual impact rating. This assessment was included in Appendix M.

Issue category: traffic and transport

Sub-issue: effectiveness of the bypass

Issue description

Submitter expresses doubt that the bypass will reduce traffic for those travelling between locations within the highlands, such as Mittagong to Moss Vale, and asserts that Argyle Street will continue to be used.

Response

Once operational, the bypass would take around 5,000 vehicles per day off Argyle Street near the rail overbridge, and by 2036 around 7,200 vehicles per day. This would improve travel times for other trips on Argyle Street, such as journeys between Mittagong and Moss Vale, by reducing the overall number of vehicles using Argyle Street each day. Argyle Street will remain a key route for local trips within Moss Vale.

Issue category: property and land use

Sub-issue: project boundary at 25 Argyle Street — potential property impacts

Issue description

Submitter raises concern that the project boundary shown in multiple diagrams extends to the driveway at 25 Argyle Street and requests clarification on how this will impact the property.

Response

Potential property impacts at 25 Argyle Street would likely include temporary partial or full closures at Argyle Street. Property access would be maintained as far as practicable throughout construction, however altered property accesses may occur during construction. Property access would not be affected at this location during operation of the proposal. For construction activities adjacent to the property, day, evening and night construction noise would generally exceed the NML, with the property predicted to be highly noise affected (that is, greater than 75dB(A)) under the worst-case scenario. Noise levels would be lower where construction activities are occurring further away from properties. As outlined in Section 6.2.5 of the REF, reasonable and feasible noise management measures would therefore be implemented during construction, in accordance with the Transport for NSW Construction Noise and Vibration Guideline (Roads) (Transport for NSW, 2026) (CNVG).

Issue Category: noise and vibration

Sub-issue: at-property noise treatments

Issue description

Submitter requests clarification on what at-property noise treatments will be available to affected residents.

Response

At-property noise treatments are discussed in Section 6.7.3 of the Noise and Vibration Impact Assessment (Appendix D of the REF). Further consideration of at-property treatment to the identified properties would occur prior to construction. This would occur in consultation with affected sensitive receivers.

Issue category: out of scope

Sub-issue: increased traffic from Ashbourne Estate not considered

Issue description

Submitter questions whether the increased local traffic generated by Ashbourne Estate has been taken into account.

Response

Ashbourne Estate was included in the traffic model developed for the Traffic Impact Assessment (Appendix C of the REF). At the time Ashbourne Estate was known as Chelsea Gardens and is referenced in Section 2.1 of the Traffic Impact Assessment.

2.3.5 Community submission 5

Issue category: REF document quality

Sub-issue: typographical errors

Issue description

Submitter identifies that the REF contains typographical errors in the document.

Response

Council acknowledges that the REF documents contained some typographical errors. While efforts are made to avoid these wherever possible, the typographical errors do not affect the assessment outlined in the REF.

Issue category: strategic need for the proposal

Sub-issue: project justification

Issue description

The submitter contends that the justification for the project is inadequate, asserting that the only rationale appears to be that Council purchased most of the land for the bypass corridor in the 1980s.

Response

Section 2.1 of the REF outlines the strategic need of the proposal. The Moss Vale Bypass would provide an accessible freight route that will bypass the Moss Vale town centre and improve the commute for heavy vehicles, removing a large proportion of traffic from the town centre. Currently, traffic moving through the town centre passes through a school zone, a single set of traffic lights, 1 roundabout and under a low railway overpass (which is subject to flooding), which all impact on travel time. Once completed, the Moss Vale Bypass would provide an additional crossing over the Main Southern Railway. This would improve transport efficiency for both local and long-distance transport by reducing existing and future traffic volumes within Moss Vale town centre. Safety within the town centre would be improved through a reduction in traffic and the visual amenity of the town would likely improve. Furthermore, by diverting a substantial portion of heavy vehicle traffic there would be an increased longevity of road quality within the town centre and reduced traffic noise for residents situated along the existing main roads. Further details on the expected changes in traffic volumes from the bypass were presented in Section 6.1.3 and Appendix C of the REF.

Sub-issue: consistency with Wingecarribee 2040 LSPS

Issue description

The submitter raises concern that the documentation references the Moss Vale Precinct Plan as supporting the bypass relieving traffic pressure on the main street; however, the only version of this Plan publicly available on Council's website is dated 2014 and contains no reference to the bypass.

Response

The Wingecarribee 2040 Local Strategic Planning Statement (LSPS) presents a Moss Vale Precinct Plan as part of the future vision for the LGA. While the Moss Vale Precinct Plan figure in the LSPS does not show the bypass on the map of Moss Vale, as described in the REF, the bypass is mentioned throughout the LSPS as a key enabling infrastructure project and improvement opportunity for Moss Vale. The assessment of the alignment with the proposal and the LSPS still stands in this context.

Issue category: proposal objectives

Sub-issue: aims and objectives

Issue description

The submitter raises concern that the stated aims and objectives of the proposed bypass are inconsistently presented across the documentation.

Response

The REF outlines the proposal objectives, development criteria and urban design objectives which fed into the development of the proposal. The objectives of the proposal were developed based on the strategic need, the strategic planning context and limitations of existing infrastructure.

Sub-issue: traffic distribution objective

Issue description

The submitter questions how the presence of the bypass will achieve the stated objective of a more equitable distribution of traffic across the road network.

Response

The Moss Vale Bypass would provide an accessible freight route that will bypass the Moss Vale town centre, improving the commute for heavy vehicles and remove a large proportion of traffic from the town centre. Currently, traffic moving through the town centre passes through a school zone, a single set of traffic lights, 1 roundabout and under a low railway overpass, which is subject to flooding, which all impact on travel time. The existing and only road crossing of the Main Southern Railway at Argyle Street creates a bottle neck for traffic traveling through Moss Vale. Once completed, the Moss Vale Bypass would provide an additional crossing over the Main Southern Railway. This would improve transport efficiency for both local and long-distance transport by reducing existing and future traffic volumes within Moss Vale town centre. The provision of a second railway crossing would increase the overall capacity of the road network and would allow traffic to choose between the two routes to travel through/around Moss Vale.

Safety within the town centre would be improved through a reduction in traffic and the visual amenity of the town would likely improve. Furthermore, by diverting a substantial portion of heavy vehicle traffic there would be an increased longevity of road quality within the town centre and reduced traffic noise for residents situated along the existing main roads. The proposal would also result in positive impacts for public transport as the reduction in traffic through Moss Vale town centre may assist with reducing travel times for buses travelling through Moss Vale. The proposal would have a positive impact on pedestrians and cyclists as it would provide a shared path which is separated from the road, and which connects with existing pedestrian and cycling infrastructure, therefore significantly adding to the active transport network in Moss Vale.

Sub-issue: urban design objectives

Issue description

The submitter seeks further clarification on how Council proposes to both reduce the visual impacts to sensitive adjacent stakeholders through the retention and enhancement of screening vegetation and protect and enhance threatened wildlife connectivity and corridors.

Response

To reduce the visual impacts the urban design and landscape design of the proposal incorporates vegetation along Suttor Road. This will include trees and other vegetation planted along the bypass corridor and help screen and blend the new infrastructure into its landscape context. Retaining walls will have a dark finish and be designed to recede into the background with shrub and ground cover vegetation in front of the walls. Furthermore, the proposal would achieve the aim to protect and enhance threatened wildlife connectivity and corridors by retaining existing vegetation to the greatest extent possible and incorporating native species in the landscape design.

Issue category: proposal description

Sub-issue: Road alignment

Issue description

The submitter seeks clarification on the alignment of the eastern section of the bypass along Suttor Road, noting the presence of a gas pipeline and fibre optic cables at this location.

Response

The alignment of the proposal is depicted in the figures shown in Section 3 of the REF and has been designed to account for the location of existing utilities. The figures show that the proposal would have one new connection with Suttor Road across from near 57 Suttor Road, where Suttor Road bends. The bypass would run as a separated two-lane carriageway alongside Suttor Road to Argyle Street.

Sub-issue: Figure 3-4 Proposal description (map 4)

Issue description

The submitter asks what the purple diagonal lines indicate on Figure 3-4 Proposed description – map 4.

Response

As outlined in the key, the purple lines on Figure 3-4 indicate the operational boundary of the proposal.

Sub-issue: Bong Bong Common

Issue description

The submitter asks which section of Bong Bong Common the proposed road reserve would be located in.

Response

The bypass would be located along the southern boundary of Bong Bong Common, along Suttor Road, as shown in Figure 3-4 in the REF. A map showing the proposal in relation to Bong Bong Common is shown in Figure 2-2.

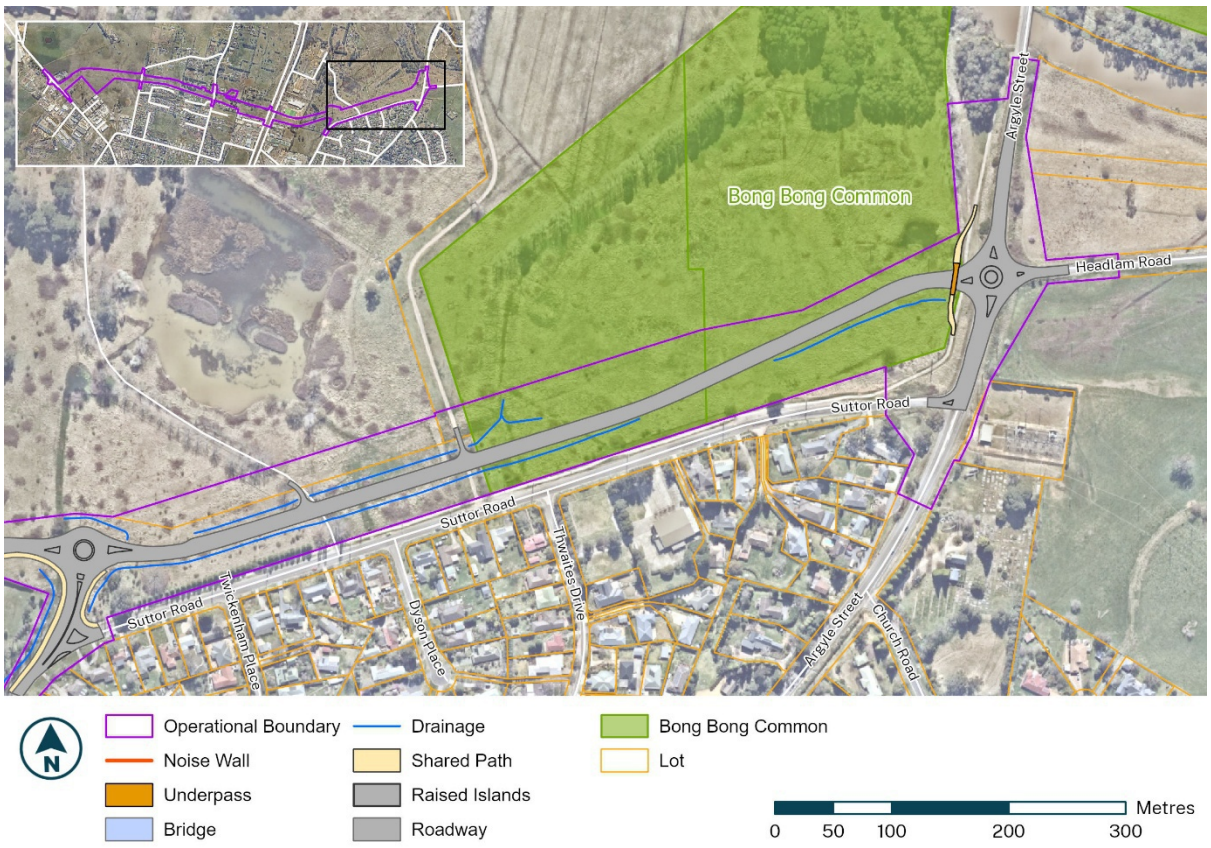


Figure 2-2: Proximity of the proposal to Bong Bong Common

Sub-issue: ancillary facility compound site location at Suttor Road / Argyle Street

