



Planning

Contact: Kylie Seretis
Phone: (02) 9228 6510
Fax: (02) 9228 6355
Email: kylie.seretis@planning.nsw.gov.au

Our ref: S02/01634-2

Mr Bob Higgins
General Manager, Pacific Highway
NSW Roads and Traffic Authority
PO Box 576
GRAFTON NSW 2460

Attention: Adam Cameron

Dear Mr Higgins

Director General's Requirements for the Environmental Assessment of the Proposed Pacific Highway Upgrade - Warrell Creek to Urunga Project (Major Project 07_0112)

I refer to the above Project and the Director-General's requirements (DGRs) for the environmental assessment of the project, which were issued on 23 September 2007, and the RTA's letter of 23 September 2009 requesting their reissue.

I wish to advise you that in accordance with section 75F(3) of the *Environmental Planning and Assessment Act 1979*, the Director-General has reissued and modified his requirements for the proposed Pacific Highway Upgrade between Warrell Creek to Urunga (Major Project 07_0112). I have attached a copy of the Director-General's requirements (DGRs) for the environmental assessment of the Project. These requirements have been prepared following consultation with the relevant government agencies.

It should be noted that the Director-General's requirements have been prepared based on the information provided to date. Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the proponent seeking approval for the Project.

I would appreciate it if you could contact the Department at least two weeks before you propose to submit the Environmental Assessment for the Project to determine:

- the fees applicable to the application;
- relevant land owner notification requirements;
- consultation and public exhibition arrangements that will apply;
- options available in publishing the Environmental Assessment via the Internet; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessment that will be required.

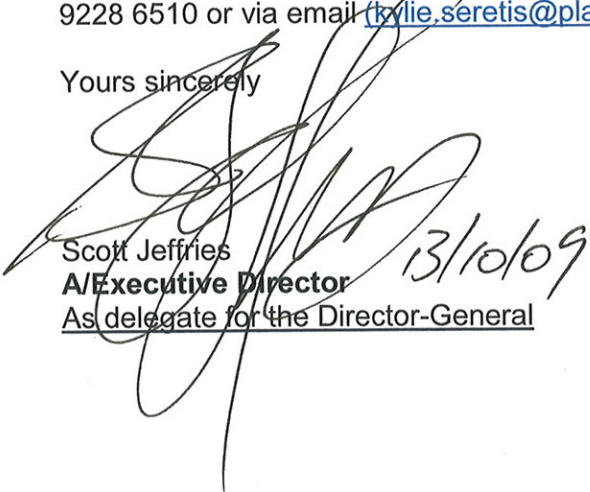
Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGRs. The Department may consult with other relevant government agencies in making this decision. If the Director-General considers that the Environmental Assessment does not adequately address the DGRs, the Director-General may require the proponent to revise the Environmental Assessment to address the matters notified to the proponent. Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days.

If your proposal includes any actions that could have a significant impact on matters of National Environmental Significance, it will require an additional approval under the Commonwealth

Environment Protection Biodiversity Conservation Act 1999 (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Department of the Environment, Water, Heritage and the Arts to determine if an approval under the EPBC Act is required for your proposal. Please note that the Commonwealth Government has accredited the NSW environmental assessment process for assessing impacts on matters of National Environmental Significance. As a result, if it is determined that an approval is required under the EPBC Act, please contact the Department immediately as supplementary Director-General's requirements will need to be issued.

If you have any enquiries about the modified requirements, please contact Kylie Seretis on (02) 9228 6510 or via email (kylie.seretis@planning.nsw.gov.au).

