

Mark Turner - Online Submission from Phil Duvollet of Pacific National (object)

From: Phil Duvollet <phil_duvollet@pacificnational.com.au>
To: Mark Turner <Mark.Turner@planning.nsw.gov.au>
Date: 12/07/2010 06:13
Subject: Online Submission from Phil Duvollet of Pacific National (object)
CC: <assessments@planning.nsw.gov.au>
Attachments: Greta10_PN Response to ARTC EA_01_A_100709.pdf

AD

This submission has been signed by David Irwin, Divisional General Manager Coal, Pacific National, and submitted by Phil Duvollet, Project Manager of Pacific National's Train Support Facility at Greta NSW.

Phil Duvollet is the point of contact for questions regarding this submission.

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Organisation: Pacific National

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Submission for Job: #2924 Maitland to Minimbah Third Track - Project Application
https://majorprojects.onhiive.com/index.pl?action=view_job&id=2924

Site: #1836 Maitland to Minimbah Third Track
https://majorprojects.onhiive.com/index.pl?action=view_site&id=1836

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09 July 2010

NSW Department of Planning
22-33 Bridge Street
SYDNEY NSW 2000

ATTENTION:

To Whom It May Concern:

**RE: REVIEW OF HUNTER 8 ALLIANCE MAITLAND TO MINIMBAH
ENVIRONMENTAL ASSESSMENT
MP 09_0024 and EPBC 2009/4897**

Pacific National has undertaken a preliminary review of the Hunter 8 Alliance's Maitland to Minimbah Environmental Assessment (EA). The Hunter 8 Alliance on behalf of the Australian Rail Track Corporation (ARTC) is proposing to construct a third track adjacent to the existing Main Northern Railway between Farley and Minimbah, including adjacent to the proposed Pacific National Train Support Facility (TSF) site at Greta, NSW.

The Hunter Valley coal chain is responsible for the efficient delivery of coal to the Port. Pacific National is a critical link in the coal chain, providing bulk haulage of approximately 85% of all Hunter Valley coal. The Greta TSF was designated a major project under the Part 3A of the Environmental Planning and Assessment Act by NSW Department of Planning in October 2009. Pacific National lodged its Project Application in March 2010. Pacific National has committed \$110M to the construction of the TSF which is a critical rail asset underpinning the refuelling and maintenance requirements of increasing rail coal freight demand in the Hunter Valley coal chain. The information below is presented to draw your attention to issues that may impact the proposed Greta TSF. Pacific National requests these issues are used as constructive input to assist ARTC to minimise its impact on the construction and operation of the Greta TSF.

The preliminary review of the EA suggests that the most significant impacts to the Greta TSF are expected to arise as a result of drainage, flooding, and traffic and access impacts from the third track. Other impacts may also be experienced as a result of land use, non-indigenous heritage, noise and vibration, and flora and fauna. Some impacts may also be experienced as a result of connection to the third track.

TRAFFIC AND ACCESS

The EA does not contain detailed provisions regarding the bridge replacement at Nelson Street. It states that there are other projects being undertaken by the Hunter 8 Alliance including the bridge replacement at Nelson Street. **Further details should be provided to Pacific National by ARTC as construction of the bridge may adversely affect traffic access to the Greta TSF during and after construction.**

Further, it is noted that the design drawings submitted with the EA show a large batter adjacent to the Pacific National site. **ARTC will need to clarify how they are getting access to build and maintain this batter, specifically if they will require access to the Greta TSF site as it has the potential to impact Pacific National train operations.**

DRAINAGE/FLOODING

The EA identifies that there are five waterways adjacent to the Greta TSF site which the third track will impact. These are identified in the following table.

WATERWAY	APPROXIMATE CHAINAGE	STRUCTURE TYPE	SIZE (MM)
W41	213.691	Sandstone Brick Arch Culvert	2,500
W40	212.735	Brick Arch Culvert	910
W39	212.333	Brick Arch Culvert	910
W38	211.941	Brick Arch Culvert	1,520
W37 (Sawyers Creek)	211.010	Underbridge	

One of the key components of the third track that would potentially impact surface water is the re-alignment of Sawyers Creek. As noted in the above table, the remaining creek crossings adjacent to the TSF site would be constructed as culverts.

The EA for the third track has been lodged pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* and as such, ARTC are required to assess the project in accordance with the DGR's and demonstrate that the project will not have a significant impact. **No concept or detailed design appears to be provided for the Sawyers Creek realignment. It is our recommendation that a detailed assessment on the impacts of Sawyers Creek realignment and other surface water impacts be undertaken and that information be obtained from ARTC demonstrating that the Sawyers Creek realignment will not adversely impact the Greta TSF site.** It is important that the full impacts of this component of the third track be obtained from ARTC as any change in flows or flooding upstream of the

realignment may impact on access, drainage and management of the Greta TSF site for Pacific National.

The EA for the third track identifies that the existing 1% AEP flood level for Sawyers Creek is 49.3 RL (m AHD). Page 393 of the EA discusses potential hydrologic change as a result of the creek realignment. For the Anvil Creek/Sawyers Creek confluence the following potential hydrological change is identified.

AREA (HA)	PROJECT AREA (HA)	% INCREASE	WATERWAY 1% AEP (M ³ /S)	PROJECT AREA 1% AEP (M ³ /S)	% INCREASE
2,050	11.0	<1%	167	1.6	1%

The EA states that the realignment of Sawyers Creek may result in changes in the hydraulic conditions of waterways. The potential impacts of these changes are identified as:-

- An increase in water levels and flood levels in areas upstream of new or extended waterway crossings due to the effective flow area at the crossing being less than the natural width of the stream immediately upstream of the crossing.
- Lowering of the stream bed elevation through ongoing erosion processes. This can impact waterway health through the loss of existing in-stream features and can result in de-stabilisation and the production of sediment that may have adverse downstream impacts.
- Net sediment deposition within the stream channel that results in an ongoing rise in bed elevation.
- This can lead to the decline in waterway health by smothering of bed forms and associated loss of bed diversity including pools, riffles and in-stream structure.

This may have a significant impact on the Greta TSF site. As discussed above, the EA for the third track identifies that the existing 1% AEP flood level for Sawyers Creek is 49.3 RL (m AHD). There is a 50 RL (m AHD) contour adjacent to Sawyers Creek. **As such, any increase in flood height for this location may impact on the bridge crossing to the Greta TSF site. It is important that information be sourced from ARTC demonstrating that the realignment will not have an adverse impact on the Greta TSF site.**

Afflux, an increase in water level on the upstream side of a structure or impediment, in areas upstream of the new Sawyers Creek crossing is not identified as a potential issue in the EA.

Standard mitigation measures are proposed to address potential impacts arising from the Sawyers Creek realignment which would be adopted during the detailed design phase. In particular, the EA notes that the construction of the proposed Sawyers Creek realignment would occur while maintaining the existing waterway flow. Following construction of the realignment, riparian vegetation would be reinstated and geomorphic features, such as pools and riffles, provided where possible. Once the realignment is determined to be stable, and reinstatement of vegetation completed, connection to the existing creek would then occur. Any additional creek realignments required would be constructed in the same way. This may result in impacts arising from ARTC's need for ongoing access and maintenance to the Greta TSF Site.

It is recommended that a detailed review of drainage and flooding issues for the third track be undertaken. This review should not only be limited to Sawyers Creek, and should include other drainage points mentioned above. This issue may impact on access, drainage, and management of the Greta TSF site for Pacific National.

LAND USE

The primary impacts relating to land use from the proposed third track result from property acquisition. The EA identifies that the Greta Train Support Facility site, being Lot 1 DP 1129191, which is identified in the EA as property ID MMD_014, is subject to partial acquisition by ARTC. The EA identifies that Lot 1 DP 1129191 comprises 493,000m², of this 36,000m² is subject to acquisition by ARTC. This represents approximately 7.36% of the total property area, including area of proposed Greta TSF development. **The property acquisition in its current form prevents Pacific National utilising its Greta site as a train support facility based on ARTC's connection agreement requirements. This will prevent trains refueling in the Hunter Valley Coal Chain limiting the regions planned expansion.**

NOISE AND VIBRATION

The EA does not identify the Pacific National site as a sensitive receiver.

No noise barriers are proposed adjacent to the Greta site. Although, as noted in Traffic and Access above, it is noted that the concept design for the third track depicts a large batter adjacent to the site. **Clarification is requested from ARTC regarding this batter.**

ARTC have identified a potential blasting location between chainage 211.540 and 211.760 adjacent to the Greta TSF site. The EA identifies that where sensitive receivers are within 500 metres of a blasting location, a full blasting design would be produced for all such locations. However, as noted above, the Pacific National Site is not identified as a sensitive receiver. **ARTC will be required to discuss this**

issue, along with any potential impacts/issues that may arise from blasting within close proximity of the Greta TSF and within a mine subsidence area.

An Operation Noise Management Plan would be implemented for the management of operational noise and noise monitoring would be undertaken at appropriate locations where the *Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects* is predicted to be triggered in 2012 and 2022. **If monitoring confirms the criteria is exceeded, all reasonable and feasible noise attenuation options need to be examined at this point.**

CONNECTION TO ARTC'S RAIL INFRASTRUCTURE

It is understood that the timing of the construction of the Third Rail between Greta and Branxton is unknown. The EA submitted on behalf of ARTC for the third track identifies an approximate 18 month construction period between 2010-2012. The timing of the construction of the third track has implications for the planning assessment and approvals to allow construction of the Greta TSF.

It has always been assumed that the Pacific National TSF would connect to the Third Track and as a result any of the works proposed in the rail corridor as part of the Third Track would be approved under the application being lodged by ARTC and constructed by ARTC. From previous discussions, we understand that ARTC will continue with their approval process and gain approval for all works within the rail corridor and that any construction work undertaken by Pacific National within the rail corridor to connect to the existing rail line will be covered by this approval. The result of this will mean that Pacific National will need to wait until that approval for the third track has been issued by the Department of Planning before commencing this work within the rail corridor. In the vicinity of the connection of the Pacific National Facility to the Third Rail is the existing culvert which allows Sawyer's Gully to pass under the rail line. As discussed above, ARTC are proposing to realign Sawyer's creek.

As previously advised, it is understood that the original intention was that the Third Track would be constructed simultaneously with the Pacific National Facility to avoid the need to consider battering and cutting as a result of bulk earthworks on both the Third Rail site and the Pacific National site. All works within the corridor would have been covered under the consent received by ARTC and also funded by ARTC. Similarly with the connection of the existing rail line to the Pacific National Facility all of the earthworks within the corridor would be under the ARTC consent and this would not be able to commence until that consent was received and a Construction Certificate issued.

RECOMMENDATIONS

It is recommended that further information be sourced from ARTC to gain a better understanding of the potential impacts of the third track on the Greta TSF site. This information is presented in the following table.

DISCIPLINE	FURTHER INFORMATION/INVESTIGATION REQUIRED
Traffic	<p>Further detail on the Nelson Street bridge realignment should be obtained from ARTC.</p> <p>Clarification should be sought from ARTC, regarding how they are getting access to build and maintain the batter adjacent to the Pacific National site, specifically if they are required to access the Greta TSF site.</p>
Drainage/ Flooding	<p>The EA for the third track has been lodged pursuant to Part 3A of the Environmental Planning and Assessment Act 1979 and as such, ARTC are required to assess the project in accordance with the DGR's and demonstrate that the project will not have a significant impact. No concept or detailed design appears to be provided for the Sawyers Creek realignment. It is recommended that a detailed assessment on the impacts of Sawyers Creek realignment and other surface water impacts be undertaken and that information be obtained from ARTC demonstrating that the Sawyers Creek realignment will not adversely impact the Greta TSF site. It is important that the full impacts of this component of the third track be obtained from ARTC as any change in flows or flooding upstream of the realignment may impact on access, drainage and management of the Greta TSF site for Pacific National.</p> <p>It is recommended that a detailed review of drainage and flooding issues for the third track. This review should not only be limited to Sawyers Creek, and should include other drainage points mentioned above.</p>
Land Use	<p>The property acquisition in its current form prevents Pacific National utilising its Greta site as a train support facility based on ARTC's connection agreement requirements. This will prevent trains refueling in the Hunter Valley Coal Chain limiting the regions planned expansion. A solution must be engineered to allow trains to enter and exit the Greta TSF unimpeded and to allow Pacific National to comply with ARTC's Connection Agreement.</p>
DISCIPLINE	FURTHER INFORMATION/INVESTIGATION REQUIRED
Non-Indigenous Heritage	<p>If the third track is not constructed, but the platform is extended, clarification should be sought regarding what the impact is on connecting to the existing rail. This should be considered, as the EA approval will not consider this connection.</p>

Noise and Vibration	<p>The concept design for the third track depicts a large batter adjacent to the Greta TSF site. Clarification is requested from ARTC regarding this batter.</p> <p>A potential blasting site is identified adjacent to the Greta TSF site. ARTC will be required to discuss this issue, along with any potential impacts/issues that may arise from blasting within close proximity of the Greta TSF and within a mine subsidence area.</p>
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Pacific National looks forward to seeing ARTC's third track progressing with minimal impact to the Greta TSF site and operations.