Issue description

The submitter questions whether the Suttor Road ancillary facility is located in the pedestrian area used to access the bus stop.

Response

The Suttor Road ancillary facility would not be located in the pedestrian footpath used to access the bus stop. It would be setback from Suttor Road, within Bong Bong Common to avoid impacts to the footpath.

Issue Category: consultation

Sub-issue: community consultation

Issue description

The submitter questions how Council will ensure all impacted residents are informed through a variety of communication channels about all construction-related matters and mitigation measures, including construction timing, traffic management, dust and noise, night works, vegetation removal, flooding, fauna impacts, Aboriginal heritage destruction, and visual amenity effects.

Response

Ongoing consultation activities would occur with the affected community including nearby landholders, businesses and road users during detailed design and construction in accordance with the proposal's Consultation and Communications Plan. Ongoing communications and notifications may include:

- Community/construction updates
- Media announcements
- Stakeholder meetings as required

- Web page updates
- Work notification letters (as required).

Sub-issue: consultation outcomes

Issue description

The submitter asks about the outcomes of the Consultation Strategy, seeks disclosure of the number of engagements/responses received from consultation and engagement sessions, and asks where the results of the noise impact study can be accessed.

Response

Community consultation and involvement in the development of the proposal has occurred throughout the development of the proposed bypass since its early inception. Consultation was carried out by Council during the development of the proposal and through the display of the REF. Community involvement in the development of the proposal is discussed in Section 5.2 of the REF. The number of submissions made during the display of the REF is outlined in Section 2. An indication of the community interest can be seen by the number of questions and the recorded number of views per question on Council's "Have a question?" section of the project page, which is available here: participatewingecarribee.wsc.nsw.gov.au/MVBypass

The results of the Noise and Vibration Impact Assessment were provided in Appendix D of the REF.

Issue category: traffic and transport

Sub-issue: traffic data currency

Issue description

The submitter raises concern that traffic flow data used in the assessment is from 2021 and does not reflect current traffic volumes, which have increased since that time. The submitter questions the currency of the document, noting a 2026 traffic projection appears to already be in the past, raising concern that the report may be based on outdated or superseded data.

Response

The traffic assessment report was completed in late 2023. This report documents the results of the model runs with the final intersection designs as reflected within the final concept design at 2021, 2026 and 2036. The future traffic scenarios took into account predicted increased in traffic from changes in land use and development within Moss Vale. Therefore, comparison between the 2021, 2026 and 2036 traffic scenarios presented in the report are still considered to be adequate for the purpose of the REF.

Sub-issue: location of construction traffic heavy vehicle route on central section of Suttor Road

Issue description

The submitter asks for clarification on the precise location on Suttor Road where construction traffic will operate.

Response

Suttor Road provides a connection to Argyle Street and would be used by construction vehicles to gain access to the eastern portion of the proposal area. The exact location of the site access is yet to be determined and would be proposed by the successful contractor to suit their proposed construction methodology. This would be detailed in the Traffic Management Plan submitted prior to the commencement of the works and would be reviewed by the relevant road authorities (Council and Transport for NSW) prior to being enacted.

Sub-issue: characterisation of temporary construction traffic impacts

Issue description

The submitter questions the characterisation of traffic and transport construction impacts as temporary when the construction period is 2.5 plus years.

Response

Construction impacts would only occur during the construction period and would be removed at the completion of the bypass, which is why these impacts are classified as temporary.

Issue category: noise and vibration

Sub-issue: construction noise impacts

Issue description

The submitter asks what compensation will be provided to residents in the project alignment who will experience construction noise over a period of 2.5-plus years, including for out-of-hours works and works which exceed the NML at residential receivers, particularly those who will be highly noise affected.

Response

The REF outlines the predicted construction noise impacts which would be generated by the proposal. Noise mitigation measures have been provided in accordance with the CNVG to aid in reducing construction noise impacts. Compensation is not provided to receivers affected by construction noise.

Sub-issue: noise mitigation along Suttor Road

Issue description

The submitter raises concern that no noise barrier is proposed for residents of Suttor Road.

Response

As outlined in Appendix D, an assessment of noise barriers was undertaken in accordance with the requirements of the Road Noise Mitigation Guideline (Transport for NSW, 2025) (RNMG). The assessment determined that a noise barrier was not recommended along Suttor Road as it was not considered reasonable to construct this noise barrier due to insufficient noise reduction benefits at this location.

Sub-issue: at-property noise treatment

Issue description

The submitter questions whether those residences identified for at-property treatment will actually receive noise treatment.

Response

As outlined in Appendix D, a number of physical factors that can influence the level of noise reduction actually achieved from outside-to-inside a dwelling. Due to this, it is recommended that field inspections of each affected property be undertaken prior to construction to confirm the type of noise treatments which would be appropriate, hence the wording used to describe this in the REF.

Sub-issue: noise impact assessment

Issue description

The submitter asks where the results of the noise impact study are.

Response

The results of the Noise and Vibration Impact Assessment were provided in Appendix D of the REF and summarised in Section 6.2 of the main REF report. This was available along with all other REF documents on the project's Participate Wingecarribee website.

Issue Category: biodiversity

Sub-issue: impacts to fauna

Issue description

The submitter raises concern regarding fauna injury and mortality risks from the proposal, referencing the *Biodiversity Conservation Act 2016*. That the assessment makes no mention of kangaroos known to move across the area, including that fauna surveys were conducted during working hours when kangaroos are inactive.

Response

As identified in the REF, there is a risk of fauna injury and mortality during construction activities. Safeguards and mitigation measures would be in place during construction to manage this risk, including pre-clearing surveys and final pre-clearing checks for fauna within vegetation clearing footprints. Any fauna encountered on-site during construction will be managed in accordance with Guide 9: Fauna handling of the Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects (Transport for NSW, 2024).

Issue category: hydrology, water and flooding

Sub-issue: flood impact locations

Issue description

The submitter seeks clarification of specific locations and properties where flood depths will increase, and raises concern that no mitigation measures are included for affected residents, only for protection of construction sites and facilities.

Response

Appendix F of the REF contains the full details of the flooding impact assessment. The assessment outlines that the proposal would result in increases in flood depths at the following locations:

- During 1% AEP events:
  - Along the drainage line that runs to the north (downstream) of the Wingecarribee Resource Recovery Centre.
  - The area to the south (upstream) of the proposal corridor within No. 51 Beaconsfield Road.
- During events greater than 1% AEP:
  - Within eight R2 (low density residential) zoned properties along Beaconsfield Road
  - Within four E4 (general industrial) zoned properties to the west of Lackey Road
  - Within a R5 (large lot residential) zoned parcel of land at No. 44 Suttor Road that is currently undeveloped but is the subject of a current development application for a childcare centre
  - Along a section of Suttor Road in the vicinity of Thwaites Drive.

At each of the locations identified above, the assessment found that the impact of the proposal on flood behaviour during the Probable Maximum Flood (PMF) is not considered to have a significant impact on existing critical infrastructure or sensitive type development. The changes in flood behaviour during the PMF are also not considered to result in a significant increase in the hazardous nature of flooding in existing development.

Sub-issue: water quality measures

Issue description

The submitter questions what action Council, as the local water authority, will take if construction waste enters the Wingecarribee River during the construction period.

Response

In accordance with the safeguards and management measures detailed in Table 6-19 of the REF, effective soil and water quality controls would be implemented at the location of the proposal to avoid or minimise potential soil and water quality impacts. Materials would be transported between the main works area and the ancillary facility within appropriate containers so that they would not become mobilised. In addition, the work area would be cleaned of waste materials regularly. Water quality control measures would be installed on site to prevent any materials, such as dirty water entering drain inlets and/or waterways. Waste materials would be frequently removed from the proposal area to prevent the risk of mobilisation. These measures would be implemented in accordance with the Landcom/Department of Housing Managing Urban Stormwater, Soils and Construction Guidelines (the Blue Book).

The Bureau of Meteorology website would be checked prior to start of the workday for any severe weather, thunderstorm and/or flood warnings. The proposal area would be stabilised prior to high rainfall events.

Issue category: geology, soils and contamination

Sub-issue: contamination impacts during construction

Issue description

The submitter asks for clarification regarding the delegation of mitigation responsibility to the contractor and whether the emergency spill plan would only be developed after an accidental spill has occurred.

Response

Water and soil quality impacts may occur during construction as a result of accidental spills and leaks caused by:

- Use of fuels and oils outside of bunded and/or contained areas

- Leaks from poorly maintained vehicles, machinery and equipment
- Temporary storage and management of spoil and waste.

A site-specific emergency spill plan will be developed by the contractor as part of the Construction Environmental Management Plan (CEMP) prior to the start of construction so that it is ready to be followed in the event of a spill. The CEMP would be informed by the REF and this Determination Report.

Issue category: Aboriginal cultural heritage

Sub-issue: Field survey methodology

Issue description

The submitter asks how deep field surveys were.

