

Appendix B

Director-General's Requirements



NSW GOVERNMENT
Department of Planning

Contact: Lisa Chan
Phone: (02) 9228 6226
Fax: (02) 9228 6355
Email: lisa.chan@planning.nsw.gov.au

Our ref: S08/01176-1

Mr Charlie Blomfield
Manager Hume Highway Office
NSW Roads and Traffic Authority
PO Box 484
WAGGA WAGGA NSW 2450

Dear Mr Blomfield

Director General's Requirements for the Environmental Assessment of Proposed Hume Highway Upgrade, Woomargama Bypass (Application Reference: MP 08_0237)

The Department has received your project application for the proposed bypass of Woomargama on the Hume Highway.

I have attached a copy of the Director-General's requirements (DGRs) for the environmental assessment of the Project. These requirements have been prepared in consultation with relevant government agencies, and their submissions have been included for your reference. I have also attached a list of relevant guidelines that you may wish to refer to during the preparation of the Environmental Assessment (EA).

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; 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.

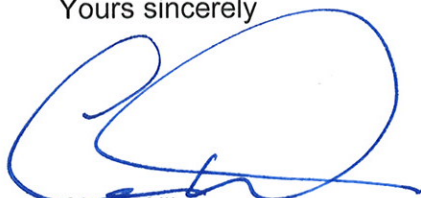
If your proposal includes any actions that could have a significant impact on matters of National Environmental Significance, it will require an additional approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to 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 (02 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 Lisa Chan on (02) 9228 6226 or via email lisa.chan@planning.nsw.gov.au.

Yours sincerely



10.12.09

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 number	08_0237
Project	Hume Highway Upgrade – construction of a 9km dual carriageway bypass of Woomargama
Location	Woomargama on the Hume Highway, within the Greater Hume Local Government Area
Proponent	NSW Roads and Traffic Authority
Date issued	10 December 2008
Expiry date	10 December 2010
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. construction of temporary crossings, bridges, culverts, creek diversions, geotechnical investigations, excavating or reclaiming the bed or banks of any waterways, requirements for level of service (LOS), pedestrian and cyclists facilities etc); ▪ 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 (direct, indirect and cumulative) at both construction and operation stages, in accordance with relevant policies and guidelines; ▪ 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 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 EA that the information contained in the Assessment is neither false nor misleading.
Key issues	▪ Strategic Justification – describe the strategic need, justification and objectives for the project (including performance indicators), and consistency with the aims and objectives of relevant National and State planning policies and provisions, such as the <i>National Land Transport Plan (Auslink)</i> and <i>State Infrastructure Strategy – New South Wales 2008-09 to 2017-2018</i>. ▪ Project Justification – describe the need for and objectives of the project; alternatives considered and justification for the preferred project taking into consideration the objects of the <i>Environmental Planning and Assessment Act 1979</i> and the following: ○ the environmental, social and economic impacts of the project; ○ the suitability of the site; and ○ whether or not the project is in the public interest. ▪ Traffic and Transport - including but not limited to: ○ demonstrate how the preferred route and road design meets the traffic

	and transport objectives for the project, particularly with respect to increasing infrastructure handling capacity and efficiency, and improving transport productivity on nationally strategic and export-oriented freight corridors; ○ construction traffic impacts, including spoil haulage, and potential disruption to existing school bus services and travelling stock routes; ○ operational traffic and transport impacts to the local and regional road network, including direct impacts from replacement of the existing highway that currently passes through the town centre; ○ traffic capacity of the proposal and its ability to cater for predicted growth. Consideration should be given to what effect potential major land use changes in the locality may have on the traffic assessment outcomes; and ○ opportunity for the provision of cycle way connections along the highway and to adjoining communities. ▪ Noise and Vibration - including but not limited to: ○ construction noise and vibration, including construction traffic noise and blasting impacts; ○ operational road traffic noise impacts including consideration of local meteorological conditions (as relevant) and any additional reflective noise impacts from proposed noise mitigation barriers; and ○ the assessment must take into account the following guidelines as relevant: <i>Environmental Criteria for Road Traffic Noise</i> (EPA, 1999), <i>Environmental Noise Management Manual</i> (RTA, 2001), <i>Draft Noise Control Guidelines</i>, <i>Construction Site Noise</i> (formerly published as chapter 171 of the EPA's <i>Environmental Noise Control Manual</i>), <i>Assessing Vibration: A Technical Guideline</i> (DEC, 2006); and <i>Technical Basis for Guidelines to Minimise Annoyance Due to Blasting Overpressure and Ground Vibration</i> (ANZECC, 1990). ▪ Flora and Fauna - including but not limited to: ○ assessment of threatened terrestrial and aquatic species, populations, ecological communities and/or critical habitat, consistent with the <i>Threatened Species Assessment Guidelines</i> (DECC, 2007), including details on the existing site conditions and quantity and likelihood of disturbance; ○ targeted surveys of threatened flora and fauna species, including White Box, Yellow Box, Blakely's Red Gum Woodland, Hooded Robin, Brown Treecreeper and Squirrel Glider; and ○ native vegetation loss; weed infestation; habitat fragmentation; impacts to wildlife corridors including riparian corridors; and impacts to groundwater dependent communities, riparian and aquatic habitat. ▪ Aboriginal Heritage - including but not limited to: ○ detailed archaeological heritage assessment, including archaeological survey to determine the extent of Aboriginal occupation and land use; and ○ cultural heritage assessment to identify the cultural value of the area to Aboriginal people in the present and historically. ▪ Social and Economic - including but not limited to: ○ the agricultural sector taking into account the fragmentation and potential loss of prime agricultural land, stock diseases and the impact of a revised road network on quarantined properties and travelling stock reserves/route; ○ local community socio-economic impacts arising from changes to landuse, property, amenity and connectivity; and ○ business (including agribusinesses) impacts including the overall viability, profitability, productivity and sustainability of businesses. ▪ Surface and Ground Water – including but not limited to: ○ site water demands and water supply; ○ existing and proposed water licensing requirements under the <i>Water Act 1912</i> and <i>Water Management Act 2000</i>; ○ impacts to watercourses, riparian corridors, wetlands and groundwater dependent ecosystems; ○ identify changes to existing flood regimes in accordance with the NSW Floodplain Development Manual (2005); and
--	---