Please do not hesitate to contact the undersigned if you have any questions.

Yours faithfully



David Irwin
Divisional General Manager Coal
Pacific National

Mark Turner - Recommended conditions for Maitland to Minimbah Third Track from NOW

From: Jennifer Gerrard
To: Mark.Turner@planning.nsw.gov.au
Date: 12/07/2010 14:26
Subject: Recommended conditions for Maitland to Minimbah Third Track from NOW
Attachments: ER20615_conditions_120710.pdf

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Dear Mark

Please find attached NOW's comments and recommended conditions for the Maitland to Minimbah Third Track Project. I have put the hard copy in today's mail.

Kind Regards

Jen Gerrard
Planning and Assessment Coordinator
NSW Office of Water
L3/26 Honeysuckle Drive NEWCASTLE NSW 2300
PO Box 2213 DANGAR NSW 2309
T: 02 4904 2516 F: 02 4904 2503
E: Jennifer.Gerrard@water.nsw.gov.au
W: www.water.nsw.gov.au



Office of Water

Major Development Assessments
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Contact: Jennifer Gerrard
Phone: 02 4904 2516
Fax: 02 4904 2501
Email: jennifer.gerrard@water.nsw.gov.au

12.6 July 2010

Our ref: ER20615
Your ref: 09_0024/EPBC 2009/4897

Attention: Mark Turner

Dear Mark

Subject: Proposed Maitland to Minimbah Third Track Project (Major Project Reference 09_0024 and Controlled Action Reference: EPBC 2009/4897)

The NSW Office of Water (NOW) has completed its review of the Environmental Assessment (EA) and supplementary information relating to the proposed Maitland to Minimbah Third Track Project (ARTC)

NOW has particular concerns regarding the detail supplied in the Environmental Assessment (EA) for the proposed temporary dewatering during construction, the lack of reference to the Hunter Unregulated and Alluvial Water Sources 2009 Water Sharing Plan and groundwater and surface water monitoring. NOW recommends conditions to ensure that ARTC gains licences for dewatering activities, including volumes to be extracted and monitoring bore installation. Additionally NOW has recommended conditions relating to the development and approval of a groundwater monitoring program, surface water monitoring program and the Construction Environmental management Plan (CEMP). These are included in Attachment B.

If you require further information please contact Jennifer Gerrard on 4904 2516 at the Newcastle office.

Yours sincerely

Mark Mignanelli
Manager Major Projects and Assessment
NSW Office of Water

**NOW COMMENTS ON ENVIRONMENTAL ASSESSMENT
ARTC MAITLAND TO MINIMBAH THIRD TRACK PROJECT (REFERENCE 09_0024 AND EPBC
2009/4897)**

GENERAL

Water Management Act 2000

The Water Management Act 2000 allows for sustainable and integrated management of water sources of the State. The proposed Maitland to Minimbah Third Track Project proposes to dewater a section of alluvium in the vicinity of Stoney Creek at the intersection with Wollombi Road to facilitate construction of bridge pile works. While the dewatering is proposed to take place over a matter of a few weeks, it is an activity that requires a licence under the Water Management Act 2000. Additionally the location of proposed dewatering is within the Hunter Unregulated and Alluvial Water Sources 2009 Water Sharing Plan (WSPHUA).

Hunter Unregulated and Alluvial Water Sharing Plan

The WSPHUA commenced on 1 August, 2009. The WSPHUA covers the Wallis Creek Water Source which includes Stoney Creek; as such the proponent will be required to obtain shares from the WSPHUA to cover any water taken from this system and manage their impacts according to the WSPHUA.

ENVIRONMENTAL RISK ANALYSIS

The Environmental Assessment (EA) was required to identify potential environmental impacts associated with the project in the environmental risk analysis. While the risk assessment has identified the potential environmental impact of temporary lowering of groundwater levels in the vicinity of Stony Creek at Wollombi Road, this has not been done with reference to the rules of the WSPHUA.

GROUNDWATER RESOURCE PROTECTION

The Director General's Environmental Assessment Requirements submitted to Department of Planning by the NSW Office of Water (NOW) required the EA to address licensing of all proposed groundwater works, including bores and excavations for the purpose of investigation, extraction, dewatering, testing or monitoring to be identified in the proposal and an approval obtained from DWE prior to such works/installation. The EA notes that seven groundwater monitoring bores have been established yet there were no details on the licensing of these bores.

Additionally in regards to Groundwater Source, the requirement for a licence for a bore for dewatering required for bridge construction at Stony Creek has not been addressed, as well as the location of and planned construction details of all proposed bores, including expected annual extract volumes. It is noted that the extraction of groundwater for construction of bridge work will occur over a short period of time, but regardless of this fact, as the groundwater extract will take place within the WSPHUA, extraction must be licensed, shares must be purchase for the volumes extracted and volumes measured and reported. A condition to address this has been recommended.

While the EA outlines that groundwater monitoring will be undertaken it also identified that there is currently insufficient data for groundwater levels to confirm seasonal variations. It is also stated that baseline groundwater monitoring is to be undertaken prior to the commencement of construction. As the EA contains no plans showing the distribution of current or proposed groundwater monitoring points, there can be no assessment of whether the groundwater monitoring program will be adequate for the project. The proposed frequency of groundwater monitoring at monthly intervals is potentially insufficient if the baseline data is to be collected over a period of less than 12 months. NOW have proposed conditions in the Groundwater Monitoring Program to cover these insufficiencies.

SURFACE WATER RESOURCE PROTECTION

The EA provides an extensive review of water courses that the project will affect during and post construction. There is limited information regarding the existing condition of water quality of the water ways to be affected by the project, as stated in Appendix L, page 59. While the EA states that surface water monitoring program will be established prior to commencement of construction, NOW is concerned that there must be sufficient baseline data established for all waterways with permanent water and those that flow regularly after small rainfall events. The EA defers definition of a surface water monitoring program until the production of the CEMP. Conditions have been recommended to ensure that the surface water monitoring program is reviewed and approved.

As there is the possibility (as identified in the EA Appendix L, pg 59-60) for scour, bank and bed erosion of waterways, and while the examples of suitable protection and rehabilitation works to minimise these impacts are provided, there is some concern that there needs to be a process of identifying the correct protection/rehabilitation works for each waterway prior to construction. These constructions must take place using the guideline for controlled activities and a condition has been recommended regarding this.

The Director General's Requirements provided to DoP specified that details were to be provided in the EA regarding any farm dams that require relocation. The EA shows a number of watercourse areas that appear to be dams within the construction area, there is no reference to the relocation of any of these other than the filling of dams at Belford (221.3 kilometres to 221.620 kilometres) as a function of spoil placement. A condition as been recommended to ensure details are provided of any farm dams requiring relocation.

There is no discussion in the EA of water supply for the project, other than Appendix M, pg 18 stating that groundwater as a resource for construction of the project has not been considered as part of the study, therefore any potential impacts in relation to this have not been considered. As the project is within the WSPHUA, all alluvial and surface water must be licensed and shares obtained.

**End Attachment A
6 July 2010**

**NOW RECOMMENDED CONDITIONS OF APPROVAL
ARTC MAITLAND TO MINIMBAH THIRD TRACK PROJECT (REFERENCE 09_0024 AND EPBC
2009/4897)**

Protection of Watercourses

1. The Proponent shall ensure all construction in regards to waterways is undertaken utilising the *Guidelines for Controlled Activities*.

Protection of Groundwater resources

2. The Proponent shall provide evidence of licenses for all groundwater monitoring bores constructed and ensure all new groundwater monitoring bores are licensed and installed by approved drillers. This information must be provided prior to any construction works commencing.
3. The Proponent shall obtain a license for dewatering activities and shares to cover volumes extracted from the Wallis Creek Water Source and any other water sources covered under the Hunter Unregulated and Alluvial Water Sources 2009 Water Sharing Plan (WSPHUA)

Construction Environmental Management Plan

4. The Proponent shall prepare and implement a Construction Environmental Management Plan to the satisfaction of the Director-General. This Plan must:
 - a) be prepared in consultation with NOW by a suitable qualified expert whose appointment has been approved by the Director-General;
 - b) be submitted to the Director-General for approval prior to any construction taking place or otherwise agreed by the Director-General; and
 - c) include:
 - I. A surface water monitoring program that includes:
 - Detailed baseline data of surface water flows and water quality in the watercourses that could be affected by the project, including all watercourses with permanent flow or pools and any that flow after rainfall events. Baseline monitoring events should be no less than fortnightly, if monitoring occurs over a period less than 12 months.
 - Surface water quality monitoring must include but is not limited to pH, EC, temperature, dissolved oxygen, TSS, pathogens, nutrients, pesticides, chemicals, heavy metals and hydrocarbons.
 - Surface water impact assessment criteria, including trigger levels for investigating potentially adverse surface water impacts of the project, utilising the Australian and New Zealand Environment Conservation Council (ANZECC) guidelines.
 - A program to monitor surface water flows and quality in the watercourses that could be affected by the project during construction; Monitoring during construction should be scheduled weekly, as construction is over a short timeframe.
 - A program to monitor surface water flows and quality on the watercourses that could have been affected by the project during construction for a period of 12 months, at monthly intervals.
 - II. A groundwater monitoring program that includes:
 - Baseline data of groundwater levels, yield and quality in the region and areas along the project, with additional focus on the project area requiring dewatering for construction, which could be affected by the

- project, Monitoring should be no less than fortnightly intervals for groundwater levels and monthly for groundwater quality if baseline monitoring occurs over a period of less than 12 months.;
- Groundwater quality monitoring must include but is not limited to pH, EC, temperature, dissolved oxygen, TSS, pathogens, nutrients, pesticides, chemicals, heavy metals and hydrocarbons.
- Groundwater impact assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts of the project; and
- A program to monitor:
 - Any impacts of the project on the region's aquifers, any groundwater bores, and surrounding watercourses, for the duration of construction and a 12 month period after. Groundwater monitoring should be at monthly intervals for construction and post construction periods.
- III. A Spoil and Fill Management Plan
 - Details of placement and management of any spoil proposed to be stored either short or long term on any floodplain area.
- IV. A surface and groundwater response plan which describes the measures and/or procedures that would be implemented to:
 - Respond to any exceedances of the surface and groundwater assessment criteria;

GROUNDWATER

5. In addition to the mitigation measures undertaken by ARTC for groundwater management, the following controls specific to the proposal will be implemented:

Groundwater Supply:

- a) In the event the project requires groundwater for construction water supply, licences must be obtained under the Water Management Act 2000 and shares under the appropriate water sharing plan.

Groundwater Dependant Ecosystems:

- b) Groundwater levels and quality (same analytes to be sample as for groundwater monitoring program) to be monitored weekly in Wentworth Swamp for the duration of dewatering at Stoney Creek (Wollombi Rd). Results are to be assessed against the ANZECC guidelines in terms of response.