Response

The test excavation programme for the Aboriginal Cultural Heritage Assessment was undertaken according to the prescribed methodology of requirements 14 to 20 and 23 to 26 of the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (Department of Environment, Climate Change and Water NSW, 2010). Test pits dug as part of the field survey methodology were undertaken to a depth where the B-horizon was reached and then continued for another 100 millimetres to confirm that no further cultural artifacts were likely to be encountered. The depth of the B-horizon was found to typically range from 200 to 600 millimetres below the ground surface.

Sub-issue: total loss of values during construction; contradiction with operational impact statement

Issue description

The submitter identifies a perceived internal contradiction where the document states that construction would result in total loss of values at five Aboriginal cultural heritage sites, yet also states the proposal would not involve any impacts to Aboriginal cultural heritage during operation.

Response

The Aboriginal Cultural Heritage Assessment (Appendix J of the REF) was undertaken to assess the archaeological potential for Aboriginal material which may be affected by the proposal and was carried out in accordance with the Code of Practice. Five Aboriginal sites were identified by the assessment as being affected by the proposal. Prior to any works occurring, an area-wide Aboriginal Heritage Impact Permit (AHIP) would be applied for the five Aboriginal sites identified in the REF affected by the proposed works.

As part of the proposal, a program of archaeological salvage excavations would be developed in consultation with the Aboriginal community prior to the commencement of any salvage investigations. All Aboriginal objects collected during the archaeological testing and anticipated salvage works would be reburied onsite at the nominated location that would be determined in consultation with the Aboriginal community.

The impacts to Aboriginal sites identified in the REF would occur during construction phase of the proposal only and would not continue once construction is complete. Council would continue to inform the Aboriginal stakeholders about the management of Aboriginal cultural heritage within the proposal area throughout the completion of the bypass.

Sub-issue: Aboriginal cultural management measures

Issue description

The submitter asks about the plausibility of worker induction measures for Aboriginal heritage protection and of construction, citing media reports of heritage destruction on development sites with minimal penalties.

Response

All safeguards and mitigation measures presented in the REF have been prepared to be feasible and reasonable in relation to the scale of the impacts and are appropriate for implementation by the nominated responsible party. Prior to the commencement of works, all employees, contractors and subcontractors working at the site would undertake a cultural heritage induction. The cultural heritage induction would include a description of the Aboriginal cultural heritage in the area, the conditions of the AHIP and protocols for dealing with unexpected heritage finds to be followed during construction. This is in accordance with legislative requirements and industry best-practice.

Issue category: non-Aboriginal heritage

Sub-issue: non-Aboriginal heritage management measures

Issue description

The submitter asks about the plausibility of operational safeguards for non-Aboriginal heritage, citing media reports of heritage destruction on development sites with minimal penalties.

Response

All safeguards and mitigation measures presented in the REF have been prepared to be feasible and reasonable in relation to the scale of the impacts and are appropriate for implementation by the nominated responsible party.

Issue category: visual amenity and landscape character

Sub-issue: vegetation screening

Issue description

The submitter questions whether proposed revegetation to screen heritage items (Christ Church) from the Bypass would leave Suttor Road residents with unobstructed views of the Bypass, particularly given the absence of a sound barrier. Also raises concern that the use of non-committal language ('consider') in Table 6-24 regarding vegetation screening which may not actually be implemented.

Response

The design of the bypass includes substantial landscaping and vegetation plantings where it runs adjacent to Suttor Road to the west of Argyle Street.

Sub-issue: visual amenity impacts to residents

Issue description

The submitter raises concern that the visual amenity section focuses only on the construction phase and safety of construction plant and equipment, without addressing visual amenity impacts on residents.

Response

Section 6.8 of the REF assesses the visual amenity impacts on receivers, including nearby residents, during both construction and operation of the bypass.

Sub-issue: visual impact assessment

Issue description

The submitter seeks further clarification for the conclusion that the visual impact of the Bypass on Zone V8 will not be 'overwhelming', as stated in Table 6-28.

Response

A landscape character and visual impact assessment was prepared in accordance with the ‘Guideline for Landscape Character and Visual Impact Assessment’ (Transport for NSW, 2023). This guideline provides a framework for assessments to evaluate magnitude of the potential impacts. The REF uses the term 'some change, but not overwhelming' to provide a plain English definition of a Moderate-Low visual impact rating.

Sub-issue: visual impact safeguards

Issue description

The submitter seeks further detail regarding the visual impact safeguards and management measures for visual impacts of construction activities on residents. .

Response

The REF includes safeguards and management measures to minimise visual amenity impacts to residents from the proposal during construction. This includes requirements for the contract to maintain construction areas and compound sites during construction, and for sites to be progressively restored.

Issue category: property and land use

Sub-issue: utilities and services disruptions during construction

Issue description

The submitter questions how the impact on and potential relocation of existing NBN and Telstra cables will affect residents.

Response

Utility providers have been involved in the development of the proposal to minimise impacts to utility services. There may be short-term outages during construction of the proposal. This is required to conduct utility relocation and adjustment works, such as optical fibre and Telstra local communications lines. A notification would be provided to affected residents in advance of any outages with information about the timing and duration of outages as well as contact information for the relevant providers.

Sub-issue: R2 low density residential zone objectives

Issue description

The submitter raises concern that the documentation does not adequately explain how the proposed bypass addresses or accounts for the needs of residents in the R2 Low Density Residential zone in the vicinity of the project.

Response

Benefits of the proposal to the residents of Moss Vale would include reduced traffic volumes and increased traffic efficiency along local roads, reduced heavy vehicles on local roads, a second rail crossing of the Main Southern Railway, improved safety and amenity within Moss Vale town centre for road users and pedestrians and a new shared user path along the bypass.

Sub-issue: benefits to RE1 public open space zoned land

Issue description

The submitter considers some of the stated justifications for the bypass to be unconvincing, specifically citing the claim that the bypass improves access to a RE1 Public Recreation space which appears to be Thwaites Park — described as a small area of green space connecting three small cul-de-sacs.

Response

The RE1 zoned land which the REF states that the proposed bypass improves access to is the section of Bong Bong Common on the southern side of Wingecarribee River, as shown in Figure 4-2 of the REF. The bypass would provide a new shared user connection over the Main Southern Railway, improving access and connectivity to public open space available in Moss Vale.

Issue category: socio-economic

Sub-issue: demographics data

Issue description

The submitter raises concern that demographic data used in a section of the documentation is from 2016 and is therefore out of date and not reflective of current local demographics.

Response

Both the 2016 and 2021 census statistics for Moss Vale – Berrima SA2 were used to inform Section 6.10 of the REF. At the time of preparing the REF the 2021 census was the most up to date statistics published by the ABS. The 2021 census was completed while many areas of NSW were under lockdown due to the COVID-19 pandemic, as such the travel to work data would reflect the level of movements under the lockdown. As a result, the 2016 census data were also used to inform the REF assessment as they reflect travel to work data without the influence of lockdown conditions.

Sub-issue: adequacy of socioeconomic impact assessment methodology

Issue description

The submitter questions whether desktop research alone is a sufficient methodology to assess the socioeconomic impact the construction of this project will have on residents living along the bypass corridor.

Response

The REF was prepared using a variety of sources including information gathered from community consultation sessions and activities prior to the REF, as well as technical assessment methodologies and field surveys conducted for the specialist assessment reports, in addition to the desktop research conducted for the socio-economic assessment. The online sources used included Wingecarribee Shire Council strategic plans and community plans which also present information gathered from consultation with the community. These sources were all used to inform the socio-economic assessment.

Sub-issue: omission of tertiary education from employment industry analysis

Issue description

The submitter raises concern that the income and employment analysis omits tertiary education as an employment industry in Moss Vale, and further that the social infrastructure table does not distinguish between institutions directly impacted by construction and those that are not, requesting a dedicated table for directly impacted institutions.

Response

Council notes that the top industries of employment in the Moss Vale – Berrima SA2 listed in Section 6.10 of the REF did not specifically include tertiary education as an employment industry. Table 6-32 lists the social infrastructure facilities identified with the suburb of Moss Vale at the time of preparing the REF, as the suburb boundary was the boundary to inform this section.

Sub-issue: loss of community values; destruction of open space, peace and quiet for bypass corridor residents

Issue description

The submitter states that residents along the proposed Bypass route currently value the open space and peace and quiet referenced in the community values section, and that these will be destroyed by the project.

Response

As outlined in Section 6.10 of the REF, the proposal is expected to benefit the community in the long term as it would ease traffic congestion in the centre of Moss Vale, improving safety and amenity for pedestrians. The bypass has been designed to integrate with existing paddocks/pastures, utilising trees to identify places of significance and provide amenity, to reduce impacts to the surrounding natural environment and open space. The proposal would also improve connectivity with public open space at Bong Bong Common. The proposal is designed to minimise the severity of changes in grade to reduce the need for compression braking and higher engine revving. In addition, the proposal has been designed to minimise the number of acceleration and deceleration zones, to minimise operational noise impacts of the proposal while maintaining an effective road network.

It is also relevant to the landscape character of the proposal that it is adjacent to the Southern Highlands Innovation Park, a regionally significant employment precinct identified in Wingecarribee Shire Council's Master Plan (2025). This Master Plan outlines substantial industrial development across the precinct, transitioning the landscape from rural character to an employment hub. In this context, the visual impact of the bypass is considered minor and consistent with the evolving character of the area.

Issue category: air quality

Sub-issue: Management measures

Issue description

The submitter raises concern that the REF does not acknowledge the high winds experienced in Moss Vale and the Southern Highlands, and questions how the contractor developing the Air Quality Management Plan will be made aware of this local condition to mitigate dust spread into nearby homes.

Response

The Air Quality Management Plan would be developed by the contractor prior to construction and submitted to Council for approval. The plan would include measures appropriate for the weather patterns of the proposal area and will be consistent with any relevant published EPA guidelines.

Issue category: cumulative impacts

Sub-issue: currency of information

Issue description

The submitter raises that the cumulative impacts assessment does not contain up-to-date information, citing the proposed Repoly Facility, the Moss Vale Station upgrade, and the Bong Bong Common road upgrade as examples, and questions whether the latter is an intersection upgrade.

Response

The information presented in the cumulative impacts assessment was current at the time of preparing the REF.

The cumulative impact mitigation measure outlines a process for considering and managing impacts with other projects which may occur during construction of the bypass.

Sub-issue: responsibility for scheduling of concurrent works

Issue description

The submitter asks who is responsible for scheduling works should any listed cumulative projects proceed concurrently with the bypass construction, with particular concern for traffic impacts.

Response

As outlined in the safeguards and mitigation measures presented in Table 6-41 of the REF, Council would monitor projects near the proposed bypass and coordinate with relevant stakeholder where potential cumulative impacts are identified.

