

# Director General's Environmental Assessment Requirements

## Section 115Y of the *Environmental Planning and Assessment Act 1979*

<b>Application number</b>	SSI-4992
<b>Infrastructure Project</b>	<p><b>Hexham Relief Roads</b> – development of five Relief Roads (train lines) and associated infrastructure. Key components of the proposal comprise:</p> <ul style="list-style-type: none"> <li>• five Up Relief Roads (train lines) to the west of the existing Up and Down Mains and between the existing Up Coal and a new Down Coal Mains, including: <ul style="list-style-type: none"> <li>• the removal of the existing Down Coal, and the construction of a new Down Coal;</li> <li>• the construction of five new train lines (tracks) for the Relief Roads;</li> <li>• each Relief Road to store a minimum of 91 wagons requiring a minimum standing room of 1,670 metres; and</li> <li>• new turnouts, return curves and other track changes;</li> </ul> </li> <li>• installing new signal infrastructure for the five Relief Roads; and</li> <li>• ancillary infrastructure and access tracks.</li> </ul>
<b>Location</b>	Land generally located adjacent to the Pacific Highway and Hexham Railway Station, between the towns of Tarro and Sandgate.
<b>Proponent</b>	Australian Rail Track Corporation (ARTC)
<b>Date issued</b>	14 December 2011
<b>General requirements</b>	<p>The Environmental Impact Statement (EIS) must be prepared in accordance with and meet the minimum requirements of Part 3 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i> (the Regulation), and include the following:</p> <ol style="list-style-type: none"> <li>1. the information required by clause 6 of Schedule 2 of the Regulation; and</li> <li>2. the content listed in clause 7 of Schedule 2 of the Regulation, including but not limited to: <ul style="list-style-type: none"> <li>• a summary of the environmental impact statement;</li> <li>• a statement of the objectives of the project, including a description of the strategic need and justification of the project, and objectives of the relevant strategic planning and transport policies, including NSW 2021 and <i>the Lower Hunter Regional Strategy</i>;</li> <li>• a description of the project's relationship and/or interaction with the adjoining proposed Hexham Redevelopment Project (QR National Project);</li> <li>• an analysis of feasible alternatives to the carrying out of the project and project justification, including: <ul style="list-style-type: none"> <li>➢ an analysis of alternatives/ options considered, having regard to the project objectives (including an assessment of the environmental costs and benefits of the project relative to alternatives and the consequences of not carrying out the project), and whether or not the project is in the public interest, and</li> <li>➢ justification for the preferred project taking into consideration the objects of the <i>Environmental Planning and Assessment Act 1979</i>.</li> </ul> </li> <li>• an analysis of the project, including an assessment, with a particular focus on the requirements of the listed key issues, in accordance with clause 7(1)(d) of Schedule 2 of the Regulation (where relevant), including an identification of how relevant planning, land use and development matters (including relevant strategic and statutory matters) have been considered in the impact assessment (direct, indirect and cumulative impacts) and/or in developing management/</li> </ul> </li> </ol>

	<p>mitigation measures; and</p> <ul style="list-style-type: none"> <li>• detail how the principles of ecologically sustainable development will be incorporated in the design, construction and ongoing operation phases of the project.</li> </ul>
<p><b>Key issues</b></p>	<p>The EIS must address the following specific matters:</p> <p><b>Hydrology</b> – including but not limited to:</p> <ul style="list-style-type: none"> <li>• effects of floods on the project (including access); and project effects on flood characteristics (including on surrounding land, infrastructure, housing and businesses for a range of flood events up to and including the PMF), and taking into account potential for flood characteristic changes resulting from climate change and sea level rise;</li> <li>• surface water and stormwater management, including consideration of water quality (sedimentation and acid sulphate soils); hydrological regimes, watercourses (including ephemeral), riparian and receiving areas (including Hexham Swamp Nature Reserve);</li> <li>• groundwater hydrology, groundwater dependent ecosystems, and groundwater users and licences (as applicable); and</li> <li>• taking into account the <i>Managing Urban Stormwater: Soils and Construction</i> (Landcom) guidelines and the <i>Acid Sulfate Soil Manual</i> (ASSMAC), and <i>Upgrading of Lower Hunter Flood Model at Hexham</i> (DHI, 2008).</li> </ul> <p><b>Ecology</b> – including but not limited to:</p> <ul style="list-style-type: none"> <li>• flora, fauna and habitat (including rare, threatened and endangered species, populations and ecological communities, migratory birds and wetlands) and consideration of local, regional, state and corridor impacts (including consideration of the <i>Hunter-Central Rivers Catchment Action Plan</i> and the Watagan Ranges to Port Stephens conservation corridor identified in the <i>Lower Hunter Regional Conservation Plan</i> (DECCW, 2009);</li> <li>• flora and fauna surveys including targeted surveys of potentially occurring threatened species;</li> <li>• vegetation clearing (and resultant foraging, roosting, habitat loss, fragmentation, connectivity and edge effects) and operational impacts (such as increase in rail movements);</li> <li>• demonstration that the project can be managed to minimise impacts on the Hexham Swamp Rehabilitation Project;</li> <li>• offsets for ecological impacts and native vegetation clearance consistent with the “improve and maintain” principle, taking into account the OEH BioBanking Assessment Methodology or a detailed biodiversity assessment; and</li> <li>• taking into account the <i>Draft Guidelines for Threatened Species Assessment</i> (DEC and DPI, 2005), and the <i>Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities</i> (DEC, 2004). <i>Guidelines for Developments Adjoining Land and Water Managed by the Department of Environment, Climate Change and Water</i> (DECCW, 2010).</li> </ul> <p><b>Noise and Vibration</b> – including but not limited to:</p> <ul style="list-style-type: none"> <li>• noise and vibration from activities and sources on and off site (including to adjacent settlements), and the nature, sensitivity and impacts to potentially affected receivers and structures;</li> <li>• the noise assessment must consider the impact from the project in isolation and in a cumulative context; and</li> <li>• taking into account the <i>Interim Construction Noise Guideline</i> (DECC,</li> </ul>

