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Our ref: S09/00555-1

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

Dear Mr Higgins

**Director General's Requirements for the Environmental Assessment of Proposed Pacific Highway Upgrade between Wells Crossing to Iluka Road - Glenugie segment**

The Department has received your application for the proposed Pacific Highway Upgrade between Wells Crossing and Iluka Road – Glenugie segment (Application Number: 09\_0073).

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 the Planning Focus Meeting held on Thursday, 9 April 2009 and in 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:

- 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 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 Kylie Seretis on (02) 9228 6510 or Michael Young on (02) 9228 6437.

Yours sincerely

  
Sam Haddad  
**Director-General**  
16/4/2009.

## Director-General's Requirements

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

<b>Application number</b>	09_0073
<b>Project</b>	Pacific Highway Upgrade – Wells Crossing to Iluka Road Glenugie Upgrade section
<b>Location</b>	Starting south of Franklins Road, running east of the Pacific Highway and reconnecting to the existing highway at the proposed Glenugie interchange (a distance of approximately 7km) within the Clarence Valley Local Government Area
<b>Proponent</b>	Roads and Traffic Authority
<b>Date issued</b>	16/04/09
<b>Expiry date</b>	16/04/11
<b>General requirements</b>	<p>The Environmental Assessment must include the following:</p> <ol style="list-style-type: none"> <li>1. an <b>executive summary</b>.</li> <li>2. a <b>description</b> of the project including: <ul style="list-style-type: none"> <li>▪ route alignment of the project, including an indication of areas for widened or new carriageways, on/ off ramps, breakdown lanes and associated and ancillary facilities;</li> <li>▪ key design elements of the project, including carriageway, bridging works and connections with existing road infrastructure; and</li> <li>▪ construction facilities, including construction compounds, lay-down areas and spoil stockpiling/ management areas.</li> </ul> </li> <li>3. an <b>assessment of the key issues</b>, with the following aspects addressed for each key issue (where relevant): <ul style="list-style-type: none"> <li>▪ description of the existing environment;</li> <li>▪ assessment of the potential impacts (both direct and indirect) of the project for both construction and operation stages, in accordance with relevant policies and guidelines;</li> <li>▪ identification of 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</li> <li>▪ description of measures to be implemented to avoid, minimise, manage, mitigate, offset and/or monitor the impacts of the project and any residual impacts.</li> </ul> </li> <li>4. a <b>draft Statement of Commitments</b> incorporating or otherwise capturing measures to avoid, minimise, manage, mitigate, offset and/or monitor impacts identified in the impact assessment sections of the Environmental Assessment. The Statement of Commitments must clearly articulate the desired environmental outcome of the commitment. The Statement of Commitments must be achievable, measurable (with respect to compliance), and time-specific, where relevant.</li> <li>5. <b>certification</b> by the author of the Environment Assessment that the information contained in the Assessment is neither false nor misleading.</li> </ol>
<b>Key issues</b>	<ul style="list-style-type: none"> <li>▪ <b>Strategic Justification and Project</b> – the Environmental Assessment must 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. The</li> </ul>

Environmental Assessment must 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** – the Environmental Assessment must 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 taking into consideration the objects of the *Environmental Planning and Assessment Act 1979*. The Environmental Assessment must also indicate how the project fits in the context of separate future works to be undertaken for the Wells Crossing to Iluka Road Pacific Highway Upgrade project.
- **Impacts on Ecology** – the Environmental Assessment must include an assessment of the potential ecological impacts of the project, with specific reference to the need for vegetation clearing and the associated habitat and connectivity implications for the range of species present. The Environmental Assessment must make specific reference to impacts on threatened species, populations and communities, particularly the Square-fruited Ironbark (*Eucalyptus tetrapleura*) and Weeping paperbark (*Melaleuca irbyana*). The Environmental Assessment must also make specific reference to impacts on the ecology of the Glenugie State Forest. Assessment of ecological impacts must be undertaken in accordance with the guidance provided in draft *Guidelines for Threatened Species Assessment under Part 3A* (DECC, 2006) and *Significant Impact Guidelines* (DEWHA, 2006), as relevant.
- **Impacts on Channel Structure – Receiving environments** – the Environmental Assessment must include a geomorphic assessment of channel structure for all receiving waterways. The assessment must consider potential increase in the frequency and intensity of storm events and increased runoff from paved surfaces to determine potential impacts on the structural integrity of receiving environments. The assessment should also consider the potential impacts of flow concentration due to all proposed (and existing) drainage structures with respect to the above. The scope of assessment is to include all ephemeral drainage lines likely to receive increased or concentrated runoff from the development in addition to Glenugie Creek, the main receiving waterway, for the length of the proposed development (CH4415 – CH8500).
- **Operational Traffic and Transport Implications** – the Environmental Assessment must include an assessment of the operational impacts of the project on the surrounding road network, safety implications for the Pacific Highway and relevant local roads, and impacts on local property access.
- **Operational Noise Impacts** – the Environmental Assessment must include an assessment of the noise impacts of the project during operation, consistent with the guidance provided in *Environmental Criteria for Road Traffic Noise* (EPA, 1999). The assessment must include specific consideration of impacts to sensitive receivers (schools, hospitals, aged care facilities) and sensitive structures, as relevant.
- **Aboriginal Cultural Heritage** – the Environmental Assessment must include an assessment of the potential Aboriginal cultural heritage impacts of the project, including an assessment of objects, places of significance, natural and landscape values of the corridor and surrounding area, taking into account the *Draft Guidelines for Aboriginal*