Issue category: REF mitigation measures and conclusion

Sub-issue: construction management plans

Issue description

The submitter asks what oversight mechanisms will be imposed upon the contractor, and by whom, to ensure mitigation plans referenced throughout the REF are developed and implemented, particularly the Noise and Vibration Plan and Air Quality Management Plan, and that consultation with affected sensitive receivers will occur.

Response

The requirements of the REF would be included in the contract for the delivery of the bypass and included in the contractor's CEMP which will outline requirements for all construction activities. These would be managed through the management of the project and the administration of the contract.

Sub-issue: placement of justification at the end of the document

Issue description

The submitter questions the placement of the project justification section at the end of the document, identifies an internal inconsistency in stated social benefits, and questions how the project can improve amenity for residents who will endure 2.5 plus years of construction and ongoing heavy vehicle traffic past their homes.

Response

The justification of the proposal includes a balanced consideration of the benefits of the proposal with the potential impacts of the proposal. As such, it is appropriately located towards the end of the REF. The need for the proposal is also included in the executive summary and Section 2 of the REF in addition to the conclusion (Section 8). While the proposal would result in some temporary impacts to the amenity of neighbouring residents from traffic, noise, air quality etc. overall the operational benefits of the proposal outweigh these impacts.

The potential amenity benefits within Moss Vale town centre from the reduction in traffic is consistently stated through several sections of the REF.

Sub-issue: adequacy of impact avoidance and minimisation claims

Issue description

The submitter disputes the claim in the justification section that impacts have been avoided or minimised where possible through design and site-specific safeguards, stating this is not the impression the document provides.

Response

The REF was prepared in accordance with Section 171 of the Environmental Planning and Assessment Regulation 2021, the factors in Guidelines for Division 5.1 assessments (Department of Planning and Environment, 2022), Roads and Related Facilities EIS Guideline (Department of Urban Affairs and Planning, 1996), the Biodiversity Conservation Act, 2016 (BC Act), the Fisheries Management Act 1994 (FM Act), and the Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth) (EPBC Act), to fulfill the requirements of Section 5.5 of the EP&A Act.

The design includes several measures to minimise impacts of the proposal including noise barriers and landscape planting. The REF also contains site-specific safeguards and management measures to mitigate the identified potential impacts for each environmental aspect. The safeguards and management measures were prepared to be appropriate and proportionate to the impacts.

Issue category: out of scope of the proposal

Sub-issue: Night works at Moss Vale Road extension, Bong Bong Common

Issue description

The submitter questions whether nearby residents were notified of or consulted about previous night construction work on the Moss Vale Road extension at Bong Bong Common.

Response

The work on the Moss Vale Road extension at Bong Bong Common was partly conducted at night to minimise impacts to traffic during peak times. Council engaged with the affected community through a range of mediums including media releases, project website updates, newsletters, social media posts, and targeted mail outs.

The construction of the Moss Vale Bypass would be conducted in accordance with the safeguards and mitigation measures outlined in the REF and this Determination Report. This would include:

- A monitoring program to assess performance against relevant noise and vibration criteria
- A review process scheduling and assessing out-of-hours activities including consideration of alternatives to out-of-hours work, plant selection, work locations and screening to minimise impacts
- A working schedule which records respite periods for extended out-of-hours works
- Arrangements for consultation with affected neighbours, utility providers, and sensitive receivers, including notification and complaint handling procedures.

2.3.6 Community submission 6

Issue category: biodiversity

Sub-issue: barrier to terrestrial wildlife movement

Issue description

The submitter raises concern that the bypass design does not provide for wildlife crossings and will force terrestrial fauna onto the road. Specifically at locations where the alignment crosses riparian corridors and unnamed tributaries of the Wingecarribee River, highlighting issues with water retention, dimensions and accessibility at culverts.

Response

As outlined in Section 6.3, the proposal area consists of agricultural, residential and industrial land that has already fragmented the landscape. Historical clearing already presents a barrier to the movement for terrestrial and arboreal mammals, reptiles and amphibians. The proposal would not result in excessive landscape scale habitat fragmentation, due to there already being a high degree of fragmentation in the landscape associated with historical clearing and the surrounding land use.

As part of the landscaping plan, the proposal would introduce new plantings of native trees, shrubs and grounds cover species along the bypass corridor and would offer new habitat to fauna. The proposal also integrates culverts at perennial and non-perennial watercourses which cross the bypass corridor which would enable the flow of water and the movement of small fauna species within these watercourses. The proposed activity has also minimised fragmentation by aligning closely to existing infrastructure and land uses.

Sub-issue: aquatic fauna — fish passage and aquatic connectivity

Issue description

The submitter raises concern that crossing structures may impede movement of aquatic species, including platypus and native fish, if hydraulic parameters (water velocity, outlet height, bed design) if not appropriately designed.

Response

Watercourses and tributaries which cross the bypass corridor have been heavily modified by human development and land use, and affected by land clearing, both upstream and downstream of the proposal. This includes farm dams and other structures which alter the flow of water down these streams and block the passage of aquatic fauna species. These watercourses are not mapped as key fish habitat, which are waterways that are important for fish and other aquatic animals to live, feed, breed, grow, or move through, and are also not considered to be habitat which aquatic fauna species rely on. Therefore, the proposal would not introduce any new barriers to the movement of aquatic species. A permit under the *Fisheries Management Act 1994* is restricted to mapped key fish habitat and therefore do not apply to the proposal.

The bypass would be consistent with existing road and stormwater infrastructure within the proposal area and would not introduce a new barrier to the movement of aquatic species where barriers are not already present. The proposal incorporates culverts at watercourses and tributaries which would allow for aquatic species to travel along the drainage channels and pass under the bypass. Therefore, additional structures or furniture specific to aquatic fauna connectivity are not required in accordance with the *Fisheries Management Act 1994*. Consistent with the principles of Why do Fish Need to Cross the Road? (Fairful and Witheridge, 2003), dedicated fish passage infrastructure such as fishways, fish-friendly culverts or specialised aquatic fauna structures is not required as there are no identified fish passage barriers requiring mitigation. Existing drainage connectivity would be maintained through the proposed drainage design.

Sub-issue: fauna connectivity — mitigation measures

Issue description

The submitter requests that wildlife connectivity be embedded as a core design requirement, and specifically calls for: dry terrestrial passages within culverts; fauna-friendly design elements (including Tiber elements and light wells); aquatic passage measures; recessed inverts for aquatic passage (into the creek bed by at least 20%); targeted fauna fencing; riparian revegetation at crossing points; and post-construction monitoring of effectiveness.

Response

Due to the engineering constraints which the proposal must overcome, such as flooding risks and the area of land available within the corridor, in addition to the existing fragmentation and lack of substantial wildlife corridors within the proposal area, these design modifications and additional mitigation measures are not considered to be feasible or reasonable to implement. As part of the landscaping plan, the proposal would introduce new plantings of native trees, shrubs and grounds cover species along the bypass corridor and would offer new habitat to fauna. This would offset the vegetation which is required to be removed for the construction of the proposal and mitigate the impacts from the loss of habitat.

Issue category: out of scope of the proposal

Sub-issue: fauna connectivity policy

Issue description

Submission recommended that Council amends its infrastructure and planning policies to mandate that fauna connectivity initiatives be required for all civil infrastructure projects.

Response

Updates or amendments to Council's broader infrastructure and planning policies are outside of the scope of the proposal and this submissions report. This comment on Council's wider policies has been forwarded to the relevant department for consideration.

2.4 Ongoing or future consultation

Should Council proceed with the proposal, consultation and engagement activities would continue, including with DCCEEW and SES. In addition, Council would notify residents, businesses and community members in the lead up to and during construction. The consultation activities would help to ensure that:

- The community and stakeholders are notified in advance of any upcoming work, including changes to pedestrian or traffic access arrangements and out of hours construction activities

- Where at-property operational noise treatments are recommended, further consultation, assessment and property inspections would be undertaken prior to construction with eligible affected properties regarding the proposed noise treatments
- DCCEEW would be informed regarding and involved in, where appropriate, seed collection of *Eucalyptus macarthurii*
- Accurate and accessible information is made available
- A timely response is given to issues and concerns raised by the community
- Feedback from the community is encouraged.

The Moss Vale Bypass project webpage would continue to be available during the construction phase. Targeted consultation methods, such as use of letters, notifications, signage and verbal communications, would continue to occur. The Moss Vale Bypass project webpage would also include updates on the progress of construction.

3 Environmental assessment

The purpose of this chapter is to document the outcomes of any additional environmental studies and/or assessments conducted for the proposal since the public display of the REF.

3.1 Biodiversity (*Brachyscome mittagongensis*)

3.1.1 Summary of additional study

Following public display of the REF, Council undertook targeted surveys for *Brachyscome mittagongensis* in response to issues raised in the DCCEEW submission regarding the potential occurrence of this threatened species within the proposal area. The detailed results of the targeted surveys are provided in Appendix A.

Two of the three identified survey areas were surveyed on 31 March 2026, with the remaining area surveyed on 16 April 2026 once access constraints associated with cattle in the adjoining property were resolved. Weather conditions during both survey events were suitable. No individuals of *Brachyscome mittagongensis* were recorded within any of the surveyed areas. A reference population at Moss Vale Cemetery was confirmed to be flowering at the time of survey, therefore any flowering individuals present within the surveyed areas would likely have been detected if they were present. The survey summary recommends that the remainder of the site footprint be surveyed during the recommended December to April survey period where feasible. Where this is not feasible, a preliminary habitat mapping exercise will be undertaken to identify suitable habitat for targeted surveys in summer 2026/27.

3.1.2 Methodology

Targeted surveys for *Brachyscome mittagongensis* were conducted on 31 March 2026 and 16 April 2026, during the recommended survey period for the species. Three locations within the proposal footprint were identified for survey based on areas proposed for preliminary works, shown in Appendix A.

Surveys were undertaken using parallel transects generally spaced at approximately 10 metres, with transect orientation and spacing adjusted where required by site conditions, including dense infestations of firethorn and blackberry and swampy terrain. Searches focused on areas assessed as suitable habitat, including areas of remnant native vegetation, sloping terrain, saturated soils and areas associated with mapped patches of *Eucalyptus macarthurii*. At the third site, the area around two large native trees was also searched to about 5 to 10 metres from the base.

To confirm detectability at the time of survey, Council also inspected a known population of *Brachyscome mittagongensis* at Moss Vale Cemetery, which confirmed the species was flowering during the survey period.