Yours sincerely



Scott Jeffries

A/Executive Director

As delegate for the Director-General

13/10/09

Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number	07_0112
Project	Pacific Highway Upgrade – Warrell Creek to Urunga
Location	An approximately 45 kilometre length of dual carriageway from the existing Allgomera deviation south of Warrell Creek extending for approximately 45 kilometres to the Waterfall Way interchange at Raleigh within the Bellingen Shire and Nambucca Shire Local Government Areas.
Proponent	NSW Roads and Traffic Authority (RTA)
Date issued	13 October 2009
Expiry Date	13 October 2011
General requirements	The Environmental Assessment (EA) must include the following: 1. an executive summary. 2. a detailed description of the Project including: ▪ route alignment and corridor width; ▪ design elements (e.g. requirements for LOS, pedestrian and cyclists, rest areas and service centres etc); ▪ differentiate the limits of the Project with respect to the existing Pacific Highway, including operational/ maintenance responsibilities; ▪ potential staging; ▪ ancillary facilities (e.g. compound site, batching plants etc); and ▪ resourcing (e.g. construction material needs, spoil disposal, natural resource consumption including water). 3. an assessment of the key issues, with the following aspects addressed for each key issue (where relevant): ▪ describe the existing environment; ▪ assess the potential impacts of the proposal at both construction and operation stages, in accordance with relevant policies and guidelines. Both direct and indirect impacts must be considered including potential interactions with the existing Pacific Highway (as relevant); ▪ identify how relevant planning, land use and development matters, (including relevant strategic and statutory matters), have been considered in the impact assessment and/ or in developing management/ mitigation measures; and ▪ describe measures to be implemented to avoid, minimise, manage, mitigate, offset and/or monitor the impacts of the Project (such as staging to facilitate migratory fish and fish passage) and the residual impacts. 4. a draft Statement of Commitments (SoC). The SoC must incorporate or otherwise capture all measures to avoid, minimise, manage, mitigate, offset and/or monitor impacts identified in the impact assessment sections of the EA and ensure that the wording of the SoC clearly articulates the desired environmental outcome of the commitment. The SoC must be achievable, measurable (with respect to compliance), and time specific, where relevant. 5. certification by the author of the Environment Assessment that the information contained in the Assessment is neither false nor misleading.
Key issues	▪ Strategic Justification – outline the strategic outcomes for the Pacific Highway Upgrade Program (PHUP), including with respect to strategic need and justification, the aims and objectives of relevant State planning policies, the principles of Ecologically Sustainable Development, and cumulative and synergistic impacts associated with the Program as a whole. Identify how the project fits within these strategic outcomes and how impacts associated with the project will be considered and managed to achieve acceptable environmental planning outcomes across the PHUP.

- **Project Justification** – describe the need for and objectives of the project; alternatives considered (including an assessment of the environmental costs and benefits of the project relative to alternatives), and provide justification for the preferred project (including interchange locations) taking into consideration the objects of the *Environmental Planning and Assessment Act 1979*.
- **Flora and Fauna** - including but not limited to:
 - threatened terrestrial and aquatic species, populations, ecological communities and/or critical habitat including erosion of genetic stock; and
 - targeted surveys of threatened flora and fauna species including *Marsdenia longiloba* (Slender Marsdenia), *Amorphospermum whitei* (Rusty Plumb), *Acacia chrysotricha* (Newry Golden Wattle), *Acronychia littoralis* (Scented Acronychia) and *Parsonsia dorrigoensis* (Milky Silkpod).
 - terrestrial habitat and biodiversity including native vegetation loss, habitat fragmentation, weed infestation, wildlife and riparian corridors, riparian habitat, and groundwater-dependent communities;
 - aquatic habitat and biodiversity including wetlands, mangroves, and seagrass;
 - regional scale cumulative impacts and the significance of the impacts of the project in the context of the PHUP; and
 - including consideration of draft *Guidelines for Threatened Species Assessment* (DECC/DPI, July 2005) and *Policy and Guidelines for Aquatic Habitat Management and Fish Conservation* (Section 6.4 and 6.5 specifically) (NSW Fisheries, 1999)
- **Land Use and Property** - including but not limited to:
 - directly-affected properties and land uses adjacent to the project, including property access, property allotment, land sterilisation and severance;
 - the connectivity (including pedestrian and cycleway opportunities) and contiguity of existing and planned settlements and activity clusters;
 - the operation of Nambucca Valley Quarry south of Warrell Creek;
 - the operation the Forests NSW estate including potential for fragmentation and sterilisation of resources; and
 - the attainment of the objectives of the *Mid North Coast Strategy* (Department of Planning, March 2009)..
- **Social and Economic** - including but not limited to:
 - regional economic impacts to the agricultural sector taking into account impacts to regional and State Significant farmland as identified in the *Mid-North Coast Farmland Mapping Project* (Department of Planning et al. March 2009).
 - local community socio-economic impacts associated with access, business exposure, land use, property and amenity related changes;
 - land use viability, property infrastructure (ie. sheds, water supplies etc), profitability, productivity, sustainability and natural resource values of businesses (including agricultural producers and Forests NSW); and
 - recreational and commercial fishing operations including oyster priority areas including consideration of the *NSW Oyster Industry Sustainable Aquaculture Strategy 2006*.
- **Visual Amenity and Design** - including but not limited to:
 - Design and landscaping consistent with overall design of the PHUP and the existing (and desired) character of affected localities;
 - identification of impacts to local view sheds and source of impact including bridges, embankments, interchanges and alterations to natural landscape features; and
 - visual significance of the crossings at the Nambucca and Kalang Rivers (including district views across associated floodplains).
- **Noise and Vibration** - including but not limited to:
 - construction noise and vibration including construction traffic noise and blasting impacts;
 - operational road traffic noise impacts on sensitive receivers, including consideration of local meteorological conditions (as relevant) and any secondary noise impacts from proposed noise mitigation measures; and
 - consideration of the following guidelines as relevant: *Environmental Criteria*