SURFACE WATER

6. In addition to the mitigation measures undertaken by ARTC for surface water management, the following controls specific to the proposal will be implemented:

- a) Consultation with NOW for any additional waterway realignments
- b) In communication with DoP, completion of a Project Completion Report, signed off by the supervising construction engineer.

End Attachment B
6 July 2010

Mark Turner - Objection to Maitland to Minimbah Third Track Application Number: MP 09_0024 and EPBC 2009/4897

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From: susan basalto <susy_bas@yahoo.com.au>
To: <mark.turner@planning.nsw.gov.au>
Date: 10/07/2010 16:02
Subject: Objection to Maitland to Minimbah Third Track Application Number: MP 09_0024 and EPBC 2009/4897
Attachments: Objection to Maitland to Minimbah Third Track.pdf; Correspondence from Hunter8Alliance and CCC.pdf; Heritage Listing Removal CCC dated 02-07-10.pdf

Dear Mr Mark Turner

Please find attached Objection to Maitland to Minimbah Third Track.

I have attached:-

1. Objection
2. Correspondence from Hunter8Alliance and CCC
3. Heritage Listing Removal CCC dated 02/07/10

Could you please email me on Monday 12th July to confirm that you have recieved this without any problems

Thank You
Susan M Basalto
Lot 2 Nelson Street
GRETA NSW 2334
Susan Basalto

Objection to Maitland to Minimbah Third Track

Application Number: MP 09 0024 and EPBC 2009/4897

Name : Susan M Basalto
Address: Lot 2 Nelson Street (Lot 2 DP 809649)
GRETA NSW 2334

I am the owner of Lot 2 Nelson Street, Greta 2334 (the former station master's residence) this is private property and **residential**. My residence is less than 19 metres from the first track at Greta Station. I have not been listed as an "adversely affected" resident of this project. My property has been incorporated as Railcorp and still being owned by them. Why? I refer to *Analysis – Mitigation Measures (if any) Key Residual Impact of Vibration Control where dwellings are located within 40 metres from the nearest rail track*. I am not on this list. Why?

I refer to the Major Project Application to the NSW Government Department of Planning – Date duly made 04/05/09 Project Application no: 09-0024 signed by a Mr. Chris Puslednik dated 30/04/2009. Table 1 Potentially Affected Deposited Plan and Lots Within Investigation Corridor page 12 Deposited Plan 809649 Lot Number 2

Having a number of meetings with Hunter8Alliance since the onset of this project. First this was with a Mr. Matthew Morrow from Maloney Field Services who was the first contact, a number of onsite meetings occurred to discuss this project also the signing of paperwork "Consent to Enter Property" dated the 22nd June 2009. Attendances to the community meetings held, also correspondence via email and post in regards to questions to this project, and phone conversations. (Address which was wrong in regards to written correspondence, they were instructed to change a number of times, they had me as 1 Nelson Street GRETA, on certain letters. This address is before Anvil Creek Bridge, Nelson Street, GRETA.) Why?

My emails requesting that Noise, Vibration and Emission testing be done between my residence and Greta Station buildings were completely ignored in regards to my concerns. (See email dated 09/03/10)

My request to Hunter8Alliance in regards to the name of Liaison Officer for Cessnock City Council, not answered. (See email dated 09/03/2010) Why?

I refer to Appendix B Stakeholder Consultation Minutes of Meeting dated 18th May 2009 held at Cessnock City Council, Council Contacts Jacquie Tupper – Planning, John Carey – Roads and Traffic, Phil Miles – Infrastructure Strategy Manager. Over the last seven and a half years I have had numerous contact with these persons also including Directors and both General Managers past and present. Ms Jacquie Tupper from February 2003 in regards to Lot 2 Nelson Street, in which Ms Tupper approved a DA over 2 privates in which one was the adjoining private property, and mine also attending traffic meetings. Two attempts of land acquisition, both were declined by councilors. Once this was brought to the attention of Cessnock City Council, I opened a "Pandora's box" in regards to this whole area. The flow of Anvil Creek being changed, Anvil Creek Bridge being rebuilt in the wrong position, Nelson Street itself being built on private property, no road engineer plans from Cliff Street including Anvil Creek Bridge to the existing SRA Over Bridge. My question is that why was not brought to the attention of Hunter8Alliance by Cessnock City Council?

I refer to drawing no: H8R-SKT-S2B-ARC-0098 which my residence has been incorporated as Railcorp property, also they have placed the existing car park on my property, which is completely wrong. This whole area that has been shown is misrepresented and misleading in regards to the whole area of Greta Station itself. I refer to email dated the 25th June 2010 from Hunter8Alliance by a Michael Ulph in response to questions asked at the community meeting held at Maitland on the 17th June 2010 and via phone to Michael Ulph on 23rd June 2010 highlighting my concerns as to why was my premises not on the adversely affected list. My conversation with a Mr. Ken Lee also Hunter8Alliance, Land Acquisition Manager, it was asked of him was my premises on his acquisition list at present or in the future? His reply was no and it never was. This email dated 25th June 2010 states "We assume that was caused by the fact that your property was at one time one of the buildings associated with the railway line". (Email enclosed) Why?

My premises is on the boarder of the high impact area as indicated in maps.

The foundations of my residence are also attached to Greta Railway Station.

The fact that my premises has been incorporated in Site 12 (2.4.2.12) Greta Railway Station Precinct in the Non-Indigenous Heritage Study as being State Heritage but owned by Railcorp. Why? I refer to Railcorp Section 170 Heritage Register in which my premises have been incorporated in their own heritage listing. I question the fact in The Data Entry, Date first entered 26/10/1999, Date updated 03/06/2010 this has not been investigated as my premises has been privately owned since 1990. I also refer to my premises on Local Heritage Cessnock City Council Draft LEP 2009 Page 6 & 7 at Greta: 1340214, this has now been removed from the register as from 2nd July 2010 (see enclosed letter). I refer to State Heritage Listing of Greta Railway Station Group Organization Name: Railcorp, Owner Category-State Government refers to Description – Physical Description under Buildings, my premises is not listed there. I spoke with a Mr. Bill Nethery from the NSW Department of Planning in February 2010 in regards to the Draft LEP, my premises has a mention (which I have no objection) but is not on State Heritage Listing.

I also bring to your attention Greta Station Footbridge under Railcorp Section 170 Heritage Listings (Cessnock City) on the State Heritage listing Owned by Railcorp but the Local Government Area is being stated as Maitland LGA?

I refer to page 48 Table 3.4 – Risk Assessment in regards to Greta Railway Footbridge – to be demolished

Modifications to Greta Station and Platform:

I refer to drawing no: H8R-SKT-S2B-ARC-0098. The existing car park has been incorporated in the property of Lot 2 Nelson Street Greta, which is incorrect.

This area has not been planned as a disability, elderly and persons friendly station for commuters. I disagree with the number <10 that use Greta station, due to the fact I have been a commuter on a daily basis for the last 10 years. There are no ticket machines at all three stations i.e. Lochinvar, Greta and Branxton. How did Railcorp assess these figures, the numbers at Lochinvar and Branxton have been increased. The numbers at Greta have been downgraded. Why?

The Footbridge is to be demolished. As per table 3.4 Risk Assessment of Non-Indigenous Heritage but yet on drawing no: H8R-SKT-S2B-ARC-0098 it states "no alterations to footbridge proposed?"

The design of the railway station is not to standards, the ramp to enter the platform from the car park is not to disability standards and is not going to be changed, there is no access on both sides of station platform which is not to standard. The entry and exit point for commuters is only on one side. People with disability, the aged, parents with prams cannot access this station. The island platform has no shelter, shelter, seating, extra lighting for commuters, no public phone. The car park is not going to be upgraded. At present the so-called car park is railway baliste it is unsafe, uneven for people, had been totally neglected. People who require wheelchair access, or have a disability cannot utilize this area at due to the safety issues that

surround this area. No extra CT cameras are to be installed for security and safety for the public. The closure of amenities. There is no pedestrian facility before and over Anvil Creek Bridge Nelson Street in which Cessnock City Council were to write to the RTA, I refer to Agenda Council Meeting dated 18th March 2009 from site meeting 14th November 2008 item no: 09/017 stating " *Council write to the RTA seeking information on the provision of pedestrian facilities on Anvil Creek Bridge*". Email from the RTA dated the 9th June 2009 they had not received anything from Cessnock City Council. Over. The closure of amenities, people urinating and defecating in other areas due to the fact that toilets have been closed. The mess that this creates is disgusting.

The drainage issues in regards to water runoff from the station and car park are not being addressed that causing flooding to my property. This has been bought up with Council on a number of occasions and to date will not address. The car park is not going to be sealed during construction or the future. No kerb and guttering and no pedestrian footpath. Council will not allow me to have kerb and guttering even though I have offered to pay for all costs. The entrance point for all vehicles to the station is on an S Bend at Nelson Street, which is unsafe and dangerous. Page 132 of EA.

During construction of "if in adequate access to existing parking occurs at Lochinvar, Branxton or Greta Station, appropriate alternative parking areas would be provided at a safe location in close proximity to the stations". Page 45 H8R-REP-2G-RDC-0001-1-Traffic Study. 8.4 Proposed Mitigation Measures. Where is the alternative location at Greta?

It seems that the intention is to totally close down Lochinvar, Greta and Branxton Railway Station to the passenger train service.

Also to coincide with this project the New Overhead Bridge at Nelson Street to be built has not been taken into account.

Noise and Vibration:

Due to the fact that my premises Lot 2 Nelson Street, Greta has not been listed as an adversely affected property this section is a high priority and is in the high impact area.

The DECCW guidelines for this project in regards to the above do not exist. The Guidelines are based on properties that are 40 to 200 metres from the first track. My residence is less than 19 metres from the first track.

The receptors for these were placed at Beresfield for air quality, the noise and vibration were placed at Allandale, Branxton, and in Greta but in the property of Lot 20 706409. I refer to Figure 6.3f IGANRIP Noise Exceedence Area (2012) as you can see receptor L7 expands up toward the boundary of Lot 2 Nelson Street, so this would indicate the noise, vibration would be of higher levels even at todays level yet alone by the 2012 and then 2020 levels as predicted. It was requested in my email to Hunter8Alliance on the 09/03/10(enclosed)that these tests be performed in between the station and my premises due to the close proximity of my property. This has not occurred.

As stated in H8R-REP-SCG-ENV-0006-02- Noise and Vibration Impact Assessment Doc. Environmental Management Control

1.11 – 1.12 – 1.15 – 1.16

1.18 *Building condition surveys would be undertaken at all potentially impacted dwellings prior to commencement of vibration generating works (e.g.. pile driving). These well be repeated at works completion. (Pre-construction, Construction and Post-construction)*

5.2.1 Existing and Future Rail Volumes on the project in regards to Coal.

Do these figures show the use by QR National which also use these lines, at present they are running 8 up 8 down (total 16) and are expected to double and increase over the years. This means that this would increase the number of total coal trains by Pacific National and by QR National using this track line.

7.1.3 Noise and Vibration Impact Statements: None of this has occurred at Greta in regards to Lot 2 Nelson Street, due to the premises being not on the adversely affected list

7.1.7 Corrective Actions: due to the close proximity of Lot 2 Nelson Street Greta to the first track, less than 19 metres to the first track.

7.2 Operational Noise and Vibration Mitigation

7.2.1 Rail Operations – Due to the close proximity of Lot 2 Nelson Street Greta to the first track, less than 19 metres.

7.2.2 Controlling Noise and Vibration at the Source – due to the close proximity of Lot 2 Nelson Street Greta to the first track, less than 19 metres to the first track.

I now refer to 7.2.3 Controlling Noise and Vibration to Receiver Path Transmission Path
Noise Barriers should be at Greta Station due to close proximity of the residence of Lot 2 Nelson Street Greta (less than 19 metres from the first track).

7.2.4 Controlling Noise and Vibration at the Receiver
Architectural Treatment - Due to the close proximity of Lot 2 Nelson Street Greta to the first track of less than 19 metres.