3.1.3 Description of existing environment

The surveyed areas within the bypass footprint included localised patches of habitat with characteristics potentially suitable for *Brachyscome mittagongensis*, including remnant native vegetation, sloping terrain, saturated soils and paddock trees. Two mapped patches of *Eucalyptus macarthurii* and associated regeneration were also present within one survey area. However, the surveyed sites were generally characterised by dense cover of exotic grasses, with access constrained in places by firethorn, blackberry and swampy conditions. In the third survey area, heavy browsing pressure, likely from rabbits, was observed beneath two large native trees, with exposed soil, short groundcover and fresh rabbit scat recorded. Based on the survey observations, only a subset of the broader bypass footprint is considered likely to provide suitable habitat for *Brachyscome mittagongensis*.

3.1.4 Potential impacts

The targeted surveys did not identify any individuals of *Brachyscome mittagongensis* within the surveyed areas of the Moss Vale Bypass footprint. On this basis, no direct impacts to confirmed individuals of the species are predicted within the surveyed areas. However, as only part of the proposal footprint has been subject to targeted survey, and only areas assessed as suitable habitat were searched, the potential for the species to occur in unsurveyed suitable habitat elsewhere within the broader footprint cannot be excluded. If future design development or construction activities extend into areas not surveyed and also identified as suitable habitat, additional targeted surveys and further assessment of potential impacts (if required), would be undertaken.

No changes to the proposal are required as a result of the targeted survey findings, as no individuals of *Brachyscome mittagongensis* were recorded within the surveyed areas. To manage any residual risk to the species, targeted surveys of any remaining suitable habitat within the site footprint should be undertaken during the recommended December to April survey period where feasible. A preliminary habitat mapping exercise should be undertaken to identify suitable habitat in preparation for targeted surveys in summer 2026/27. If *Brachyscome mittagongensis* is identified during future surveys, the biodiversity assessment and mitigation measures for the proposal should be reviewed and updated as required.

3.1.5 Additional mitigation measures

Table 3-1: Additional biodiversity safeguards and management measures following additional studies

Impact	Environmental safeguards	Responsibility	Timing
Preliminary habitat mapping - *Brachyscome mittagongensis*	Preliminary habitat mapping exercise should be undertaken to identify suitable habitat for *Brachyscome mittagongensis* in preparation for targeted surveys.	Council	Prior to disturbance within suitable habitat for *Brachyscome mittagongensis*
Targeted surveys - *Brachyscome mittagongensis*	Targeted surveys of any remaining suitable habitat for *Brachyscome mittagongensis* within the site footprint should be undertaken during the recommended December to April survey period.	Council	Prior to disturbance within suitable habitat for *Brachyscome mittagongensis*
Additional assessment - *Brachyscome mittagongensis*	If *Brachyscome mittagongensis* is identified during future surveys, the biodiversity assessment and mitigation measures for the proposal should be reviewed and updated as required.	Council	Prior to disturbance within suitable habitat for *Brachyscome mittagongensis*

4 Statutory and planning framework

4.1 Relevant NSW legislation

4.1.1 Environmental Planning and Assessment Act 1979

Since the display of the REF, the objects of the EP&A Act have changed as part of the *Planning Systems Reforms Act 2025*. The new objects have been considered below as part of this determination report and is considered supplementary to Table 8.1 in the REF.

Table 4-1: Objects of the Environmental Planning and Assessment Act 1979

Instrument	Requirement
1.3(a) To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	As outlined in Section 8.1 of the REF, the proposal would improve the social and economic welfare of the community by redirecting traffic from the town centre, improving safety and amenity in the commercial centre.
1.3(b) To promote the supply, delivery and maintenance of housing, including affordable housing,	The proposal would support the supply and delivery of housing by improving road network capacity, freight efficiency and connectivity in Moss Vale, which would help facilitate planned growth in the area, including around the Southern Highlands Innovation Park.
1.3(c) To promote productivity through the development and management of the State and its resources,	The proposal would promote productivity by improving freight efficiency, travel times and network resilience within Moss Vale, including through provision of an additional rail crossing and a more efficient route for heavy vehicles.
1.3(d) To protect the environment, including the conservation of threatened species of native animals and plants and ecological communities and their habitats,	As outlined in Section 3.1, further assessment of threatened species and ecological communities which would be affected by the proposal would be undertaken to determine any additional mitigation measures required.
1.3(e) To promote resilience to climate change and natural disasters through adaptation, mitigation, preparedness and prevention,	The proposal supports resilience to climate change and natural disasters by incorporating sustainable design and construction practices to reduce emissions, as well as managing potential risks, appropriate to the scope and scale of the proposal.
1.3(f) To promote the sustainable management of built and cultural heritage, including Aboriginal cultural heritage,	As outlined in Section 8.1 of the REF, the proposal has been designed to minimise impact on Aboriginal and non-Aboriginal heritage items.
1.3(g) To promote good design, amenity and the proper construction and maintenance of built environments, including the protection of the health and safety of the occupants of buildings,	As outlined in Section 8.1 of the REF, the proposal has been designed to adhere to urban design principles and would further improve amenity in Moss Vale town centre.
1.3(h) To provide opportunities for participation in environmental planning and assessment,	As outlined in Section 2 of this report, Council has summarised the issues raised during the display of the REF and has provided responses to each issue.
1.3(i) To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	As outlined in Section 8.1 of the REF, the proposal and its associated construction methodology have been designed to minimise impacts on the surrounding environment.

Instrument	Requirement
1.3(j) To promote a proportionate and risk-based approach to environmental planning and assessment,	The REF and this report have taken a proportionate and risk-based approach to environmental planning and assessment, in accordance with Council's obligations under the EP&A Act.
1.3(k) To promote the orderly and economic use and development of land.	As outlined in Section 8.1 of the REF, land in the proposal area has been acquired for the purposes of a bypass and would be used in a way which benefits the community. The proposal would also support the SHIP, a key employment area.

4.2 Matters of national environmental significance

The REF considered the potential for impacts to matters of national environmental significance under the EPBC Act, including nationally listed threatened species, ecological communities and migratory species. Based on the REF and the additional survey work completed since display, and as outlined in Section 3.1, further assessment of threatened species and ecological communities which would be affected by the proposal would be undertaken to determine any additional mitigation measures required.

5 Environmental management

The REF for the Moss Vale Bypass identified the framework for environmental management, including mitigation measures that would be adopted to avoid or minimise environmental impacts (Section 7.2 of the REF).

After consideration of the issues raised in the public submissions and additional environmental assessment, the mitigation measures proposed in the REF have been revised. These revised measures address the following:

- Additional biodiversity mitigation has been included for *Eucalyptus macarthurii, including* seed collection in consultation with DCCEEW and replanting of *Eucalyptus macarthurii* as part of the landscaping plan
- Additional biodiversity mitigation has been included for *Brachyscome mittagongensis*, including preliminary habitat mapping, targeted surveys of any remaining suitable habitat before disturbance, and review of the biodiversity assessment and mitigation measures if the species is identified during future surveys. These changes are identified and discussed in Section 3.1.5 and included in Section 5.3 as measures B18 to B20.

A full list of mitigation measures is provided in Section 5.3.

Should the proposal proceed, environmental management will be guided by the framework and measures outlined below.

5.1 Environmental management plans (or system)

A Construction Environmental Management Plan (CEMP) will be prepared to describe mitigation measures identified. The CEMP will provide a framework for establishing how these measures will be implemented and who will be responsible for their implementation.

As a minimum, the CEMP will address the following:

- Any requirements associated with statutory approvals
- Details of how the project will implement the identified safeguards outlined in the REF
- Issue-specific environmental management plans
- Roles and responsibilities
- Communication requirements
- Induction and training requirements
- Procedures for monitoring and evaluating environmental performance, and for corrective action
- Reporting requirements and record-keeping
- Procedures for emergency and incident management
- Procedures for audit and review.

The CEMP would incorporate key sub plans including:

- Traffic Management Plan
- Noise and Vibration Management Plan
- Non-Aboriginal Heritage Management Plan
- Communication Plan
- Air Quality Management Plan
- Waste Management Plan.

The CEMP will include all environmental mitigation measures identified below in Section 5.3, any conditions from licences or approvals required by legislation, and a process for demonstrating compliance with mitigation measures and conditions.

The CEMP will be prepared prior to construction of the proposal and must be reviewed by Council staff, prior to the commencement of any on-site works. The CEMP will be a working document, subject to ongoing change and updated as necessary to respond to specific requirements. The CEMP would be developed in accordance with the specifications set out in the construction contract.

5.2 Licensing and approvals

Table 5-1 summarises notifications, licences and approvals required for the proposal.

Table 5-1: Summary of licensing and approvals required

Instrument	Requirement	Timing
National Parks and Wildlife Act 1974 (s90)	Aboriginal heritage impact permit	Prior to start of the activity.
Roads Act 1993	A Road Occupancy License and Works Authorisation Deed would be sought under the Roads Act where construction is proposed on existing roads.	Prior to start of the activity.
Protection of the Environment Operations Act 1997	Environment Protection Licence	Prior to start of the activity.

5.3 Summary of mitigation measures

The REF for the Moss Vale Bypass identified a range of environmental outcomes and mitigation measures that would be required to avoid or minimise the environmental impacts.

After consideration of the issues raised in the public submissions, the mitigation measures for the proposal (refer to Section 7.2 of the REF) have been revised and confirmed below. If approved, the proposal would proceed subject to the mitigation measures in Table 5-2, additional and/or modified mitigation measures to those presented in the REF have been underlined; and deleted measures, or parts of measures, have been struck out. Other minor editorial changes have been made to the mitigation measures since the preparation of the REF.