	for Road Traffic Noise (EPA 1999), <i>Environmental Noise Management Manual</i> (RTA, 2001), <i>Interim Construction Noise Guideline</i> (DECC, 2009), <i>Assessing Vibration: A Technical Guideline</i> (DEC, 2006). ▪ Aboriginal heritage – including but not limited to: ▪ Aboriginal cultural heritage values of the route, specifically on artefacts, potential archaeological deposits and landscape cultural values (such as watercourses, spur lines and raised areas in floodplains) where relevant; ▪ regional scale cumulative impacts and the significance of the impacts of the project in the context of the PHUP; and ▪ consideration of the draft <i>Guidelines For Aboriginal Cultural Heritage Impact Assessment and Community Consultation</i> (DEC, 2005). ▪ Water - including but not limited to: ▪ water way and wetland water quality taking into account impacts from both accidents and runoff and considering relevant environmental water quality criteria specified in the <i>Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000</i>; ▪ groundwater contamination risk, groundwater use and groundwater users; ▪ demonstrating consideration of the effects of sea level rise, changes to rainfall frequency and/or intensity as a result of climate change on the project; and ▪ changes to existing flood regimes, in accordance with the <i>Floodplain Development Manual</i> (former Department of Natural Resources, 2005), including impacts to existing property and infrastructure and the future development potential of affected land. ▪ Traffic and Transport - including but not limited to: ▪ operational traffic and transport impacts to the local, regional and fire trail networks (existing and planned), including impacts from traffic rerouting and modified access to the upgraded highway; ▪ construction traffic impacts (including spoil haulage); ▪ public transport impacts (including on bus services); and ▪ interactions with rail infrastructure and the viability of a shared road and rail corridor. ▪ Soil and Fill – including but not limited to: ▪ surface, geological and soil characteristics and the potential for soil contamination, soft soils and acid sulfate soils; and ▪ erosion and sedimentation control measures such as retention pond siting, with particular reference to the Gumma Flat tidal and wetland area. Environmental Risk Analysis – notwithstanding the above key assessment requirements, the EA must include an environmental risk analysis to identify potential environmental impacts associated with the project (construction and operation), proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed mitigation measures. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of this additional key environmental impact must be included in the EA.
Consultation	You should undertake an appropriate and justified level of consultation with relevant parties during the preparation of the EA, including but not limited to: ▪ local, State or Commonwealth government authorities and service providers, including the Department of Environment, Climate Change and Water, the Industry and Investment NSW, , Australian Rail Track Corporation, Bellingen Shire Council and Nambucca Shire Council; ▪ Specialist Interest Groups including Local Aboriginal Land Councils, commercial aquatic enterprises such as oyster growers, mineral exploration licence holders, chambers of commerce; and ▪ the public, including affected landowners. The EA must describe the consultation process, document all community consultation undertaken to date and identify the issues raised (including where these have been addressed in the EA).