

Director-General's Requirements

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

Application	MP 10_0094
Project	<p>Nundah Bank Third Track Project</p> <p>The construction of approximately 4.26 km of new track and ancillary infrastructure to provide for a new Up side track in a parallel configuration to the existing Main Northern Railway line and vehicular maintenance access tracks on both sides of the new track. Associated works include:</p> <ul style="list-style-type: none"> • tracks, turn outs, return curves and changes to Camberwell Mine Rail Junction; • major earthworks, track formation, drainage and minor structures; • signalling system; • modification to existing Rix's Creek mine haul road rail overbridge; and • ancillary infrastructure.
Location	At Nundah Bank near Rix's Creek in the NSW Hunter Valley. Located between the towns of Singleton and Camberwell.
Proponent	Australian Rail Track Corporation
Date issued	27 July 2010
Expiry date	27 July 2012
General requirements	<p>The Environmental Assessment (EA) must include the following:</p> <ol style="list-style-type: none"> 1. an executive summary. 2. a detailed description of the project including: <ul style="list-style-type: none"> ▪ location, site description, corridor, adjoining land uses (current and proposed) and planning context; ▪ key design elements of the project, including: <ul style="list-style-type: none"> ○ key operational components (track components, signalling systems etc); ○ ancillary operational components (access tracks, bridging structures, vehicular access); ▪ public and private property and infrastructure interactions; ▪ operational characteristics, including predicted rail corridor capacity, rail traffic frequency and interactions with and opportunities for increased general freight and passenger trains; ▪ construction facilities and resources, including construction compounds, lay-down areas, spoil/fill quantities, stockpiling/ management areas and haul roads, and water use; and ▪ project staging and timing (if proposed). 3. an assessment of the key issues, with the following aspects addressed for each key issue (where relevant): <ul style="list-style-type: none"> ▪ the existing environment and its significance; ▪ planning, land use, development and licensing matters (including strategic and statutory matters); ▪ the potential impacts (direct, indirect and cumulative) of the project at both construction and operation stages, in accordance with relevant policies and guidelines, and how the project has been designed to minimise these impacts; ▪ description of 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 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. 5. certification by the author of the Environmental Assessment 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 its consistency with the aims and objectives of relevant State policies and publications, such as the *NSW State Plan*.

Project Justification – identify alternatives to the preferred project considered (including the alignment), and justify the project taking into consideration the objects of the *Environmental Planning and Assessment Act 1979*.

General Construction Impacts – the Environmental Assessment must assess the impacts of, and present a management framework for:

- site compounds and ancillary construction locations, with consideration given to:
 - the identification and assessment of both primary and secondary site compounds and facilities (including waste and chemical storage) on the receiving environment; and
 - a strategy for managing site compounds, with a particular focus placed on primary site compounds, and a broader, more generic approach developed for lower-risk activities;
- noise and vibration, with consideration given to:
 - the intensity and duration of noise and vibration impacts from all activities and sources on and off site;
 - the nature, sensitivity and impact to potentially affected receivers and structures,
 - scheduling construction works having regard to the nature of construction activities (including transport, blasting and tonal or impulsive noise-generating works),
 - a strategy for managing 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; and
 - the *Interim Construction Noise Guidelines* (DECC, 2009) and *Assessing Vibration: A Technical Guideline* (DEC, 2006);
- transport and access, including a considered approach to minimising construction traffic impacts on public and private access. Consideration should be given to:
 - construction traffic impacts, including spoil haulage, road network changes and potential disruption to the local and regional road network;
 - rail traffic impacts; and
 - a strategy for managing rail and road traffic impacts, with a particular focus placed on those activities identified as having the greatest potential for adverse traffic flow, access or safety implications, and a broader, more generic approach developed for day-to-day traffic management.
- earthworks, including a considered approach to minimising impacts associated with the excavation, movement, stockpiling, rehabilitation and disposal of spoil and fill, with consideration given to:
 - soil characteristics, including acid sulphate soils and potential land contamination;
 - quantification of bulk earthworks and spoil balance and disposal of excess spoil;
 - erosion and sedimentation control measures at excavation, storage and placement locations to protect adjoining watercourses;
 - air quality impacts on sensitive receivers, in particular cumulative impacts from adjacent mining operations; and
 - a strategy for managing earthworks with a particular focus on those works that have the greatest potential to disturb soils that are contaminated, have a high erosion and run off hazard and adverse impacts on watercourses, and a broader, more generic approach developed for ongoing construction management.