	○ impacts on water supply for identified local agri-bussinesses. ▪ Environmental Risk Analysis (ERA) – 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: ▪ local, State or Commonwealth government authorities and service providers including the Department of Environment and Climate Change, the Department of Primary Industries, the Department of Water and Energy, the Heritage Office and the Greater Hume Shire Council; ▪ specialist interest groups, including Local Aboriginal Councils; 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).



NSW GOVERNMENT

Department of Planning

Relevant Guidelines - For Reference

Soils and Water

Managing Urban Stormwater: Soils and Construction (Landcom, 2004)

NSW Groundwater Dependent Ecosystem Policy (Department of Land and Water Conservation, 2002)

NSW Ground Quantity Management Policy (Department of Land and Water Conservation) Draft

NSW Groundwater Quality Protection Policy ((Department of Land and Water Conservation, 1998)

NSW State Rivers and Estuaries Policy (NSW Water Resources Council, 1993)

Heritage

Draft Guideline for Assessment of Impacts on Aboriginal Heritage under Part 3A (Department of Planning, 2005)

Aboriginal Cultural Heritage: Standards and Guidelines (DECC, 2005)

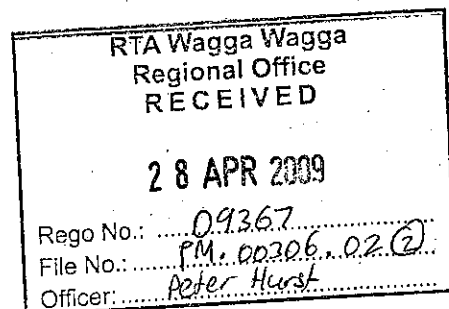
The Australia ICOMOS Charter for the Conservation of Places and Cultural Significance (The Burra Charter). Guidelines to the Burra Charter (Australia International Council on Monuments and Sites, 1987)

Air Quality

Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DECC, 2005)

Your reference: A. Cook email 9 April 2009, Subject: Woomargama Bypass Ecological Report
Our reference: DOC 09/18793; LIC 08/216
Contact: Matt Cameron, 02 6022 0605

Mr Peter Hurst
Development Manager
Hume Highway Office
PO Box 484
WAGGA WAGGA NSW 2650



Dear Mr Hurst

WOOMARGAMA BYPASS ENVIRONMENTAL ASSESSMENT

I refer to the email of 9 April 2009 from the RTA's Andrew Cook concerning the Woomargama Bypass. Attached to this email was a copy of the report '*Woomargama Bypass Preliminary Ecological Investigation, August 2007*'. The email sought advice on whether the information contained in the attached report, in conjunction with other existing data, was sufficient to allow the preparation and exhibition of the Environmental Assessment for the Woomargama Bypass.

As noted in the above email, and documented in the '*Woomargama Bypass Preliminary Environmental Assessment November 2008*', the environmental assessment of the project requires the collection of additional ecological information. The RTA has advised that collection of this information is not possible at present due to difficulties in gaining access to the study area, and that delaying the exhibition of the Environmental Assessment until this information is obtained means that accelerated timeframes established for the project by Federal Government funding under the Nation Building Program are unachievable.