2009), *Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects* (DECCW, 2007), and *Assessing Vibration: a Technical Guideline* (DEC, 2006).

**Access and Infrastructure** – including but not limited to:

- access to the site and associated property severance and access restrictions, including access across the project to the adjacent National Park, to existing and proposed Hunter Water infrastructure, and from Hexham Railway Station to the proposed QR National Project and adjoining lands;
- preparation of a Traffic Study, taking into account the *Guide to Traffic Generating Developments* (RTA, 2002), including construction and operational traffic impacts to the local and regional road network, including impacts of access onto the New England Highway, and in particular at Woodlands Close (including intersection analysis);
- impacts to passenger rail services and operation of Hexham Station;
- interaction and integration with existing and planned transport infrastructure (eg. F3 to Raymond Terrace Pacific Highway Upgrade, Richmond Rail Trail) and services. Consideration should be given to safety, capacity, efficiency and any required augmentations (eg. Tarro interchange); and
- interaction with existing and proposed utilities infrastructure, including the Hunter Water Trunk Main upgrade.

**Aboriginal Heritage** – including but not limited to:

- archaeological sites, objects, places; and landscape, natural and cultural values of the site and surrounding area;
- demonstrate effective consultation with Aboriginal communities in determining and assessing impacts and mitigation measures; and
- taking into account the *Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation* (DEC, 2005).

**Historic Heritage** – including but not limited to:

- items, archaeology and areas of state and local heritage significance within or adjacent to the project or affected by construction activities;
- an analysis of the potential impacts to the values, settings and integrity of the items and archaeology, including statements of heritage impacts and significance assessments taking into account the *NSW Heritage Manual* (NSW Heritage Office, 1996); and *Assessing Heritage Significance Guidelines* (NSW Heritage Office, 2001).

**Air Quality** – including but not limited to:

- air pollutants, including an assessment of dust deposition, total suspended particulates, PM<sub>10</sub> and any other atmospheric pollutants of concern for local and regional air quality;
- a Scope 1 greenhouse gas assessment (as defined by the Greenhouse Gas Protocol); and
- taking into account the *Australian Greenhouse Office Factors and Methods Workbook* (AGO, 2006), and the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (DEC, 2005).

**Soils and Land Contamination** – including but not limited to:

- land contamination and identification of the need for remediation of contaminated land, having regard to the ecological and human health risks posed by the contamination in the context of past, existing and future land uses;
- where remediation of contaminated land is required, presentation of a Remedial Action Plan in accordance with relevant OEH (EPA) guidelines;

	<ul style="list-style-type: none"> <li>• geological and soil characteristics (physical and chemical) that may impact on land stability and geological integrity;</li> <li>• quantification of bulk earthworks and spoil balance and disposal of excess spoil;</li> <li>• 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</li> <li>• management of waste including handling, stockpiling and transportation, and the classification of waste taking into account the <i>Waste Classification Guidelines</i> (DECCW 2009).</li> </ul>
<b>Environmental Risk Analysis</b>	Notwithstanding the above key assessment requirements, the EIS 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 EIS.
<b>Consultation</b>	<p>During the preparation of the EIS, you should undertake an appropriate and justified level of consultation with relevant parties, including (but not limited to):</p> <ul style="list-style-type: none"> <li>• local, State or Commonwealth government authorities, including the: <ul style="list-style-type: none"> <li>- Department of Planning and Infrastructure (Hunter Regional Office);</li> <li>- Office of Environment and Heritage;</li> <li>- NSW Office of Water;</li> <li>- Hunter Central Rivers Catchment Management Authority;</li> <li>- Transport for NSW;</li> <li>- Department of Trade and Investment (Primary Industries and Mineral Resources); and</li> <li>- Newcastle City Council.</li> </ul> </li> <li>• service and infrastructure providers such as: <ul style="list-style-type: none"> <li>- Roads and Maritime Services;</li> <li>- RailCorp;</li> <li>- Hunter Water; and</li> <li>- Hunter Energy.</li> </ul> </li> <li>• specialist interest groups, including Local Aboriginal Land Councils; and</li> <li>• the public, including community groups and adjoining and affected landowners.</li> </ul> <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
<b>Further Consultation after 2 years</b>	If you do not lodge an EIS for the development within 2 years of the issue date of these DGRs, you must consult with the Director General in relation to the preparation of the EIS.