Table 5-2: Summary of mitigation measures

No.	Impact	Environmental safeguards	Responsibility	Timing
TT1	Traffic and transport	A Traffic Management Plan (TMP) will be prepared and implemented as part of the CEMP. The TMP will be prepared in accordance with the Traffic Control at Work Sites Technical Manual (Transport for NSW, 2022) and QA Specification G10 Traffic Management (Transport for NSW, 2022). The TMP will include: • Confirmation of haulage routes • Measures to maintain access to local roads and properties • Site-specific traffic control measures (including signage) to manage and regulate traffic movement • Measures to maintain pedestrian and cyclist access • Requirements and methods to inform the local community of impacts on the local road network • Requirements and methods to consult emergency services (police, ambulance, fire) and SES with regard to traffic delays during construction • Requirements in relation to the Transport WAD process for works on Transport for NSW road corridors • Access to construction sites including entry and exit locations and measures to prevent construction vehicles queuing on public roads • A response plan for any construction traffic incident • Consideration of other developments that may be under construction to minimise traffic conflict and congestion that may occur due to the cumulative increase in construction vehicle traffic • Monitoring, review and amendment mechanisms.	Contractor	Pre-construction Construction

No.	Impact	Environmental safeguards	Responsibility	Timing
NV1	Noise and vibration	A Noise and Vibration Management Plan will be prepared and implemented as part of the CEMP. The plan will generally follow the approach in the ICNG (Department of Environment and Climate Change, 2009) and identify: • Key potential noise and vibration generating activities associated with the activity • Feasible and reasonable mitigation measures to be implemented taking guidance from the Transport CNVG • A monitoring program to assess performance against relevant noise and vibration criteria • A review process scheduling and assessing out-of-hours activities including consideration of alternatives to out-of-hours work, plant selection, work locations and screening to minimise impacts • A working schedule which records respite periods for extended out-of-hours works • Arrangements for consultation with affected neighbours, utility providers, and sensitive receivers, including notification and complaint handling procedures • Contingency measures to be implemented in the event of non-compliance with noise and vibration criteria.	Contractor	Detailed design/Pre-construction/During construction
NV2	Noise and vibration	The following operational noise mitigation is to be provided: • Noise barriers between Bulwer Road and Beaconsfield Road and east of Beaconsfield Road • Further consideration of at-property treatment to 63 identified properties.	Contractor	Construction
B1	Biodiversity	Measures to further avoid and minimise the construction footprint. Native vegetation or habitat removal will be investigated and implemented where practicable and feasible.	Contractor	Pre-construction
B2	Removal of native vegetation	Native vegetation removal will be minimised through construction planning.	Contractor	During construction
B3	Removal of native vegetation	Pre-clearing surveys and final pre-clearing checks will be undertaken in accordance with *Guide 1: Pre-clearing process of the Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects* (Transport for NSW, 2024).	Contractor	Pre-construction
B4	Removal of native vegetation	Native vegetation on the corner of Suttor Street and Argyle Street needs to be ground-truthed prior to removal to identify the Eucalyptus species.	Council/Contractor	Pre-construction
B5	Removal of native vegetation	Vegetation removal will be undertaken in accordance with *Guide 4: Clearing of vegetation and removal of bushrock,* of the *Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects* (Transport for NSW, 2024).	Contractor	During construction

No.	Impact	Environmental safeguards	Responsibility	Timing
B6	Removal of native vegetation	An unexpected threatened species finds procedure is to be developed as part of the CEMP using the template in Guide 1: Pre-clearing process of the *Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects* (Transport for NSW, 2024). The procedure is to be followed if threatened ecological communities, either new TECs or new occurrences of known TECs, not assessed in the biodiversity assessment, are identified within the proposal area.	Contractor	During construction
B7	Removal of native vegetation	The following should be implemented as part of the CEMP: • Plans showing areas to be cleared and areas to be protected, including exclusion zones, protected habitat features and revegetation areas • Pre-clearing survey requirements • Procedures for unexpected threatened species finds and fauna handling • Procedures addressing relevant matters specified in the Policy and guidelines for fish habitat conservation and management (Department of Primary Industries, 2013) • Protocols to manage weeds, pathogens and pest species.	Contractor	During construction
B8	Direct impacts to threatened species	Threatened fauna habitat removal will be minimised through construction planning.	Contractor	Pre-construction
B9	Direct impacts to threatened species	Fauna encountered on-site during construction will be managed in accordance with *Guide 9: Fauna handling* of the *Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects* (Transport for NSW, 2024).	Contractor	During construction
B10	Direct impacts to threatened species	Habitat removal will be undertaken by staged clearing in accordance with *Guide 4: Clearing of vegetation and removal of bushrock* of the *Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects* (Transport for NSW, 2024).	Contractor	During construction
B11	Direct impacts to threatened species	Habitat will be replaced or re-instated in accordance with *Guide 5: Reuse of woody debris and bushrock* (Transport for NSW, 2024) and *Guide 8: Artificial hollows of the Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects* (Transport for NSW, 2024).	Contractor	Pre-construction and during construction
B12	Removal of threatened plants	Removal of *Eucalyptus macarthurii* will be avoided through construction planning, where possible.	Contractor	Pre-construction
B13	Removal of threatened plants	Clearing limits and exclusion zones will be clearly identified prior to work within the vicinity of the *Eucalyptus macarthurii* that occur in proximity to the Subject Land to ensure no impacts to these individuals.	Contractor	Pre-construction
B14	Changes to hydrology	Changes to existing surface water flows will be minimised through construction planning.	Contractor	Pre-construction

No.	Impact	Environmental safeguards	Responsibility	Timing
B15	Edge effects	Exclusion zones will be set up at the limit of clearing in accordance with *Guide 2: Exclusion zones* of the *Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects* (Transport for NSW, 2024).	Contractor	During construction
B16	Injury and mortality of fauna	Fauna will be managed in accordance with *Guide 9: Fauna handling of the Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects* (Transport for NSW, 2024).	Contractor	During construction
B17	Invasion and spread of weeds	Weed species will be managed in accordance with *Guide 6: Weed management of the Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects* (Transport for NSW, 2024).	Contractor	During construction
B17	Invasion and spread of pathogens and disease	Pathogens will be managed in accordance with *Guide 7: Pathogen management of the Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects* (Transport for NSW, 2024).	Contractor	During construction
B18	Preliminary habitat mapping - *Brachyscome mittagongensis*	Preliminary habitat mapping exercise will be undertaken to identify suitable habitat for *Brachyscome mittagongensis* in preparation for targeted surveys.	Council	Prior to disturbance within suitable habitat for *Brachyscome mittagongensis*
B19	*Targeted surveys - Brachyscome mittagongensis*	Targeted surveys of any remaining suitable habitat for *Brachyscome mittagongensis* within the site footprint will be undertaken during the recommended December to April survey period.	Council	Prior to disturbance within suitable habitat for *Brachyscome mittagongensis*
B20	Additional assessment - *Brachyscome mittagongensis*	If *Brachyscome mittagongensis* is identified during future surveys, the biodiversity assessment and mitigation measures for the proposal will be reviewed and updated as required.	Council	Prior to disturbance within suitable habitat for *Brachyscome mittagongensis*
B21	Seed collection of *Eucalyptus macarthurii*	Seed collection of *Eucalyptus macarthurii* will be undertaken prior to construction to collect the seeds from the individuals present within the proposal area. Council will undertake further consultation with DCCEEW regarding participation in seed collection and providing seeds to Australian Botanic Gardens Seed Bank.	Council	Prior to removal of *Eucalyptus macarthurii*
B22	Replanting of *Eucalyptus macarthurii*	Landscaping works will include the planting of 46 *Eucalyptus macarthurii* trees.	Council	Prior to completion of landscaping works

No.	Impact	Environmental safeguards	Responsibility	Timing
HF1	Construction flooding	Detailed construction planning would consider flood risk at work areas and associated compound sites, including: • Reviewing construction site layouts and staging construction activities in order to avoid or minimise obstruction of overland flow paths and limiting the extent of flow diversion required • Designing the layout of construction facilities and implementing stormwater management controls during their establishment in order to manage the impact of flooding on construction personnel, equipment and materials • Identifying and applying measures to not worsen flood impacts on the community and on other property and infrastructure during construction up to and including the 1% AEP flood event where reasonable and feasible. Where warranted by the scale and nature of the proposed works this would include flood modelling and assessment to assess the extent of potential impacts and therefore the scope of mitigation measures that may be required • Measures to mitigate alterations to local runoff conditions due to construction activities.	Contractor	Pre-construction
HF2	Construction flooding	Spoil stockpiles would be located in areas which are not subject to frequent inundation by floodwater, ideally outside the 10% AEP flood extent. The exact level of flood risk accepted at stockpile sites would depend on the duration of stockpiling operations, the type of material stored, the nature of the receiving drainage lines and also the extent to which it would impact flooding conditions in adjacent development.	Contractor	Pre-construction
HF3	Construction flooding	Construction facilities would be located outside high flood hazard areas based on a 1% AEP flood.	Contractor	Pre-construction
HF4	Construction flooding	Flood emergency management measures for construction of the proposal would be prepared and incorporated into relevant environmental and/or safety management documentation. This would include: • Contingency planning for construction facilities that are located in areas that are inundated by mainstream flooding during a 1% AEP event • For construction facilities located within the floodplain the identification of how flood related risks to personal safety and damage to construction facilities and equipment will be managed • Procedures to monitor accurate and timely weather data, and disseminate warnings to construction personnel of impending flood producing rain.	Contractor	Pre-construction
HF5	Operational flooding	Council will consult with affected property owners in regard to any residual flood impacts that exceed the limits set out in Section 3.3.2 of the flooding technical report (Appendix F).	Council	Pre-construction
SW1	Contaminated land	A pre-construction Land Condition Assessment will be undertaken of the ancillary facilities, to determine the baseline condition of the site prior to being utilised for the proposal.	Contractor	Pre-construction

No.	Impact	Environmental safeguards	Responsibility	Timing
SW2	Contaminated land	If contaminated areas are encountered during construction, appropriate control measures will be implemented to manage the immediate risks of contamination. Works that may impact on the contaminated area will cease until the nature and extent of the contamination has been confirmed and any necessary site-specific controls (or further actions identified in consultation with the EPA) have been implemented.	Contractor	Construction
SW3	Contaminated land	If any suspect materials (identified by unusual staining, odour, discolouration or inclusions such as building rubble, asbestos containing materials, ash material, etc.) are encountered between the sampling locations during any stage of future earthworks/site preparation, Unexpected Finds Management Protocol (Appendix F of the DSI) should be implemented. In the event of contamination, detailed assessment, remediation and validation should be carried out by suitably qualified asbestos and contaminated land specialist consultants.	Contractor	Construction
SW4	Accidental spill	A site-specific emergency spill plan will be developed and include spill-management measures in accordance with the Transport Code of Practice for Water Management (Roads and Traffic Authority, 1999) and relevant EPA guidelines. The plan will address measures to be implemented in the event of a spill, including initial response and containment, notification of emergency services and relevant authorities.	Contractor	Detailed design / pre-construction
SW5	Erosion and sedimentation	Site-specific Erosion and Sediment Control Plan(s) will be prepared and implemented. The Plan will include arrangements for managing wet weather events, including monitoring of potential high-risk events (such as storms) and specific controls and follow-up measures to be applied in the event of wet weather.	Contractor	Pre-construction / construction
SW6	Waste management and resource recovery	For any materials to be excavated and removed from the site, classification of the materials will be undertaken in accordance with the NSW EPA Waste Classification Guidelines 2014, the NSW EPA resource recovery exemptions and orders under the Protection of the Environment Operations (Waste) Regulation 2014, or NSW EPA Certification: Virgin excavated natural material (VENM). Off-site disposal of material will be to a facility that can lawfully accept the material.	Contractor	Construction
SW7	Imported fill	Any imported materials must be assessed by a qualified environmental consultant, prior to importation, to ensure suitability for the proposed use. In addition, the imported materials must be free of unusual odour and not be discoloured. The imported materials should be VENM or excavated natural material (ENM) or materials that conform to the requirement of relevant EPA orders and exemptions including but not limited to the: • Excavated Public Road Material Order 2014 and Excavated Public Road Material Exemption 2014 • Reclaimed Asphalt Pavement Order 2014 and Reclaimed Asphalt Pavement Exemption 2014 • Recovered Aggregate Order 2014 and Recovered Aggregate Exemption 2014.	Contractor	Construction

