



NSW GOVERNMENT
Department of Planning

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Our ref: S08/00278-1

Mr Martin Hicks
Manager Environmental Planning and Services
GHD Pty Ltd
PO Box 5403
Hunter Regional Mail Centre NSW 2310

Attention: Shaun Taylor

Dear Mr Hicks

Director General's Requirements for the Environmental Assessment of the Proposed Minimbah Bank Third Track (MP 08_0060)

The Department has received your application for the proposed Minimbah Bank Third Track.

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 Environment, Water, Heritage and the Arts if an approval under the EPBC Act is required for your proposal (6274 1111 or <http://www.environment.gov.au>).

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 these requirements, please contact Glenn Snow, Senior Environmental Planning Officer, Major Infrastructure Assessments on 02 9228 6352 or via email (glenn.snow@planning.nsw.gov.au).

Yours sincerely



18.4.08

Chris Wilson
Executive Director
Major Project Assessments
As delegate for the Director-General

Director-General's Requirements

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

Application	08_0060
Project	A third track adjacent to the existing Up main line at a revised grade of 1:100 in comparison to the grade of the existing main line of 1:80. The major elements of the third track include approximately 10.8km of track and earthworks, 3 new rail under bridges, grade separation of Range Road level crossing, replacement and realignment of the Golden Highway overbridge, services relocation, signalling works and property acquisition.
Location	Minimbah, approximately 16 km south of Singleton and north for approximately 10.8km to an area known as Whittingham.
Proponent	Australian Rail Track Corporation
Date issued	18 April 2008
Expiry date	18 April 2010
General requirements	The Environmental Assessment (EA) must include the following: 1. an executive summary. 2. a detailed description of the Project including (but not limited to): ▪ location, corridor, and planning context; ▪ project components and design elements (including rail infrastructure; ancillary facilities and interactions with utilities); ▪ construction and operational characteristics (including site compounds); and ▪ project staging and timing. 3. an assessment of the key issues, with the following aspects described and addressed for each key issue (where relevant): ▪ the significance of the existing environment; ▪ the potential impacts of the proposal at construction and operation stages. Direct, indirect and cumulative impacts must be considered; ▪ relevant planning, land use and development matters (including relevant strategic and statutory matters) considered in the impact assessment and/or in developing management/ mitigation measures; and ▪ measures to be implemented to avoid, minimise, manage, mitigate, offset and/or monitor the impacts of the project; and ▪ any residual impacts. 4. a draft Statement of Commitments (SoC). The SoC must incorporate or otherwise capture 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. 5. certification by the author of the Environment Assessment that the information contained in the Assessment is neither false nor misleading.
Key issues	Strategic and Project Justification – strategically justify the project taking into consideration the objects of the <i>Environmental Planning and Assessment Act 1979</i>, the projects consistency with the aims and objectives of relevant State policies (<i>State Plan</i>, <i>State Infrastructure Strategy</i>) and the project objectives. Ecology - including but not limited to: ▪ flora, fauna and habitat, with specific consideration of the Hunter lowland red gum forest, River-flat eucalypt forest and Swamp oak floodplain forest communities, and associated threatened and endangered populations and species, including <i>Eucalyptus glaucina</i>, and <i>Eucalyptus camaldulensis</i>; ▪ habitat fragmentation, foraging, roosting and nesting habitat loss, and rail traffic strikes; ▪ taking into account of the <i>Draft Guidelines for Threatened Species Assessment (DEC)</i>, <i>Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities (DEC)</i>, <i>Guidelines for the Assessment of Aquatic Ecology in EIA (DoP)</i> and <i>Fish Passage Requirements for Waterway Crossings (NSW Fisheries)</i>.

	Cultural Heritage - including but not limited to: - Indigenous Heritage – objects, places of significance, natural and landscape values of the corridor and surrounding area, taking into account the <i>Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation</i> (DEC). Land Use and Access - including but not limited to: - access to, within and across the corridor (road and rail); - transport infrastructure (interaction with existing and proposed rail, road and air infrastructure), taking into account of <i>Road Design Guide</i> (RTA) and relevant Austroads guidelines and Australian Standards; - traffic movement and management (haulage routes, traffic control and safety); and - land use and property (interaction with the proposed Whittingham industrial area, acquisition, access, business and infrastructure impacts). Noise and Vibration - including but not limited to: - noise and vibration impacts on receivers, taking into account Chapter 171 of the <i>Environmental Noise Control Manual, Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects</i> (DECC/DoP), and <i>Environmental Noise Management Assessing Vibration: a technical guide</i> (DEC). Hydrology – including but not limited to: - effects of flooding on the project, and project effects on flood characteristics (on surrounding land, property and infrastructure). A range of flood events (including the PMF) shall be assessed in all flood prone areas within and adjoining the corridor; - water and stormwater (use, receiving water bodies and creek crossings, water quality and drainage systems,), taking into account the <i>Managing Urban Stormwater: Soils and Construction</i> (Landcom) guidelines; and - groundwater resources (characteristics, users, interception, use and groundwater dependent ecosystems). Soils and Geology – including but not limited to: - bulk earthworks (excavations, resource conservation and spoil balance, embankments and retaining structures); and - soil characteristics and land contamination (including a Remedial Action Plan, if required), taking into account the <i>Managing Land Contamination Guidelines</i> (DUAP).
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 including: Department of Environment and Climate Change, Department of Primary Industries, Department of Water and Energy, Singleton Council; - service and infrastructure providers including: Roads and Traffic Authority, RailCorp and Rail Infrastructure Corporation; - specialist interest groups including Local Aboriginal Land Councils; and - the public, including adjoining and affected landowners and businesses and the Department of Defence. The EA must describe the consultation process undertaken and identify the issues raised (including where these have been addressed in the EA).