Table 7-6 Internal Noise Goals – Residential Buildings
"Practically, this would generally involve retrofitting of thicker glazing, roof insulation, door and windows acoustic seals and the like, along with air conditioning to allow windows to remain closed. This could also include boundary fences if it is found they could reduce impacting rail noise levels". Due to the close proximity of Lot 2 Nelson Street Greta to the first track of less than 19 metres

7.2.5 Rail Vibration Control
Due to the close proximity of Lot 2 Nelson Street Greta to the first track of being less than 19 metres.

At present Pacific National is utilizing Greta Station as a driver change area. This is not a designated area. The noise, vibration and emissions that occur during this period when the trains stop and start especially during the idling period is unbearable.

The use of the small access laneway that is between Lot 2 Nelson Street Greta and the Railway station is less than 4 metres wide, and is on the boundary of Lot 2. This is the only access point that vehicles can access, the vibration and noise from light to heavy vehicles that will access this area. This should not be used due to the high impact that does occur and will occur during and post and during construction work.

Dust and Emissions: -

Due to the close proximity of Lot 2 Nelson Street Greta from the first track (less than 19 metres) the DECCW criterion in regards to emission rates, diesel locomotive exhaust, dust from wagons all refer to 40 and 50 metres from the rail track. This means that all guidelines in relation to this area would already exceed the DECCW trigger levels.

There are no guidelines for a resident that is within less than the 40 metre distance in this project yet alone 19 metres. This is of high priority to this area.

The amount of exposed coal on each loaded locomotive as stated by Hunter8Alliance in their response to me was 91 wagons, this means there is over 2000 squares metres of exposed coal per loaded train. The leakage from the coal wagons and the particles from the exposed coal wagons are of major concern. These particles already settle on my whole house, I have a water tank in which I am unable to use due to the runoff of these particles into the tank when it rains, these particles settled on every inch of my premises. My vehicles are coated in a film of diesel emissions and grit from these coal trains already. The fine particles settle and seep through into the roof cavity, also through opened windows and doors. Clothes placed on clothesline for drying have dust particles in them at present.

My grave concerns are to a person's health in regards to these particles within a close proximity to the track and the effect that has on a person exposed over a long period of time.

The amount of dust that will be caused from the work in progress at Greta Station during the construction period is of major concern due to the close proximity of my residence. Not only that the traffic that will be utilizing the area of the car park and the laneway not only light vehicles but heavy vehicles, this area will not sealed.

Also in this project there is no reference to the new Overhead Bridge at Nelson Street Greta in regards to the dust and emissions, which is being built to coincide with the third track at the same time, so it would mean that figures relating to this would be increased.

Traffic and Site Compounds: -

The use of Nelson Street, Anvil Creek Bridge and the area of Greta Station are of major concerns. Nelson Street itself is already over capacity at present the amount of light and vehicles using this area and the use of Anvil Creek Bridge Nelson Street, which is a one-lane timber bridge for haulage.

I refer to Table 4-2 Proposed Construction Compounds Page 26 of H8R-REP-S2G-RDC-0001-01-Traffic Study, in this table it shows only 2 Primary Compounds and then below in the written paragraph it states three primary compounds. Secondary compound for Nelson Street at chainage of 210.70.

In the map Figure 2.1c Local Road it has a site compound at Sawyers Creek on the whole are of Lot 20 DP 706409, this is directly behind Lot 2 Nelson Street. What area is going to be utilized to access this compound? As stated the laneway access between Greta Station and Lot 2 Nelson Street is less than 4 metres wide. This is the only access in the Nelson Street Greta. Lot 2 Nelson Street is the only one with road frontage past Anvil Creek Bridge, there is a guardrail that extends to within 1 metre of my access point. This whole area has been deemed unsafe by the NSW Police through traffic meetings with Cessnock City Council.

In map of **Construction Noise Impact Zones Figure 6.1j** there is another site compound just before Anvil Creek Bridge Nelson Street.

I refer to diagrams of Appendix B Construction Traffic Generation, which shows Nelson Street morning, and afternoon these show in a round circle Compound Location behind Lot 2 Nelson Street with the morning and afternoon peak traffic.

In Table 6-2 50dB(A) impact radius for Specific Construction Activities – H8R-REP-S2G-ENV- 0006-02 Noise and Vibration Impact Assessments.doc. It shows Site Compounds 210.60-210.70 on page 45 Bridgeworks (including culvert extensions) Activity Location take note of the chainage approximates of 210.00 to 211.00. The chainage of locations do not correspond with each other of. Where are these vehicles going to entering these site locations from?

The whole area past Anvil Creek Bridge Street Greta to Greta Station is unsafe, vehicles will be entering and exiting on a S Bend and using a one lane timber bridge. This will be placing not only myself at high risk but the public as well.

Also the fact that the new Overhead Bridge at Nelson Street Greta to coincide with this development has not been incorporated with these figures. So it means that the increase in traffic volume for this whole area would not correspond with the figures relating to this development.

I refer to H8R-REP-S2G-ENV-0005-01-Flora and Aquatic Ecological Assessment.doc page 114

"Provision of flagging, taping or similar marking method along the edge of the clearance area so that works would not encroach closer than necessary upon remnant bush land and within 40 metres of any permanent creeks to minimize the footprint of construction works"

Due to the close proximity of Anvil Creek to the Site Compounds in this project on both sides of Nelson Street these should not be allowed of any construction and traffic. Also the clearing of bush land that has been stated will occur with this project protects this whole area in regards to emissions and pollution from traffic, trains and construction.

Re: Obnoxious Weeds:-

The property and area in which works are to be done at Sawyers Creek Greta. This area is infested with Lantana, this has been brought to the attention of Barry Woods, Weeds Control Officer Cessnock City Council in 2006 and again 2009-2010. This has also spread to Anvil Creek at Nelson Street. Will this be investigated and treated prior to any works proceeding?

Conclusion: -

My residence not being on the adversely affected list of being less than **19 metres** from the first rail, the fact that my premises was on the list dated 04/05/09. Being one of the closest residences to the railway line at Greta.

Why was it removed?
Who removed it and which department removed it and why?

The fact that my residence ended up being incorporated with Railcorp and Heritage even though this has been private property since 1990. Having contact with Hunter 8 Alliance from the onset of this project and much correspondence?

The fact that certain parties had prior knowledge and association with myself, why was this not acknowledged and brought to the attention of all involved prior to this project being submitted?

This means that all the statistics and references to the project area of my residence and Greta Station are incorrect and this information cannot be supported by these facts. All references are made to premises that are 40 to 50 metres away from this project. The references to Noise, Vibration, Air Quality, Construction Noise, Traffic, Rail Noise (pre-construction, during and post) etc, are not based on the correct information. Which means that this is misleading and being misrepresenting of this whole project.

My grave concerns that I have been totally overlooked but what have been the reasons as to why?

The structural damage that will be done to my premises and property with this project and the effect of the human comfort zone and quality of life in relation pre and post construction. Unable to do the planned extensions to my residence because of the lack of information in regards this project.

The potential health problems in relation to emissions and air quality being so close to the proximity of this project and being overlooked.

My residence is in the middle of not only this project, the new overhead bridge Nelson Street Greta that is to coincide with this project, but also the new Transit Station being built at Greta, which is yet to be submitted to the NSW Department of Planning.

The legal ramifications that may occur if this project is approved due to the lack of investigation and my premises not being on the adversely affected list and then being removed by parties involved.

If further information or documentation is required please contact me via email on susy_bas@yahoo.com.au or mobile 0408 239 054

Yours Faithfully

Susan M Basalta 10/07/10

**Environmental Assessment**

Friday, 25 June, 2010 12:40 PM

From: "communityinput@hunter8.com.au" <communityinput@hunter8.com.au>

To: susy_bas@yahoo.com.au

Hi Susan,

I response to your phone call on Wednesday, I have the following information.

Concept Design & your property

Your house is included in drawing No. H8R-SKT-S2B-ARC-0098 as this sketch and the following sketches display all existing structures within the area to provide a perspective of the entire area. You will note that buildings on the Western side of Mansfield Street are also illustrated.

As outlined to you at the Maitland community drop-in event, Hunter 8 Alliance will acknowledge in the Preferred Project Report (PPR) that due to your close proximity to the rail track your residence should have been acknowledged in the list of residences adversely affected by the project. **We assume that this oversight was caused by the fact that your property was at one time one of the buildings associated with the railway line.** Please be sure to detail this in your submission however.

Air Quality

The receptors for monitoring air quality were located in Beresfield and Allandale. Chapter 16 of the Environmental Assessment is about Air Quality. This chapter highlights that Hunter 8 Alliance modelled what the levels of dust would be in each area based on predicted train movements. I bring your attention to Page 294 of the EA - Table 16-8 at the top of the page. You will see that the DECCW Trigger Level for both 2012 and 2022 is 50 for a 24 hour period and 30 for I believe an annual average. The background level is listed as 25 and 21 respectively. The Predicted Peak Incremental Concentration levels are listed at various distances from the track, and the numbers that have been bolded are where the trigger level is exceeded.

That is, if you look at 40 metres from the track in 2012 (24 hr average) the result is 30. When this peak level is added to the background level of 25, it makes 55 - which exceeds the trigger level of 50.

You will notice that the dust levels are lower as the distance from the track increases. With no background in dust monitoring, I think it is safe to assume that the dust levels could be higher, but probably not lower - as distance from the track decreases. If this is correct it means that your house would be within an area where the dust levels exceed the guidelines.

I now bring your attention to pages 296 and 297 that discusses mitigation measures during construction and then during operation. If you read this information your will have a better understanding of those intended measures.

Traffic and Compounds

The diagrams on pages 6 and 7 of appendix B are explaining the traffic impact assessments and not the detailed location of the compounds. That is why the illustrations are as simplistic as they are, and why a yellow dot was used, with little navigational detail.

The planned compound position is better illustrated in the EA document in Figure 7.1c on page 70.

A larger plan with more detail is in Appendix S, figure S.10, which shows the compound on the South Eastern side of Nelson St. We expect that this compound would be accessed from Nelson St.

I hope that this information allows you to prepare a more informed submission and remind you that submissions close on July 12.

Any person may make a written submission to the Director-General of the NSW Department of Planning during the exhibition period. Submissions should be made to:

Director, Infrastructure Projects
Department of Planning
GPO Box 39

Sydney NSW 2001
Fax: (02) 9228 6355

or

Online at the Department of Planning website:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=2924

Regards,

Michael Ulph
Manager, Community Consultation Team
Hunter 8 Alliance

Ph: 02 4941 2841

Mob: 0458 049 847

E: michael.ulph@hunter8.com.au

www.hunter8alliance.com.au

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Hunter 8 Alliance



26 May 2009

To Whom It May Concern

Project: M2M – MAITLAND to MINIMBAH THIRD TRACK – Stage 2

Dear Landholder

The Australian Rail Track Corporation (ARTC) is upgrading the rail line between Maitland to Whittingham to meet the demand for export and domestic coal.

Part of this upgrade will involve the construction of 32km of new track adjacent to the existing rail line between Maitland and Minimbah, including the construction of bridges and ancillary infrastructure. An Environmental Assessment will also be undertaken as part of this project.

ARTC recently formed the Hunter 8 Alliance with John Holland Pty Ltd and GHD Pty Ltd (GHD) to design and build the new track.

This letter is to inform you that your property has been identified as being potentially affected by the proposed corridor for the third track.

As a consequence, members of the Hunter 8 Alliance may require access to your property to undertake environmental investigations, survey and exploratory works so that the final design can be determined.

We would welcome the opportunity to meet with you and provide further information about the project and answer any questions you may have. We'd also like to discuss the implications for your property and make proper arrangements to access your property during project development.

A member of the Hunter 8 Alliance will be contacting you in the coming weeks to arrange a convenient time to meet with you. Please find enclosed a newsletter that provides background information on the project.

Should you wish to speak with a member of the Alliance team, please don't hesitate to contact us on 1800 216 317(freecall).