No.	Impact	Environmental safeguards	Responsibility	Timing
AH1	Aboriginal cultural heritage	Prior to any works occurring, an area-wide Aboriginal Heritage Impact Permit (AHIP) will be applied for the 5 Aboriginal sites that will be affected due to the proposed works.	Contractor	Pre-construction
AH2	Aboriginal cultural heritage	Workers will be inducted as to appropriate Aboriginal heritage protection measures.	Contractor	Construction
AH3	Aboriginal cultural heritage	~~An u~~ Unexpected finds ~~procedure~~ protocols will be implemented as outlined in the ACHA.	Contractor	Construction
AH4	Aboriginal cultural heritage	Wingecarribee Shire Council will continue to inform the Aboriginal stakeholders about the management of Aboriginal cultural heritage within the study area throughout the completion of the proposal.	Council	Pre-construction / Construction
AH5	Aboriginal cultural heritage	Salvage of identified Aboriginal heritage features and relocation of artefacts from high-value areas will be undertaken prior to the commencement of any works that may impact these items. This process will be carried out in accordance with the approved AHIP and in consultation with Registered Aboriginal Parties.	Contractor / Council	Pre-construction / Construction
NAH1	Non-Aboriginal heritage	A Non-Aboriginal Heritage Management Plan will be prepared and implemented as part of the CEMP. It will provide specific guidance on measures and controls to be implemented to avoid and mitigate impacts to non-Aboriginal heritage.	Contractor	Detailed design / pre-construction
NAH2	Non-Aboriginal heritage	An Unanticipated Finds Protocol (as per Appendix 3 of the SOHI) will be followed if any unexpected heritage items are encountered during works.	Contractor	Construction
NAH3	Non-Aboriginal heritage	The proposed works will minimise the removal of vegetation within the Austermere (LEP I398) curtilage.	Contractor	Pre-construction / Construction
NAH4	Non-Aboriginal heritage	Landscaping associated with the proposed works will consider the inclusion of tree planting to form a vegetation screen between the proposal area and Austermere (LEP I398) to minimise impact to the aesthetic and natural values of the item.	Contractor	Construction
V1	Visual amenity	Construction areas and compound sites will be maintained during construction, kept tidy and well-presented including sorting and regular removal of excess materials to reduce visual impact.	Contractor	Construction
V2	Visual amenity	The ancillary facilities and construction areas (outside of the operational area of the proposal) will be progressively restored to at least ~~its~~ their pre-construction condition.	Contractor	Construction / Post-construction
V3	Site Lighting	~~Night time~~ Nighttime lighting on the construction site will be sited to minimise impacts on nearby residential receivers and existing road corridors, minimise ecological impacts associated with Artificial Light at Night.	Contractor	Construction

No.	Impact	Environmental safeguards	Responsibility	Timing
P1	Utilities	All works will be undertaken in accordance with approved utility plans. Ongoing engagement with utility authorities will be undertaken regarding shutdowns, protection, and installation works.	Contractor / Council	Pre-construction / During construction
SE1	Socio-economic	A Communication Plan will be prepared and implemented as part of the CEMP to help provide timely and accurate information to the community during construction. The plan will include (as a minimum): • Mechanisms to provide details and timing of proposed activities to affected residents, including changed traffic and access conditions • Contact name and number for complaints. The plan will be prepared in accordance with the Stakeholder and Community Engagement Guidelines (Transport for NSW, 2023).	Contractor	Detailed design / Pre-construction
SE2	Socio-economic impacts	Local residents and affected businesses will be notified before work starts regarding the timing, duration and likely impact of construction activities, including interruptions to utility services.	Council	Pre-construction
AQ1	Air Quality	An Air Quality Management Plan will be prepared and implemented as part of the CEMP. The plan will include, but not be limited to: • Potential sources of air pollution • Air quality management objectives consistent with any relevant published by NSW EPA and/or NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) ~~Office of Environment and Heritage (OEH)~~ guidelines • Mitigation and suppression measures to be implemented, such as using water trucks to supress dust, and staging work to minimise exposed areas • Methods to manage work during strong winds or other adverse weather conditions • A progressive rehabilitation strategy for exposed surfaces.	Contractor	Detailed design / Pre-construction

No.	Impact	Environmental safeguards	Responsibility	Timing
W1	Waste	A Waste Management Plan will be prepared and implemented as part of the CEMP. The plan will include but not be limited to: • Measures to avoid and minimise waste associated with the project • Classification of wastes and management options (re-use, recycle, stockpile, disposal) in accordance with NSW EPA Waste Classification Guidelines (2014) • Recycled materials will be used in construction where feasible • Use of waste-derived materials will comply with the relevant NSW EPA Resource Recovery Orders and Exemptions, including those for excavated public road material (EPRM), reclaimed asphalt pavement, and recovered aggregate. • Statutory approvals required for managing on- and off-site waste, or application of any relevant resource recovery exemptions • Procedures for storage, transport and disposal • Monitoring, record keeping and reporting. The plan will align with the Environmental Procedure - Management of Wastes on Transport for NSW Land (Transport for NSW, 2014) and relevant Transport Waste fact sheets.	Contractor	Detailed design / Pre-construction
C1	Cumulative construction impacts	Current and upcoming projects with the potential to interact with the proposal will be monitored. Where potential cumulative impacts are identified, the scheduling of works will be coordinated with ~~interacting~~ concurrent projects to minimise potential impacts. This will include: • Scheduling works to allow suitable respite periods for construction noise • Scheduling of works to minimise consecutive construction noise impacts, where feasible • Coordinating lane closures and pedestrian/cyclist diversions to minimise the overall number of occasions where disruption occurs.	Council / Transport for NSW	Pre-construction/ Construction

6 Decision statement

Division 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) applies to the proposal. An REF has been prepared and considered against the requirements of sections 5.5 and 5.7 of the EP&A Act.

In considering the proposal, this assessment has examined and taken into account matters affecting or likely to affect the environment to an extent that is proportionate to the nature and risk of the proposed activity as addressed in the REF and determination report. This assessment is considered to be in accordance with the EP&A Act, the EP&A Regulation and the Guidelines approved under section 170 and 171A of the EP&A Regulation, and the information it contains is neither false nor misleading.

In addition, this assessment has considered impacts to threatened species, ecological communities and migratory species listed under *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth) (EPBC Act).

Council has formed the opinion that the activity:

- is unlikely to have a significant impact and therefore an environmental impact statement does not need to be prepared. Approval for the proposal does not need to be sought under Division 5.2 of the EP&A Act
- is unlikely to have a significant impact on NSW listed biodiversity matters under the BC Act and FM Act

Therefore, a Species Impact Statement (and the concurrence of the Coordinator-General Environment, Energy and Science Group, DPHI) or Biodiversity Development Assessment Report (BDAR) is not required.

The assessment concluded that the proposal is unlikely to have a significant impact on any matter of national environmental significance or on Commonwealth land and, therefore, referral of the proposal to the Australian Government under the *Environment Protection and Biodiversity Conservation Act 1999* is not required.

The REF identified a range of environmental outcomes and mitigation measures that would be required to avoid or minimise the environmental impacts. After consideration of the issues raised in the public submissions, the environmental mitigation measures for the proposal have been updated as outlined in Section 5.3 of this determination report.

As the determining authority, Council has a legal duty under the EP&A Act to examine and take into account matters affecting or likely to affect the environment to an extent that is proportionate to the nature and risk of the proposed activity.

Having regard to the REF and this determination report, we declare that the information contained is neither false nor misleading. [Redact signatures prior to publishing]

Prepared by (1):

Signature



Name

Jacob Mifsud

Title

Senior consultant – environment

bd infrastructure

Date

11/09/26

Reviewed by (2):

Signature



Name

Todd Brookes

Title

Principal – environment

bd infrastructure

Date

11/09/2026

Certification

I certify that I have reviewed and endorsed the contents of this REF document and, to the best of my knowledge, it is in accordance with the EP&A Act, the EP&A Regulation and the Guidelines approved under clause 170 of the EP&A Regulation, and the information it contains is neither false nor misleading.

Signature	[redacted]	[redact signature prior to publishing]
Name	Todd Brookes	
Title	Principal – environment bd infrastructure	
Date of certification	11/09/2026	

Reviewed by (1):

Signature

[redacted]

Name

Andrew Maskiell

Title

Senior Project Manager

Wingecarribee Shire Council

Date 22/9/2026

Reviewed by (2):

Signature

[redacted]

Name

Steven Rocks

Title

Environment Officer Assessment

Wingecarribee Shire Council

Date 23/09/2026

Delegated Authority Sign-Off

- The Determination Report can only be approved (signed) by staff with delegated authority under Part 5 of the of the *Environmental Planning and Assessment Act 1979* for Council works not subject to the lodgement and determination of a development application under Part 4 of the Act.
- Staff positions with the delegation are identified in Council's Delegation Manual.
- The approving delegate must check that the form has been compete, with all Sections addressed (including the appendices). The approving delegate must be confident that the **Determination Report** has been made by staff and consultant with the training and/or experience to do so.
- Consider requesting printed maps for questions answered based on mapping.
- The Environmental Assessment process is not complete until the signed Determination Report is registered in ECM (use quick add profile 'Environmental Assessment'). This must be done prior to work commencing.