*Cultural Heritage Impact Assessment and Community Consultation* (DEC, July 2005).

- **General Construction Impacts** – the Environmental Assessment must consider the potential impacts associated with the construction of the project, and present a management framework for construction works to ensure that impacts are mitigated, monitored and managed. The Environmental Assessment must include consideration of, and a management framework for:
  - construction noise and vibration, including a considered approach to scheduling construction works having regard to the nature of construction activities (including transport, blasting and tonal or impulsive noise-generating works), the intensity and duration of noise and vibration impacts, the nature, sensitivity and impact to potentially-affected human receivers and structures, the need to balance timely conclusion of noise and vibration-generating works with periods of receiver respite, and other factors that may influence the timing and duration of construction activities (such as traffic or spoil management). The Environmental Assessment must also present a strategy for monitoring and mitigating construction noise and vibration, with a particular focus placed on those activities identified as having the greatest potential for adverse noise or vibration impacts, and a broader, more generic approach developed for lower-risk activities;
  - construction traffic including a considered approach to route identification and scheduling of transport movements, having regard to alternatives to road transport, the number, frequency and size of construction related vehicles (both passenger, commercial and heavy vehicles), the nature of existing traffic on construction access routes (with consideration of peak traffic times and sensitive road users, including emergency vehicles and buses), the need to close, divert or otherwise reconfigure elements of the road network associated with construction of the project, and how construction traffic impacts will be managed to minimise any potential for cumulative traffic impacts. The Environmental Assessment must also present a strategy for monitoring and mitigating traffic impacts, with a particular focus placed on those activities identified as having the greatest potential for adverse traffic flow, capacity or safety implications, and a broader, more generic approach developed for day-to-day traffic management; and
  - erosion, sedimentation, water quality and riparian management issues for works in and around watercourse crossings. The Environmental Assessment must specifically consider how construction of the project at watercourse crossings will be undertaken and managed to minimise the potential for impacts on riparian vegetation, fish passage and water quality in the watercourse for the duration of construction works.
- **Environmental Risk Analysis** – notwithstanding the above key assessment requirements, the Environmental 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 Environmental Assessment.

<b>Consultation</b>	<p>The Environmental Assessment must reflect an appropriate and justified level of consultation with relevant stakeholders during the preparation of the Environmental Assessment, including:</p> <ul style="list-style-type: none"><li>▪ the Department of Environment and Climate Change;</li><li>▪ the Department of Water and Energy;</li><li>▪ the Department of Primary Industries;</li><li>▪ Clarence Valley Council; and</li><li>▪ relevant public stakeholders, including special interest groups and affected landowners.</li></ul> <p>The Environmental Assessment must outline the consultation process, document all community consultation undertaken to date and identify the issues raised (including where these have been addressed in the Environmental Assessment).</p>
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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 (DECC, 2005)

Aboriginal Cultural Heritage: Standards and Guidelines Kit (DECC, 1997)

The Australia ICOMOS Charter for Places of Cultural Significance (Burra Charter). (Australia ICOMOS, 1999)

Assessing Heritage Significance 2001 NSW Heritage Office

### Air Quality

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

### Noise and vibration

NSW Industrial Noise Policy (EPA, 1999)

NSW Environmental Criteria for Road Traffic Noise (EPA, 1999)

Chapter 171 Noise Control Guideline, Construction Site Noise, Environmental Noise Control Manual, 1994.

Technical Basis to Guidelines to Minimise Annoyance Due to Blasting Overpressure and Ground Vibration (ANZECC 1990)

Assessing vibration: a technical guideline (DEC 2006)

### Assessing Threatened Species Impacts

Draft Guidelines for Threatened Species Assessment - (DECC 2006).

Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities, Working Draft November 2004. Available from the DECC website.

Guidelines for the Translocation of Threatened Plants in Australia available from the Australian Network for Plant Conservation (ANPC), Australian Department of Environment and Heritage.