The Department of Environment and Climate Change (DECC) does not object to the RTA preparing and exhibiting an Environmental Assessment for the project based on the presently available information. This view is informed by the circumstances detailed above and the knowledge that the route selection process identified the western corridor as having relatively fewer biodiversity impacts. The assessment of biodiversity impacts in any such Environmental Assessment would need to be precautionary. Commitment to the full suite of mitigation measures is required.

It is important that commitments made by the RTA (see Andrew Cook's email) to undertake additional ecological surveys and incorporate the results of these surveys into the planning process are fulfilled. This information will allow for a more complete understanding of biodiversity impacts and assist in developing mitigation measures. Meeting these commitments will require comprehensive fauna and flora surveys under appropriate environmental conditions once access to the relevant lands is obtained. At a minimum, additional survey for Squirrel Gliders, woodland birds and threatened plants is required. Consideration needs to be given to further survey of other fauna groups.

PO Box 544 Albury NSW 2640
Level 4, Albury City Council
553 Kiewa Street Albury NSW
Tel: (02) 6022 0600 Fax: (02) 6022 0610
ABN 30 841 387 271
www.environment.nsw.gov.au

Department of **Environment and Climate Change** NSW

Apart from targeted fauna and flora survey, additional vegetation mapping and habitat assessment may be required at the site and landscape scale to meet the requirements of any methodology employed to determine biodiversity offsets. Data will often need to be collected in a specific manner, and previously collected information may not always be readily transferable.

The description and mapping of vegetation communities in the report '*Woomargama Bypass Preliminary Ecological Investigation, August 2007*' requires clarification. A large remnant of native vegetation cut by the western corridor at around 126000 is described/mapped variously as Box-Gum Woodland, marginal Box-Gum Woodland, a 'cleared area with scattered trees' and a 'cleared area of low value vegetation'. A map provided by RTA showing vegetation impacts (provided 20 April 2009) describes this remnant as 'other tree cover'. Based on the information presented, it appears likely that this remnant meets the NSW definition of the Box-Gum Woodland Endangered Ecological Community. It is unclear how areas devoid of tree cover but potentially supporting native vegetation and constituting Box-Gum Woodland have been treated in the assessment. Further investigation and detailed mapping may be required to resolve this issue.

If you have any questions in relation to the above, do not hesitate to contact Matt Cameron at this office on (02) 6022 0605.

Yours sincerely

Mark Enright 23/4/09

MARK ENRIGHT
Acting Head, Albury Unit
Environment Protection & Regulation Group



NSW GOVERNMENT

Department of Planning

Contact: Lisa Chan
Phone: (02) 9228 6226
Fax: (02) 9228 6355
Email: lisa.chan@planning.nsw.gov.au

Mr Charlie Blomfield
Manager Hume Highway Office
NSW Roads and Traffic Authority (RTA)
PO Box 484
WAGGA WAGGA NSW 2450

Our ref: S08/01176-1

Attn: Peter Hurst

Dear Mr Blomfield

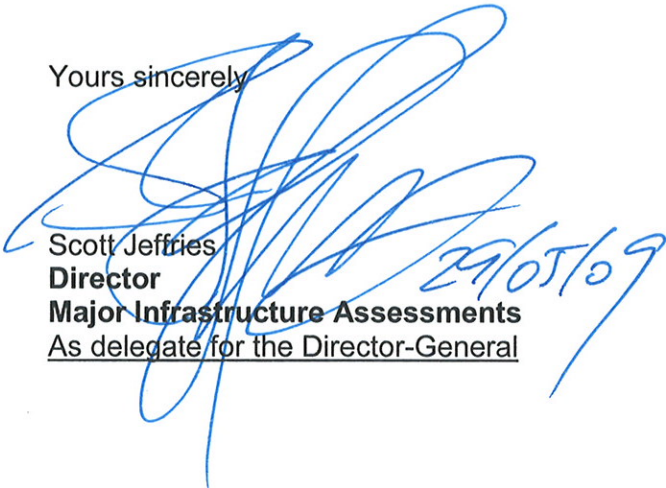
Proposed Hume Highway Upgrade, Holbrook Bypass (MP 08_0138), Woomargama Bypass (MP 08_0237) and Tarcutta Bypass (MP 08-0139)

I refer to the Director-General's Requirements (DGRs) for the Environmental Assessment of the proposed Holbrook, Woomargama and Tarcutta bypasses issued on 2 and 10 December 2008 and 5 January 2009, respectively.

In response to the RTA's request for clarification on the appropriate assessment methodology for construction noise, the Department has liaised with the Department of Environment and Climate Change, which has advised that the draft NSW Construction Noise Guidelines have not been finalised. Accordingly, the Director-General requires that the construction noise assessment take into account chapter 171 of the Environmental Noise Control Manual.

Should you have any queries relating to this matter, please contact Ms Lisa Chan, Environmental Planning Officer, on 9228 6226.

Yours sincerely


Scott Jeffries
Director
Major Infrastructure Assessments
As delegate for the Director-General