Kind regards,

A handwritten signature in cursive script, appearing to read "Melanie Layton".

Melanie Layton

Communications & Stakeholder Engagement Manager

Office:
GHD Tower, Level 3
24 Honeysuckle Drive, Newcastle. NSW 2300
Telephone: (02) 4979 9976 Facsimile: (02) 4979 9988

Alliance Partners
Australrain Rail Track Corporation Pty. Ltd. (ABN 75 081 455 754)
John Holland Pty. Ltd. (ABN 11 004 282 268)
GHD Pty. Ltd. (ABN 39 008 488 373)

22 June 2009

Susan Marie Basalto
Lot 2 Nelson Street
Greta NSW 2334

Our ref: 21/16608/137645
Your ref:

Maitland to Minimbah Third Track – Request for Community Consultation

Dear Ms Basalto,

To undertake the development of the Maitland to Minimbah Third Track, which is of significant strategic importance for the expansion of the existing freight rail network in the Hunter Valley region, an alliance has been formed between the Australian Rail Track Corporation (ARTC), John Holland Pty Ltd and GHD Pty Ltd called the Hunter 8 Alliance.

In preparation for the development, site visits are proposed on the private properties adjoining the rail corridor. Site visits are anticipated to commence in early June 2009. The purpose of the visits is to:

- ▶ Conduct environmental impact assessments required under state government legislation;
- ▶ Collect data for engineering design work for the new track; and
- ▶ Determine the need, if necessary, to enter into negotiations with land property owners to acquire any land for inclusion into the rail corridor.

To enable the above studies, GHD Pty Ltd on behalf of the Hunter 8 Alliance are seeking your consent for authorised staff and sub-contractors (surveyors, property valuers, drillers, geologists, Aboriginal representatives and ecologists) to gain access to your property.

The works to be undertaken as part of these studies would include (but may not be limited to):

- ▶ Geotechnical investigations: this may include exploratory drilling and/ or excavations;
- ▶ Ecological investigations: this may include day time and nocturnal surveys for native flora and fauna;
- ▶ Aboriginal heritage surveys: archaeologists and members of the local Aboriginal community would undertake a walkover of the investigation area for evidence of Aboriginal heritage;
- ▶ Non-indigenous heritage: archaeologists may be required to undertake a site walkover to investigate for non-indigenous heritage;
- ▶ Soil contamination investigation: Environmental scientists would initially undertake a walkover of the site. If the potential for contamination is identified, this may require exploratory drilling and/ or excavations;
- ▶ Noise and vibration: Acoustic specialists may request to establish unattended noise loggers on your property, and/ or may wish to undertake attended noise and vibration monitoring on your property; and
- ▶ Survey of all boundaries backing onto the rail corridor, and installation of permanent survey markers at regular intervals. This will be undertaken by authorised contractors and will involve an

Office:	Alliance Partners
GHD Tower, Level 3	Australian Rail Track Corporation Pty. Ltd. (ABN 75 081 455 754)
24 Honeysuckle Drive, Newcastle. NSW 2300	John Holland Pty. Ltd. (ABN 11 004 282 268)
Telephone: (02) 4979 9976 Facsimile: (02) 4979 9988	GHD Pty. Ltd. (ABN 39 008 488 373)

Hunter 8 Alliance



estimated three visits to each property, commencing in mid June 2009. Please note that under the *Surveying Act 2002*, project surveyors have the right to gain access to your property to conduct their surveying work, upon providing 24 hours notice.

You may give your consent by filling in the attached form and faxing it to us at the number shown on the form, or by sending it back to the reply paid address that is shown on the bottom of the form.

Once you have granted your consent, we will proceed to make arrangements to have access to your property by contacting you on the phone number you have provided. The team involved in the studies will make every attempt to advise you of the type of works to be undertaken, where they will be working and the period of time they will be on your property. The team will also request your advice on any specific property or safety concerns that need to be noted when on your property. In the event that you are unable to be contacted the following guidelines will be maintained:

- ▶ An authorised person from the team will undertake a courtesy knock on your front door to make you aware of their presence and the commencement of work on your property;
- ▶ If no one is at home, a card will be left at the end of the day to inform you that the contractors have accessed your property and conducted some work that day;
- ▶ All gates will be left as they were prior to personnel entering your property;
- ▶ Team personnel will present their identification upon request;
- ▶ Disturbances will be kept to a minimum; and
- ▶ The utmost care will be taken to ensure that damage to private property is avoided. However, if any damage does occur, you will be notified and the damage repaired to your satisfaction.

Land Acquisition

We are only undertaking preliminary studies on your property at this stage; in the event that your property is identified for potential land acquisition you will be contacted by a duly authorised representative of the Maitland to Minimbah Third Track project to discuss the matter further.

For More Information

If you require further information on the proposed rail track and the parties involved in the Maitland to Minimbah Third Track project, or if you wish to advise us of any special requirements for access to your property, please contact the Community Information Line on 1800 216 317 (freecall).

Yours faithfully.

GHD Pty Ltd

A handwritten signature in black ink, appearing to read "Ron Forrester", with a stylized flourish at the end.

Ron Forrester

Communications Manager

Maitland to Minimbah Third Track

Consent to enter my property

☐ I hereby authorise staff and sub-contractors engaged on the Maitland to Minimbah Third Track development to enter my property Lot 2 DP 809649 to undertake investigative works, including but not limited to:

- ▶ Geotechnical investigations: this may include exploratory drilling and/ or excavations;
- ▶ Ecological investigations: this may include day time and nocturnal surveys for native flora and fauna;
- ▶ Aboriginal heritage surveys: archaeologists and members of the local Aboriginal community to undertake a walkover of the investigation area for evidence of Aboriginal heritage;
- ▶ Non-indigenous heritage: archaeologists to undertake a site walkover to investigate for non-indigenous heritage;
- ▶ Soil contamination investigation: Environmental scientists to undertake a walkover of the site. If the potential for contamination is identified, further exploratory drilling and/ or excavations;
- ▶ Noise and vibration: Acoustic specialists to establish unattended noise loggers, and/ or to undertake attended noise and vibration monitoring; and
- ▶ Survey of all my property backing onto the rail corridor, and installation of permanent survey markers at regular intervals.

Please list any special requirements for your property (i.e. dogs/horses/cattle/other on property, gates to be closed etc):

- ▶
- ▶
- ▶
- ▶

Susan Marie Basalto

(Date)

(Signed)

(Phone number)

Pre-paid Hunter 8 Alliance
Post: Reply Paid 5403
 Hunter Region MC
 NSW 2310

Free Call: 1800 216 317 (Free call)
Email: communityinput@Hunter8alliance.com.au
Fax: Ron Forrester
Fax: (02) 4979 9988

Our Ref: ARTC - Maitland to Minimbah - MMU-040

28 August 2009

Basalto SM
1 Nelson Street
Greta NSW 2334

Dear Ms Basalto

**Re: AUSTRALIAN RAIL TRACK CORPORATION – Maitland to Minimbah Third Track
Consent for Identified Indigenous Heritage Artefacts**

In recent times, you have provided approval for Hunter 8 authorised staff and subcontractors to enter your property to complete investigative works associated with the Maitland to Minimbah Third Track project ('the Project').

As detailed in our previous correspondence, part of the investigative works included Indigenous heritage investigations. In particular, we noted that archaeologists and members of the local Indigenous community would complete a walkover of the investigation area looking for evidence of such heritage.

During these investigative works, if artefacts pertaining to Indigenous heritage are discovered within the investigation area on your property, we are seeking your permission to cordon off the affected area only, to protect those identified artefacts. If artefacts are discovered, then it may be necessary to expand the investigation area to determine the extent to which artefacts are present but we will discuss this with you prior. It is necessary to secure affected areas, as all works pertaining to Indigenous artefacts must be completed in accordance with the *National Parks and Wildlife Act 1974*.

Whilst at this stage it is not possible to determine the duration of time that any affected area may be cordoned off, all efforts would be made to ensure that you were regularly updated on the status and expected time frame of the investigation. Also, the size of the cordoned off area would be minimised where possible so as to limit interruptions.

You can give consent (as requested above) by filling in the attached form. Upon completion, you can either fax it to us at the number shown on the form or send it back to the reply paid address that is shown on the bottom of the form.

Office:
GHD Tower, Level 3
24 Honeysuckle Drive, Newcastle. NSW 2300
Telephone: (02) 4979 9976 Facsimile: (02) 4979 9988

Alliance Partners
Australian Rail Track Corporation Pty. Ltd. (ABN 75 081 455 754)
John Holland Pty. Ltd. (ABN 11 004 282 268)
GHD Pty. Ltd. (ABN 39 008 488 373)

Hunter 8 Alliance



If you require further information please contact the Community Information Line on 1800 810 680 (freecall).

Kind Regards
Hunter 8 Alliance

A handwritten signature in black ink, appearing to read "Ron Forrester".

Ron Forrester
Community Engagement and Stakeholder Manager

Office:
GHD Tower, Level 3
24 Honeysuckle Drive, Newcastle, NSW 2300
Telephone: (02) 4979 9976 Facsimile: (02) 4979 9988

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GHD Pty. Ltd. (ABN 39 008 488 373)

Nelson Street GRETA

Dear Mr Pascoe,

A few months ago, I visited Cessnock Council and met with you in relation to engineer plans for Anvil Creek Bridge and SRA Bridge Nelson Street Greta. I am hoping that you may be able to assist me or direct me to the appropriate person/s.

Hunter 8 Alliance are in the process of the third rail track between Maitland and Whittingham. This involves changes to certain roads and bridges to accommodate this LGA. Do you know who is involved in the design of plans/changes to the above in Council.

Is this your department? if not who would be the best to talk to?

Hoping that you can assist.

Susan Basalto

Lot 2 Nelson Street

GRETA NSW 2334

Susan Basalto

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— On Mon, 31/8/09, Ray.Pascoe@cessnock.nsw.gov.au <Ray.Pascoe@cessnock.nsw.gov.au> wrote:

From: Ray.Pascoe@cessnock.nsw.gov.au <Ray.Pascoe@cessnock.nsw.gov.au>

Subject: Re: Anvil Creek Bridge & SRA Bridge Nelson Street GRETA

To: "susan basalto" <susy_bas@yahoo.com.au>

Received: Monday, 31 August, 2009, 9:52 AM

Good Morning Susan

The contact person and number for the project development of the track widening is

Michael Parsons of GHD Partners

Phone: 02 4979 9999

There is also a website dealing with the work

The community contact number there is 1800 216 317

and email is communityinput@hunter8alliance.com.au

regards

Ray Pascoe
Asset Engineer

For CESSNOCK CITY COUNCIL
PO Box 152
CESSNOCK NSW 2325

Phone (02) 4993 4248
Fax (02) 4993 2505
Mobile 0401 107 486
Email: ray.pascoe@cessnock.nsw.gov.au

susan basalto
<susy_bas@yahoo.com.au>
om.au>
To
ray.pascoe@cessnock.nsw.gov.au
08/27/2009 03:21 PM
cc
Subject
Anvil Creek Bridge & SRA Bridge



Re: Anvil Creek Bridge & SRA Bridge Nelson Street GRETA

Thursday, 24 September, 2009 11:55 AM

From: "Ray.Pascoe@cessnock.nsw.gov.au" <Ray.Pascoe@cessnock.nsw.gov.au>

To: "susan basalto" <susy_bas@yahoo.com.au>

Good to be of service, Susan

Regards

Ray Pascoe
Asset Engineer

For CESSNOCK CITY COUNCIL
PO Box 152
CESSNOCK NSW 2325

Phone (02) 4993 4248
Fax (02) 4993 2505
Mobile 0401 107 486
Email: ray.pascoe@cessnock.nsw.gov.au

susan basalto
<susy_bas@yahoo.com.au>
om.au>
24/09/2009 11:47 AM
To
Ray.Pascoe@cessnock.nsw.gov.au
cc
Subject
Re: Anvil Creek Bridge & SRA
Bridge Nelson Street GRETA

Good Morning Ray,
A quick note to say thank you for your information, it was most helpful, and I have spoken with Michael Parsons.
Have a good day.