Delegated Authority Approval:_[redacted]_____ Date:24/09/26

7 Terms and acronyms

Table 7-1: Terms and acronyms used in this determination report

Term/acronym	Description
ABS	Australian Bureau of Statistics.
ACHA	Aboriginal Cultural Heritage Assessment.
AEP	Annual Exceedance Probability; the probability of a flood of a given size or larger occurring in any one year.
AHIP	Aboriginal Heritage Impact Permit issued under the *National Parks and Wildlife Act 1974*.
Air Quality Management Plan	A plan prepared to manage potential construction air quality impacts, including dust, emissions and adverse weather conditions.
Ancillary facility	A temporary construction support area, such as a compound, laydown or storage area, used to support delivery of the proposal.
At-property treatment	Noise mitigation applied at an affected property, such as architectural treatments to reduce internal noise levels, where further assessment confirms it is appropriate.
Austermere	The former SCEGGS School house and grounds, identified as a local heritage item in the Wingecarribee Local Environmental Plan 2010.
BAR	Biodiversity Assessment Report.
BC Act	*Biodiversity Conservation Act 2016* (NSW).
BDAR	Biodiversity Development Assessment Report.
BioNet	NSW biodiversity data and mapping system used to record biodiversity survey and assessment information.
Blue Book	*Managing Urban Stormwater: Soils and Construction* (Landcom, 2004), commonly referred to as the "Blue Book".
Brachyscome mittagongensis	Mittagong Daisy; a threatened flora species considered in the additional biodiversity survey for the proposal.
CEMP	Construction Environmental Management Plan.
CNVG	Construction Noise and Vibration Guideline.
Code of Practice	A prescribed guideline or procedure setting out accepted methods for undertaking a particular assessment or management activity.
Communication Plan	Plan prepared to provide timely and accurate information to the community and stakeholders during detailed design and construction.
Council	Wingecarribee Shire Council.
DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water.

Term/acronym	Description
DECCW	Former Department of Environment, Climate Change and Water.
Determination report	This report, which documents consideration of submissions, additional studies, mitigation measures and the decision statement for the proposal.
Detailed design	The design phase following concept design where construction details, staging and mitigation requirements are further developed.
DPHI	NSW Department of Planning, Housing and Infrastructure.
DSI	Detailed Site Investigation.
E4	General Industrial land use zone under the Wingecarribee Local Environmental Plan 2010.
ENM	Excavated natural material.
EP&A Act	*Environmental Planning and Assessment Act 1979* (NSW).
EP&A Regulation	*Environmental Planning and Assessment Regulation 2021* (NSW).
EPA	NSW Environment Protection Authority.
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth).
Eucalyptus macarthurii	Camden Woollybutt; a threatened eucalypt species considered in the biodiversity assessment and submissions.
Exclusion zone	An area established to prevent access or disturbance to protected environmental features, retained vegetation or other sensitive areas.
FM Act	*Fisheries Management Act 1994* (NSW).
HPC	Housing Productivity Contribution.
ICNG	*Interim Construction Noise Guideline*.
LGA	Local Government Area.
LEP	Local Environmental Plan.
LSPS	Local Strategic Planning Statement.
Main Southern Railway	The railway line crossed by the proposal via a new flood-resilient bridge.
MNES	Matters of national environmental significance under the EPBC Act.
NBN	National Broadband Network.
NML	Noise Management Level.
Noise and Vibration Management Plan	Plan prepared to manage construction noise and vibration impacts, including mitigation, monitoring, consultation and complaint handling procedures.
NPW Act	*National Parks and Wildlife Act 1974* (NSW).
OEH	Former NSW Office of Environment and Heritage.

Term/acronym	Description
Participate Wingecarribee	Council's online community engagement platform used to display the REF and receive submissions.
PMF	Probable Maximum Flood.
Proposal	The Moss Vale Bypass project assessed in the REF and this determination report.
QA	Quality Assurance.
R2	Low Density Residential land use zone under the Wingecarribee Local Environmental Plan 2010.
R5	Large Lot Residential land use zone under the Wingecarribee Local Environmental Plan.
RE1	Public Recreation land use zone under the relevant local environmental planning instrument.
REF	Review of Environmental Factors.
RNMG	Road Noise Mitigation Guideline.
Road Occupancy Licence	An approval required where works occupy or affect a public road corridor.
RSW	Reinforced soil wall.
SA2	Statistical Area Level 2, an Australian Bureau of Statistics geographic area used for demographic reporting.
SAII	Serious and irreversible impact under the NSW biodiversity assessment framework.
SCEGGS	Sydney Church of England Girls Grammar School.
SEPP	State Environmental Planning Policy.
SES	State Emergency Service.
SHIP	Southern Highlands Innovation Park.
SOHI	Statement of Heritage Impact.
Subject Land	Land within or affected by the proposal area that was considered in the environmental assessment.
TEC	Threatened ecological community.
TfNSW	Transport for NSW.
TMP	Traffic Management Plan.
UDP	Urban Development Program.
VENM	Virgin excavated natural material.
WAD	Works Authorisation Deed.
Waste Management Plan	Plan prepared to manage waste avoidance, classification, reuse, recycling, storage, transport and disposal during construction.

Term/acronym	Description
WLEP	Wingecarribee Local Environmental Plan 2010

8 References

Fairful and Witheridge, 2003. *Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings,* Sydney: NSW Fisheries.

Department of Environment and Climate Change, 2009. *Interim Construction Noise Guideline.* Sydney: Department of Environment and Climate Change.

Department of Environment, Climate Change and Water NSW, 2010. *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales.* [Online]
Available at: https://www.environment.nsw.gov.au/sites/default/files/code-of-practice-for-archaeological-investigation-of-aboriginal-objects-100783.pdf

Department of Primary Industries, 2013. *Policy and guidelines for fish habitat conservation and management,* Sydney: NSW Government.

Roads and Traffic Authority, 1999. *Code of Practice for Water Management,* s.l.: s.n.

Transport for NSW, 2014. *Environmental Procedure - Management of Wastes on Transport for NSW Land,* Sydney: NSW Government .

Transport for NSW, 2022. *QA Specification G10 Traffic Management,* s.l.: s.n.

Transport for NSW, 2022. *Traffic control at work sites Technical Manual.* Sydney: Transport for NSW.

Transport for NSW, 2023. *Stakeholder and community engagement guidelines,* s.l.: NSW Government.

Transport for NSW, 2024. *Guide 1: Pre-clearing process of the Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects,* Sydney: NSW Government.

Transport for NSW, 2024. *Guide 2: Exclusion zones of the Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects ,* Sydney: NSW Government.

Transport for NSW, 2024. *Guide 4: Clearing of vegetation and removal of bushrock of the Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects,* Sydney: NSW Government.

Transport for NSW, 2024. *Guide 5: Reuse of woody debris and bushrock,* Sydney: NSW Government.

Transport for NSW, 2024. *Guide 6: Weed management of the Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects,* Sydney: NSW Government.

Transport for NSW, 2024. *Guide 7: Pathogen management of the Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects ,* Sydney: NSW Government.

Transport for NSW, 2024. *Guide 8: Artificial hollows of the Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects,* Sydney: NSW Government.

Transport for NSW, 2024. *Guide 9: Fauna handling of the Biodiversity Management Guideline: Protecting and managing biodiversity on Transport for NSW projects,* Sydney: NSW Government.

Transport for NSW, 2025. *Road Noise Mitigation Guideline,* Sydney: Transport for NSW.

Transport for NSW, 2026. *Construction Noise and Vibration Guideline,* Sydney: s.n.

Wingecarribee Shire Council, 2022. *Agenda of the Ordinary Meeting of Council held on Wednesday 16 March 2022,* Moss Vale: Wingecarribee Shire Council.

Appendix A: Moss Vale Bypass – Mittagong Daisy (*Brachyscome mittagongensis*) surveys

Moss Vale Bypass – Mittagong Daisy (*Brachyscome mittagongensis*) surveys

31.3.2026

On Tuesday, 31 March 2026, Council staff conducted targeted surveys for Brachyscome mittagongensis within the footprint of the proposed Moss Vale Bypass. Based on areas scheduled for preliminary works, three locations within the bypass footprint were identified and mapped for survey (see Figure 1).

Two of the three locations were successfully surveyed on the day. The third location (red polygon) could not be completed due to the presence of cattle from the adjoining property accessing the site through a break in the shared barbed wire fence. Of the three sites, this unsurveyed area displays preferred habitat characteristics for B. mittagongensis, including remnant native vegetation, sloping terrain, and saturated soils.



Figure 1 Brachyscome mittagongensis survey locations.

The middle site (white hashed polygon) was surveyed first. Survey methodology involved two Council staff members walking parallel north–south transects across the site at approximately 10-metre intervals. Variations to transect spacing occurred in areas where dense infestations of firethorn and blackberry restricted access. The site contains two mapped patches of Eucalyptus macarthurii with associated regeneration; these areas were searched more intensively.

The easternmost site (white hashed polygon) was surveyed using a similar methodology, with transects oriented west–east across the site.

Only sub-sections of these 2 initial sites deemed as suitable habitat for the species were subject to the targeted searches. Areas of these 2 sites not deemed as suitable habitat were not subject to the targeted searches.

During the surveys, the weather was mostly clear and partly cloudy. Both surveyed sites were characterised by dense cover of exotic grasses, likely to exert high competitive pressure on native groundcover species, including b. mittagongensis.

No individuals of b. mittagongensis were observed at either location.

On the same day, Council staff visited Moss Vale Cemetery, a known population site for b. mittagongensis, and adjoins one of the Moss Vale bypass entry points, to confirm the species' flowering status. This inspection confirmed that the species was flowering at the time of survey. Accordingly, if b. mittagongensis had been present within the surveyed sites, it is likely that flowering individuals would have been detectable.

16.4.2026

On Thursday, the 16th of April 2026, the remaining site (Figure 1; red polygon) was surveyed by Council staff under clear and sunny conditions. Across the entirety of the site, surveys were conducted across the width of the parcel of land, with informal transect spaced at approximately 10m intervals. In some sections of the parcel, transect spacing exceeded 10m, due to swampy and hard to navigate areas of the parcel – mostly in the central portion. Distances in some areas were wider than this, due to swampy conditions in the middle of the site.

The two large native trees within the parcel, had surveys conducted around the circumference of each extending to approximately 5–10 m from the base. Notably, under both the paddock trees, heavy browsing pressure was observed, most likely by rabbits, characterized by exposed soil and very short ground cover. Fresh rabbit scat was also observed.

No b. mittagongensis were observed during this survey.

Recommendation

In accordance with NSW Government recommendations, survey of the remainder of the site footprint during the recommended survey period of December through to April, is recommended, however, if that is not feasible, then it is recommended for the remaining sections of the bypass, only areas deemed as suitable habitat for the species be subject to the targeted searches through a preliminary habitat mapping exercise prior to the conduct of the summer 2026/27 searches. Based on our observations of the bypass footprint to date, it is likely that only a subset of the total area would constitute suitable habitat for the species.

Regards,
Patrick Tegart
Biodiversity Projects and Community Education