Heritage – including but not limited to:

- Indigenous heritage, objects, places of significance, natural and landscape values of the site and surrounding area, taking into account the *Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation* (DEC, 2005); and
- Non-Indigenous heritage, identification of items, archaeology and areas of heritage significance within, along or adjacent to the corridor or affected by construction activities (including the Middle Falbrook Road Bridge). This should include an analysis of the potential impacts to the values, settings and integrity of the items and archaeology, taking into account NSW Heritage Guidelines.

	<p>Ecology – including but not limited to:</p> <ul style="list-style-type: none"> ▪ flora, fauna and habitat, with specific consideration of Endangered Ecological Communities, threatened flora, fauna and populations; ▪ vegetation clearing (and resultant foraging, roosting, habitat loss, fragmentation, connectivity and edge effects) and operational impacts (such as increase in rail movements); and ▪ consideration of: <i>the Draft Guidelines for Threatened Species Assessment</i> (DEC and DPI, 2005), <i>Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities</i> (DEC, 2004) and <i>Principles for the Use of Biodiversity Offsets in NSW</i> (DECCW, 2008). <p>Air, Noise and Water – including but not limited to:</p> <ul style="list-style-type: none"> ▪ air, noise and vibration impacts along the corridor associated with rail operations and ongoing maintenance, including where relevant, specific consideration of impacts to sensitive receivers; ▪ surface and groundwater resources and infrastructure, including existing water quality management features; and ▪ consideration of: <i>Interim Guidelines for the Assessment of Noise from Rail Infrastructure Projects</i> (DECC/DoP, 2007), <i>Assessing Vibration: A Technical Guideline</i> (DEC, 2006), and <i>Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in New South Wales</i> (EPA, 2005). <p>Transport and Land Use - including but not limited to:</p> <ul style="list-style-type: none"> ▪ interactions with the broader transport network, including passenger rail services and the road network; ▪ interactions with current and future land uses and resources (such as adjoining agricultural and mine development, sterilisation of mineral resources, and subsidence issues); and ▪ land use impacts on affected and surrounding properties and development, including acquisition, severance, access, business viability, property infrastructure impacts and mineral resources exploration.
<p>Environmental Risk Analysis</p>	<p>Notwithstanding the above key assessment requirements, the Environmental Assessment 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.</p>
<p>Consultation</p>	<p>The Environmental Assessment must demonstrate that an appropriate and justified level of consultation with relevant stakeholders occurred during the preparation of the Environmental Assessment including (but not limited to):</p> <ul style="list-style-type: none"> ▪ local, State or Commonwealth government authorities including: <ul style="list-style-type: none"> ○ Department of Planning (Heritage Branch); ○ Department of Environment, Climate Change and Water (including the NSW Office of Water); ○ NSW Department of Industry and Investment; ○ Transport NSW; ○ NSW Mine Subsidence Board; ○ Singleton Shire Council; ▪ service and infrastructure providers including: <ul style="list-style-type: none"> ○ NSW Roads and Traffic Authority; ○ RailCorp; ○ Country Rail Infrastructure Authority; ▪ specialist interest groups including Local Aboriginal Land Councils and minerals related stakeholders; and ▪ the public, including adjoining and affected landowners and businesses (eg Integra Coal and Rix's Creek mines). <p>The Environmental Assessment must describe the consultation process undertaken and identify the issues raised (including where these have been addressed in the document).</p>