Susan Basalto



Greta

Thursday, 10 September, 2009 3:03 PM

From: "susan basalto" <susy_bas@yahoo.com.au>
To: mmorrow@maloney.com.au
Cc: communityinput@hunter8alliance.com.au

Dear Matthew Morrow

This is just a reminder when we spoke last, was to change my postal address, as Hunter8Alliance have 1 Nelson Street GRETA which is incorrect.

Please change to **Lot 2 Nelson Street GRETA NSW 2334.**

Also have there been any progress in relation to plans?

Susan Basalto

Get more done like never before with Yahoo!7 Mail. [Learn more.](#)



Re: Your faxed queries

Tuesday, 1 December, 2009 2:54 PM

From: "Michael.Ulph@hunter8.com.au" <Michael.Ulph@hunter8.com.au>
To: "susan basalto" <susy_bas@yahoo.com.au>

Hi Susan,

The lady I was waiting on to review your document, and to give me advice re: plans, has been taken to hospital with breathing difficulties.

My apologies for the delay. I'll come back to you as soon as I can.

Regards

Michael Ulph
Senior Consultant, Community Relations
Hunter 8 Alliance

Ph: 02 4910 7746
E: michael.ulph@hunter8.com.au
www.hunter8alliance.com.au

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December 4, 2009

Ms Susan Basalto
1 Nelson Street
GRETA NSW 2335

Dear Ms Basalto,

Thank you for your letter regarding the bridge construction and third track construction near your property at Greta. We have responded to each of your queries as best we can, and provided the name of an alternate agency if we are unable to provide what we consider to be satisfactory answers.

The bridge construction is being done separately to the third track construction, and is likely to begin in or a little after March 2010. The REF process is being used to assess environmental effects in this case.

With regard to the Third Track project, formal submissions to the Department of Planning will be called for when the Environmental Assessment goes on exhibition. This is likely to be in February 2010. The Department of Planning will publish the exhibition dates in local papers when this occurs.

We encourage you to send a formal submission to the Department if you have any concerns or queries at this time.

We have your details on our Community Consultation database, and will send you any newsletters or other informative documentation as these projects progress. We plan to send another newsletter in early January.

Please also find enclosed an aerial picture of the Nelson street site, which shows the planned location and some design elements for the planned bridge.

Again, thank you for your patience, and please contact us if you have any further queries.

Regards,

Michael Ulph
Senior Consultant – Community Consultation Team
Hunter 8 Alliance

Questions and Answers

1a. Railway Car Park Dust- Entrance and lane way between Greta Railway Station and Lot 2 Nelson Street being utilised whilst third track and Nelson Street Bridge being built. All ballast to be removed, drainage problems associated with run off to be corrected prior. These areas to be sealed prior to construction and then resealed upon completion of works with bitumen, kerb and guttering starting at front of Lot 2 Nelson (inclusive) and the car park. Due to the volume of heavy vehicles and vehicles which will be utilising this area. This will eradicate some of the dust levels that have been experienced in the past with heavy machinery and vehicles.

Access to the construction areas are expected to be behind Lot 2 to the East, and also on the Western side of the tracks. While there are plans to increase the size of the car park adjacent to the Station, there are no plans to seal the area.

What area has been designated for storage of ballast, storage area for heavy vehicles and equipment?

At this point a construction site is planned to be set up South of Nelson Street on the Western side of the tracks.

Movement of vehicles and machinery prior, during and after construction and hours of operation?

We expect to have earthmoving equipment, cranes and other machinery in operation during the construction of the new bridge, and during the construction of the third track. Traffic management plans will be developed to facilitate safe traffic movement. We expect the projects to be operating 5.5 days per week within the hours of 7am and 6pm.

Compensation for loss of convenience, and to work hours etc which interferes unreasonably with the comfort or repose of a person who is inside or outside the premises from which it is emitted?

Noise monitoring and the monitoring of other environmental issues will be carried out during construction. We intend to operate with DECCW limits and guidelines.

If there are any damages to property due to construction/heavy machinery etc. who will be liable?

A 'dilapidation survey' will be carried out for each property within area where vibration could possibly affect it. If a claim is made during or after the construction phases of these projects, the initial dilapidation survey will be used as a baseline to assess the potential sources of damage.

Are there going to be additional CCTV cameras for car park, access lane and additional platform?

RailCorp has mandatory requirements for CCTV cameras to be installed at each railway station platform and this will be the case at Greta.

There is currently no intention to place CCTV cameras in the car parking area.

The access lane gates replaced or improved, other gates and fences between platform bridge and between railway station and lot 2 Nelson Street Improved. Due to antisocial behaviour of commuters and persons who pull in under the illusion the toilet facilities are open. (faecal matter and urinating)

At this time we are unsure what will happen with access lane gates.

Are the toilets going to be reopened?

We are unsure about this at this time, as it is a RailCorp issue. This is outside of the scope of work of the Hunter8 Alliance project.

1b.Noise level & vibration levels between Lot 2 Nelson Street (ex Station Masters Residence) and the Greta Railway Station (access lane)

We will be preparing a Review of Environmental Factors (REF) similar to an Environmental Assessment (EA), that assesses potential construction noise and vibration levels. It is our intention to operate within DECCW guidelines.

Noise levels and vibration levels of trains travelling through the Overbridge at Nelson Street due to sound travel and echo.

Operational use of the rail line is considered within the EA document, with noise from traffic on the road considered in the REF. It should be noted that the bridge and hence the road, will be moved further away from your property, so noise volumes experienced at your property are likely to be lessened.

Noise and vibration levels of all freight train series from the 4000 through to the 9000.

All trains that travel on the line have been captured during noise and vibration monitoring and considered in the overall noise modelling.

Noise and vibration levels of when all three tracks are being utilised by freight trains and wagons.

This will be addressed in the EA.

Pollution, emissions from diesel engines of freight trains, coal dust from uncovered wagons?

The EA includes a section assessing air quality impacts that considers engine emissions and dust generation.

Pollution from these emissions and dust into roof cavities and water tank?

The EA includes a section assessing air quality impacts and potential dust mitigation measures.

2a. What is the height and elevation of Replacement Bridge?

The clear span from rail to bridge is 5.15 metres and the distance from the rail line to the top of the bridge is approximately 8.25 metres.

2b. The new replacement bridge will this have the facility of a footpath for pedestrians, bicycles, disabled etc that connects one side of the Greta township to the other and how many lanes?

The replacement bridge will have a bicycle lane and a footpath for pedestrians in each direction. It will have one vehicle lane in each direction.

2c. As discussed SRA Bridge Nelson Street, overhead bridge replacement. Then the closure of the old road, to allow access to Lot 2 Nelson Street and Greta Railway Station, will this new bridge take on the name of Nelson Street?

The naming of streets is controlled by the Council.

2d. Is the access point from Anvil Creek Bridge to Lot 2 Nelson Street and Greta Railway Station going to be renamed as a street, lane etc, as this will then be separate to Nelson Street itself?

The naming of streets is controlled by the Council.

2e. From Nelson Street across Anvil Creek Bridge will there be provisions made for enabled and abled pedestrians, wheelchair, pram provisions and bicycles i.e. footpath.

The project does not include changes to the Anvil Creek bridge.

2f. In the draft planning of this overhead bridge how many and what draft designs were used? By whom in Hunter 8 Alliance and Cessnock City? Who is Hunter 8 Alliance liaising directly within Cessnock City Council in regards to the design?

There were several draft designs. Please contact Cessnock City Council regarding staff enquiries.

2g. Will there be provision for a right hand turn from Anvil Creek Bridge exit onto the new SRA Bridge going towards Camp Road, also a left hand turn exiting the SRA Bridge into Anvil Creek Bridge?

Yes, you will be able to access the bridge in both directions.

2h. During conversation once Replacement overbridge built, part of the old street will be removed and from what point? (the S bends in Nelson Street?) and then would this be reclaimed for revegetation and trees?

We plan to turn part of the current road into an access road for the rail. The extent of this is still being decided.

2i. Why has Hunter 8 Alliance and Cessnock City Council **not** addressed the issue of my right of way and access issues in regards to Lot 20 DP 706407 utilising another person's private property Lot 1 DP 1071194 to enter and exit Nelson Street, the many vehicles that use SRA Property (car park) as a turning circle to enter this property, all issues etc. which have been with Cessnock City Council for several years and still no resolution to date. How did they obtain permission?

As there is no historical entrance to Council's records. Council in 2002 approving an **unlawful DA** over 2 private properties.

This is a matter for Cessnock City Council. Hunter 8 Alliance is the construction organisation for the third rail project and we cannot speak for Cessnock City Council.

2j. What is Council and Hunter 8 Alliance's intention for this area?

There is no proposed acquisition as part of this project.

2k. The alterations made in the 1990's to Anvil Creek, is the existing bridge going to be replaced back to its original positioning?

NO, the project does not include changes to the Anvil Creek Bridge.

2l. Why choose to move from the original plans of Replacement Bridge & realignment of Nelson Street and Anvil Creek Bridge?

This plan would not have met with RTA standards. Traffic management during construction would have also been highly problematic.

2m. Are the guardrails on Anvil Creek Bridge going to be removed, replaced or shortened? Electricity pole be moved and appropriate signage addressed?

The guardrails will not be removed, replaced or shortened. It is possible that electricity poles will be moved, but this is still being planned. We are not sure what signage you are referring to.

2n. Is there going to be additional lighting along Anvil Creek Bridge and towards car park?

No, the project does not include changes to the Anvil Creek Bridge.

3. Sound Barriers, Double Glaze Windows and Insulation due to noise and vibration?

If the ARTC would be exceeding its Environment Protection Licence and the relevant DECCW guidelines, then remediation measures may be offered to landholders where this occurs. (See also previous answer regarding dilapidation surveys).

4. What provisions have been made for greening of the area once complete?

Landscaping and native vegetation planting would occur in the area surrounding the new bridge. The specific locations, layout and species composition of such landscaping is still to be determined.

5. Platform design, footbridge design and remodelling for disability friendly?

This is still being discussed with RailCorp, however the current plan is to have no lifts, but to have wheelchair accessible ramps.

6. Allowance for parking area on other side of platform? Or is this area for drop off and pick up only?

There is no plan for car parking on the Western side of the rail line. The bicycle lane and pedestrian access on the new bridge will provide access to the station on the Eastern side.

7. Number of freight trains per minute/s? (e.g. 1 coal train per 8 mins) and how many wagons?

This is expected to vary. You can expect an increase in the number of coal trains but not necessarily freight trains carrying other kinds of freight, or passenger trains, in the short to medium term. Coal trains commonly have 91 wagons, however this does vary.

^?

8. Date of when plans will be submitted to the NSW Department of Planning, date of commencement of Replacement Bridge Nelson Street? Times of operation and estimation of completion date?

Plans for the Nelson Street Overbridge do not need to be submitted to the Department of Planning. However the potential environmental impacts will be assessed by a Review of Environmental Factors (REF) in accordance with Part 5 of the *Environmental Planning and Assessment Act 1979*. Construction of the overbridge is proposed to commence in March 2010 for completion in September 2010.

9. Date of when plans will be submitted to the The NSW Department of Planning and date of commencement of Third Track? Times of operation and estimation of completion date?

The Environmental Assessment for the Third Track is proposed to be submitted to the Department of Planning in February 2010. Dependant on receipt and timing of approval, construction is currently proposed to commence in September 2010 for completion in March 2012.



Re: Overhead bridge and third track at greta

Tuesday, 9 March, 2010 3:55 PM

From: "Michael.Ulph@hunter8.com.au" <Michael.Ulph@hunter8.com.au>

To: "susan basalto" <susy_bas@yahoo.com.au>

Hi Susan,

Thanks for your email.

I'll come back to you as soon as I can.

Regards
Michael

Michael Ulph
Senior Consultant, Community Relations
Hunter 8 Alliance

Ph: 02 4910 7746
E: michael.ulph@hunter8.com.au
www.hunter8alliance.com.au

communityinput@hunter8.com.au

Subject: Re: Overhead bridge and third track at greta

09/03/2010

Dear Sir / Madam

I attended your community drop in session at Maitland Showground on Saturday and spoke a number of your consultants (which were helpful) I have recently sent Michael Uphl a few emails in regards to the above in relation to previous questions.

1. My concern is in relation to noise and vibration again, about the testing between the station building and my premises, my concerns are that due to my house being less than 50 metres from the tracks , the vibration that this will create and also the fact that my foundations are of sandstone and the effect that this is going to have on it. Over the years the vibration has worsened as the number of trains and wagons have increased (other houses foundations in the area are concrete etc) . The noise is of the echo it creates between these buildings and also on the exit and entry. Could this be done?

<http://au.mc343.mail.yahoo.com/mc/showMessage?sMid=9&fid=%2540S%2540Search&fil...> 7/5/2010

2. My I have the person/s name in Cessnock City Council in which Hunter8Alliance is liasing with? In regards to what is happening with the part of Nelson St , plans.where it will be closed off and the rest of the area?

3. We also spoke about our concerns about what was being planned for the Greta railway station itself and the carpark i.e. footbridge design, disability access.

I hope that you can understand our concerns is that we are dealing with a number of issues , questions and concerns in this one area, more so than others.

I await your reply and hope you can assist.

Thank You

Susan Basalto
Lot 2 Nelson Street
GRETA NSW 2334
Susan Basalto

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Ms S M Basalto
Station Masters Residence
Lot 2 Nelson Street
GRETA NSW 2334

Contact: Mrs Kate Curry
Our Ref: I112
Your Ref: off Nelson Street Greta

Dear Sir/Madam

PROPOSED HERITAGE LISTING WITHIN THE DRAFT LOCAL ENVIRONMENTAL PLAN

On 23 June 2010, Council resolved to re-exhibit and seek public comment on changes to draft Cessnock Local Environmental Plan (LEP).

In relation to I112 - Greta Railway Station & Station Master's House, Council resolved to remove this item from the draft Heritage schedule of the Local Environmental Plan, unless you request to have it retained.

The draft LEP will be re-exhibited for a four (4) week period commencing 7 July 2010 and finishing 4 August 2010. The re-exhibition material, including a schedule outlining the changes to the previously exhibited draft LEP, can be viewed at the following locations:

- Council's Administration Building (Customer Service Section);
- Cessnock Public Library;
- Kurri Kurri Public Library; and
- Council's website at www.cessnock.nsw.gov.au

Any person may make a written submission in relation to the changes to the draft LEP. Any views expressed in written submissions will be considered by Council before a final decision is made and the draft plan is sent to the Minister requesting that the plan be made.

In order to be considered by Council, submissions must be received by the close of the exhibition period (5:00pm on 4 August 2010).

Should you have any further queries please contact Council's Land Use Planning Section on 4993 4168.

Yours faithfully

BO MOSHAGE
STRATEGIC LANDUSE PLANNING MANAGER
CESSNOCK CITY COUNCIL

2 July 2010

Mark Turner - Objection to Maitland to Minimbah Third Track Application Number Application Number: MP 09_0024 and EPBC 2009/4897

From: susan basalto <susy_bas@yahoo.com.au>
To: mark turner <mark.turner@planning.nsw.gov.au>
Date: 12/07/2010 07:53
Subject: Objection to Maitland to Minimbah Third Track Application Number Application Number: MP 09_0024 and EPBC 2009/4897
Attachments: EA Part B The Project documentation (Site Compounds and Access).pdf; lane way access point lot 2.jpg

12/07/10

Dear Mr Mark Turner,

Objection to Maitland to Minimbah Third Track Application Number Application Number: MP 09_0024 and EPBC 2009/4897

I wish to add on to my objection as I could not find the information prior to sending my objection via email on the 10/07/10 as the closing date is the 12/07/10

It is in regards to the Site Compounds at Greta, which I have attached. The numbers of these compounds are more than stated. The use of access lane between my premises of Lot 2 Nelson Street Greta and Greta Railway Station which is less than 4 metres wide and the close proximity. It is in relation to the use of this by light vehicles and heavy vehicles. The vibration that occurs when this used even at present shakes my house. But the amount of vehicles that will be using this on a daily will be unbearable due to the proximity of my house. My major concerns are of structural damage, noise, vibration, dust and also damage to property with so many vehicles pass through this point.

Also my concerns of the overflow of lighting during construction at Greta Station into my premises and the noise, the light of the trains as they are approaching from Branxton that overflow into my premises. The reflection of Signal Lights into my premises.

There is another major concern that I did mention in regards to Noise and Vibration but over the 3 weeks, Pacific National has been using Greta Station as a Driver Change Over point. There has been three in less than 48 hours from the 11th July till the 12th July 2010. This is increasing dramatically. This station is not a designated change over point. Why all of a sudden is this now occurring?

I have attached the Site Compounds of EA Part B The Project pages 137 through to 141, I have highlighted the areas of concerns in regards to the Site Compounds. I have also enclosed a photo of the access lane between my premises and Greta Station itself.

Please let me know if you receive this email ok and everything has opened .

Thank You

Susan Basalto
 Lot 2 Nelson Street, (Lot 2 DP 809649)
 GRETA NSW 2334
 mobile 0408 239 054

Susan Basalto



- Earth filling between platform units.
 - Installation of new pavement surface layer.
 - Construction of concrete ramp footing piles.
 - Installation of pavement layers on the existing platform where increased height is required.
 - Installation and fabrication of steel footbridge / ramps and concrete infill panels using crane.
 - Modification of carpark pavement and drainage.
 - Installation of auxiliary works including lighting and signage.
- As discussed in Section 7.17.2, the existing parking areas at Greta Railway Station would remain operational.
- The construction equipment required to undertake this work is summarised in Section 7.19.5.

Passenger Safety

- Throughout the construction phase a number of passenger and public safety measures would be implemented to maintain accessibility to the platforms while protecting passenger and public safety. Such measures would be consistent with WorkCover requirements and may include (but not be limited to):
- Isolating construction areas through the use of concrete barriers constructed from pre-cast or tilt up panels and/ or expanded galvanised steel mesh panels with steel framing. Such barriers would be provided around the third track construction area, as well as on the existing Down platform while the platform extension is under construction.
 - Staging of construction activities and reopening of public access to areas.

7.19 Other Construction Activities

7.19.1 Site Establishment

Construction Compounds

Primary and secondary construction compounds would be required for the construction phase of the Project for offices, staff parking and storage of mobile and fixed plant and construction materials.

Primary Construction Compounds

- The Project would be divided into three areas for construction, as follows:
- Area A – chainage 194,500 kilometres to chainage 203,000 kilometres.
 - Area B – chainage 203,000 kilometres to chainage 217,200 kilometres.
 - Area C – chainage 217,200 kilometres to chainage 224,220 kilometres.

Criteria that the primary construction compounds would need to comply with include:

- Site Conditions
 - 1 All weather access.
 - 1 Adequate space.
 - 1 Relatively level land.
 - 1 Not require vegetation clearing beyond that already required for the Project
 - 1 Not impact on heritage sites beyond those already impacted by the Project
- Location
 - 1 Ready access to the road network.
 - 1 Located to minimise the need for heavy vehicles to travel through residential areas.
 - 1 Separated from nearest residences by at least 200 metres.
 - 1 Not affect the land use of adjacent properties.
- Services
 - 1 Electric power supply nearby.
 - 1 Proximity to other services (water, sewerage)

The primary construction compounds would require an area of approximately 30 hectares, would be static and would be required for the duration of the construction period. Based on the above criteria, it is anticipated that the primary construction compounds would be established at the locations detailed in Table 7-26.

Table 7-26 Primary Construction Compound Locations

Location	Chainage (kilometres)
Station Lane Location	202.500 – 203.050 Up side
Brandon	215.660 – 216.320 Up side

Generally the primary construction compounds would include demountable buildings for staff accommodation and would have the following facilities:

- 1 Hardstand car parking areas.
- 1 Hardstand storage areas.
- 1 Explosives store.
- 1 Bunded diesel fuel storage area.
- 1 Security lighting.
- 1 Anaerobic or aerobic septic system and sillage removal tanks.
- 1 Water storage tanks.
- 1 First aid room.
- 1 Eyewash.

- Water coolers and ice machines.
- Ablution facilities.
- Equipment as required including rock crushing, grout batching, material storage silos or stockpiles.

Secondary Construction Compounds

Secondary construction compounds would be temporarily established within the construction impact zone primarily adjacent to each of the bridge construction sites and railway station modification work areas.

Table 7-27 provides a summary of the anticipated secondary construction compound areas that may be established and the associated works.

Table 7-27 Secondary Construction Compound Locations

Chamae (kilometres)	Side	Description	Possible Activity
195.450 - 195.520	Up side	Wokombi Road, Telarah	Small laydown area
195.060 - 195.120	Down side	Wokombi Road, Farley	Satellite Office at new rail underbridge location.
204.540 - 204.600	Up side	Old North Road	Demonition of existing overbridge
205.850 - 206.000	Up side	Allandale Road	Satellite Office at new rail underbridge location
208.174	Up side	Arch culvert	New Rail Underbridge
209.999	Up side	Underbridge	New Rail Underbridge
210.700	Both	Grata Station, Nelson Street	Access to existing railway station
211.010	Down side	Sawyers Creek	New Rail Underbridge
215.018	Down side	Bridge Street Overbridge	Existing road overbridge pier collision protection and embankment station works
217.240 - 217.780	Up side	Black Creek underbridge, Bekford	New Black Creek underbridge
222.480 - 222.890	Up side	Heritage Road, Bekford	Satellite Office

The secondary construction compounds would generally consist of the following facilities:

- Demountable offices.
- Hardstand storage area.
- Security lighting.
- Sullage removal tanks.
- Ablution facilities.
- Hardstand car parking area.
- Eyewash.

The secondary construction compounds may be relocated during bridge or railway station construction activities to cater for the bulk earthworks activities or signalling relocation works. Apart from topsoil removal, no excavation is anticipated at any of the secondary construction compounds.

7.19.2 Site Access

Construction materials would be transported to and from the site using on-road trucks (rigid bodied or semi-trailers), tippers and concrete mixers. Access to the site is proposed to be a mix of a number of types of egress and exit points dependant on the works required to be undertaken at any given time.

Construction truck traffic would travel to the site along the New England Highway and then typically access the site via local roads. Main access points for the ingress and exit of major construction vehicles to the site are detailed in Table 7-28.

Traffic impacts are considered in Chapter 15.

In the event that construction personnel are required to access or pass through private property, approval is required of the landholder, and gates and access points left as they were found. Property fencing is to be maintained, and if damage to fencing does occur, it would be restored to its previous condition.

Table 7-28 Site Access Locations

Works Area	Chainage (kilometres)	Egress and Exit
Woolombi Road	195.580	From existing Woolombi Road, North and South directions
Lockney	202.500	From existing Station Lane
Old North Road	204.800	From existing Old North Road
Alandale Road new underbridge	206.080	From existing Alandale Road
Underbridge and south-west culvert	209.174	From existing maintenance track within rail corridor
Underbridge piers bridge south-west	209.989	From existing maintenance track within rail corridor

Works Area	Chainage (kilometres)	Egress and Exit
Greta – Nelson Street bridge	210.700	From existing Nelson Street from the north and from existing Old North Road from the south
Sawyers Creek underbridge	211.010	From existing maintenance track within rail corridor
Bridge Street overbridge pier protection	215.018	From maintenance track access points at Branxton from Railway Street on the Up side and from Branxton Road on the Down side
Branxton Station renewal, turnout installation, track slews and track sub-grade remediation	215.600	From existing maintenance track within rail corridor and from Station Street on the Up side
Black Creek Underbridge	217.240	From existing maintenance track within rail corridor and possible access from Rix's Road on the Up country side
Rix's Road access road work	218.100	From Rix's Road
Belford Retaining Wall	221.700	From existing maintenance track within rail corridor
Jump Up Creek Underbridge	222.848	From existing maintenance track within rail corridor and from Hermitage Road
Track work	194.500 to 224.200	Access points as listed above and from other existing maintenance access gates
Earthworks – all	194.500 to 224.200	Access points as listed above and from other existing maintenance access gates

7.19.3 Landscaping and Rehabilitation

Landscaping would be undertaken at various locations along the Project route to minimise the potential visual impacts of infrastructure on nearby residents and road users, to stabilise exposed soil and earthworks sites, and to address the loss of vegetation as a result of the Project. Landscaping would generally incorporate indigenous plant species of appropriate size based on the proximity to rail and road infrastructure.

Indigenous plant species would be made available to adjoining property owners to plant on their property to use as a visual buffer.

Where possible, areas of native vegetation cleared for construction of the Project would be rehabilitated with indigenous plant species. Similarly, any areas of adjoining landowners' pasture subject to temporary access or use during the construction phase would be rehabilitated through grass seeding with appropriate pasture grass species.

The locations and design of landscaping would be detailed in a Landscaping Plan to be developed during the detailed design phase.



Mark Turner - Online Submission from Christian Young (object)

37

From: Christian Young <ecostructdevelopments@yahoo.com.au>
To: Mark Turner <Mark.Turner@planning.nsw.gov.au>
Date: 12/07/2010 16:08
Subject: Online Submission from Christian Young (object)
CC: <assessments@planning.nsw.gov.au>
Attachments: Objection to Maitland To Minimbah 3rd Track Submission.pdf

Christian Young
120 Wollombi Rd
Farley 2320

ATTN: Director General - Department of Planning

RE: MAITLAND TO MINIMBAH 3RD TRACK PROJECT APPLICATION SUBMISSION

As a landowner adjacent to the proposed Maitland to Minimbah third track I am concerned about numerous issues relating to the impact of this project on my own property. I do not believe adequate work has been done to investigate and alleviate the issues that this project will bring to the neighbours of the rail line.

Throughout this year and last, I have been in contact with ARTC and its acquisitions representatives and have had difficulties throughout this time. I was at one point last year assured verbally by a representative of ARTC that my property was to be acquired and under this advice I cancelled a proposed sale agreement. After a few months I was then informed that no acquisition was to take place and ARTC were investigating what had occurred in their dealings with myself. Since then I have had difficulty in gaining a clear reason why the change in acquisition occurred or who was responsible for the misleading statements. I have been directly affected financially by this action and find it unacceptable that the situation has been managed in this manner.

The Third line will bring significantly more trains, increasing the levels of noise and vibration experienced on a day to day level, significantly affecting the amenity of my property. These issues have not been adequately assessed or addressed and, I believe, will translate into a devaluing of my property.

There is little information as to the affect of construction activities and their direct impact or timing on the residents of Wollombi Rd, leaving me concerned and ill informed.

I strongly object to this proposal in its current form and hope that further consultative work is undertaken to address the issues raised above.

Regards,
Christian Young
MB: 0437 106 816
Hm: (02) 4932 8505

Name: Christian Young

Address:
120 Wollombi Rd Farley 2320

IP Address: 203-206-176-2.perm.iinet.net.au - 203.206.176.2

Submission for Job: #2924 Maitland to Minimbah Third Track - Project Application
https://majorprojects.onhiive.com/index.pl?action=view_job&id=2924

Site: #1836 Maitland to Minimbah Third Track
https://majorprojects.onhiive.com/index.pl?action=view_site&id=1836

Christian Young
120 Wollombi Rd
Farley 2320

ATTN: Director General - Department of Planning

RE: MAITLAND TO MINIMBAH 3RD TRACK PROJECT APPLICATION SUBMISSION

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Throughout this year and last, I have been in contact with ARTC and its acquisitions representatives and have had difficulties throughout this time. I was at one point last year assured verbally by a representative of ARTC that my property was to be acquired and under this advice I cancelled a proposed sale agreement. After a few months I was then informed that no acquisition was to take place and ARTC were investigating what had occurred in their dealings with myself. Since then I have had difficulty in gaining a clear reason why the change in acquisition occurred or who was responsible for the misleading statements. I have been directly affected financially by this action and find it unacceptable that the situation has been managed in this manner.

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There is little information as to the affect of construction activities and their direct impact or timing on the residents of Wollombi Rd, leaving me concerned and ill informed.

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Regards,

Christian Young

MB: 0437 106 816

Hm: (02) 4932 8505

Mark Turner - Online Submission from Adelaide Thompson (other)

36

From: Adelaide Thompson <thomossmisus@bigpond.com>
To: Mark Turner <Mark.Turner@planning.nsw.gov.au>
Date: 12/07/2010 12:39
Subject: Online Submission from Adelaide Thompson (other)
CC: <assessments@planning.nsw.gov.au>

I would like to submit my concerns about the Third Rail line between Maitland and Minimbah, specifically Belford.

My concerns are as follows:

1. Dust and other air pollutants. As there will be a lot of dust we should be provided, by Hunter, with water filters as we are on tank water. Hunter should also subsidise our power bill for drying washing as dust will impact wet washing hanging on the clothes line. Or they can pay for laundry costs. Any doctors/vets bills that result from airborne pollutants must be paid for by Hunter. Also cleaning products for the cleaning of dust associated with construction.

2.Noise and vibration. Double glazing should be provided by Hunter and any damage caused by vibration will be rectified. My husband is a shift worker and will need to sleep through the day. To prevent sleep deprivation due to construction noise, a motel room in a quiet location will need to be provided by Hunter as the need arises.

3. Flooding. There is a culvert close to our property that allows water from the other side of the rail line to continue along the creek. By making the culvert longer it will bring it closer to our home. Also there is a property further up the hill from us that has large dams that catch an enormous amount of runoff, which Hunter will remove. This will add volume to the water already coming into the creek. These factors will combine to bring the flood zone closer to our home, and adversely impact the remainder of our lifestyle block. Our children and animals play in this area frequently. Not only does it impact us but it will also impact, in particular, one of our neighbours whose property is already subject to flooding, as well Hunter. During the "Pasha Bulka" storm the entire area of our land to be acquired by Hunter was flowing under several feet of water. When the rail line goes in this water will be substantially closer to our house. Close enough to put our home in danger of being flooded. We want Hunter to make sure that this does NOT happen.

4. Security. I want a guarantee that my family will be safe from predators that may work on the construction site. Also before,during and after construction, anything that is stolen will be replaced by Hunter.

5. Visual amenity. At present we cannot see the rail line due to large trees, which will be knocked down. I am aware that trees will be planted however they take a long time to grow. Therefore a visual and noise barrier must be constructed from the point where the line emerges from the cutting up to the point where it is past all the houses in the village or where the line intersects Hermitage Road.

6.Fauna. The section of our property where construction will take place is home to numerous amounts of fauna. What will happen to these animals? Will they be relocated? We enjoy these critters and will be devastated if they are killed.

7. We have asked on numerous occasions to have someone come and talk to us about the construction but so far haven't seen anyone who can tell us anything. This is unsatisfactory, as we have information about the creek that may adversely impact construction. I don't want the rail line to wash out onto our land!

There are many issues regarding construction and we want to be consulted and have our questions answered..I don't think that this is asking too much!

Thankyou

Adelaide Thompson.

Name: Adelaide Thompson

Address:

Lot 9 Banxton Street, BELFORD, NSW, 2335

IP Address: cpe-143-238-90-158.ins5.clt.bigpond.net.au - 143.238.90.158

Submission for Job: #2924 Maitland to Minimbah Third Track - Project Application

https://majorprojects.onhivive.com/index.pl?action=view_job&id=2924

Site: #1836 Maitland to Minimbah Third Track

https://majorprojects.onhivive.com/index.pl?action=view_site&id=1836

Mark Turner

Environmental Planning Officer

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E: Mark.Turner@planning.nsw.gov.au

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Mark Turner - MP 09_0024 - Proposed Maitland to Minimbah Third Track

From: Shannon Sullivan <shannons@adwjohnson.com.au>
To: "mark.turner@planning.nsw.gov.au" <mark.turner@planning.nsw.gov.au>
Date: 12/07/2010 11:58
Subject: MP 09_0024 - Proposed Maitland to Minimbah Third Track
CC: Brian Swaine <brian@mccloygroup.com.au>
Attachments: ARTC Submission.pdf

Mark,

Please find attached a submission made on behalf of the McCloy Group regarding the Major Development 09_0024 currently on exhibition. I have completed the submission section within the DoP website, however I was unsure if the attachment was completed via this process. A hard copy of the submission shall be sent via Australia Post.

If you have any question regarding this submission please do not hesitate to contact me.

Regards,
Shannon

Shannon Sullivan
Senior Town Planner

**Hunter Office**

www.adwjohnson.com.au

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Our Ref:SS:37714
N:\37714\Word Docs\ARTC Submission.doc

12 July 2010

Department of Planning
GPO Box 39
SYDNEY NSW 2001

ATTENTION: MARK TURNER

RE: MAITLAND TO MINIMBAH THIRD TRACK
PART 3A MAJOR DEVELOPMENT - MP 09_0024

This submission is made on behalf of the McCloy Group. The McCloy Group own Lot 100 in DP 1091841, commonly referred to as Heritage Green. A rezoning application was approved by Council to allow for the development of a residential housing estate upon the subject site. Amendment No.75 to the Maitland Local Environmental Plan, 1993 was gazetted 10 June 2005.

The rezoning of the subject site and inclusion of the enabling clause, Clause 52, to facilitate development of the land was supported by the Department of Planning. At the time of the rezoning it was clear to all agencies and adjoining landowners, including ARTC, that the site was to accommodate residential dwellings.

The site is subject to a current Development Application, DA 08-2357, for the subdivision of the site to provide for up to 450 residential dwellings and an extensive network of recreation areas. The Heritage Green site is subject of a specific clause within the LEP, Clause 52, which enables development of the site for residential dwellings. Further the subdivision of the land and future construction of residential dwellings are permissible within the current land use zone.

The Heritage Green site has been identified by the New South Wales Department of Planning as a 'Major Site' within the recently released Metropolitan Development Program. It is clear that the Department of Planning is aware of the proposed development within the subject site and support residential development within the site due to the inclusion within the MDP.

In light of the residential use, the acoustic and vibration impacts identified within the EA Report are clearly unacceptable. The Hunter Alliance in preparing the information for the EA Report need to review the 'U9' Noise Catchment and consider that dwellings could be located adjacent to the rail corridor. The Heritage Green subdivision layout has been developed to incorporate substantial recreation to be consistent with the land use zone and the intention of the original rezoning of the site. The impact of the Third Track alignment and capacity needs to be mitigated. The current suggestion that the Heritage Green proposal 'may require a redesign of

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parts of the residential development', but that these could be accommodated 'due to large areas of open space within the development' is not accepted by the McCloy Group. It is ARTC who are causing the impact and it is for them to mitigate that impact, not the McCloy Group.

The current track alignment and capacity would not prevent the development of the site as proposed. The EA Report and associated Noise and Vibration Impact Assessment indicate that the increased capacity associated with the third line will prevent areas within the site from accommodating residential dwellings, and as stated above will require redesign of the subdivision, which is unacceptable.

Attached to this letter is a review prepared by Renzo Tonin on behalf of the McCloy Group. Renzo Tonin have raised a number of technical questions that McCloy Group wish to be addressed by the Hunter Alliance in regard to the impact upon the subject site.

The location of the proposed Third Track is closer than the existing railway lines within the ARTC corridor. It is understood that at this stage a number of issues are still to be addressed in determining the alignment of the third track adjacent to the Heritage Green site. Due to the location of a gas main, and unresolved acquisition discussions with landowners in this area, ARTC cannot confirm the alignment of the third line at this time.

It is considered that due to the ARTC proposing the Third Track within this location, the onus is on ARTC to mitigate against the impacts that will result from the development. As such, in responding to the submission it is requested that ARTC clearly outline the manner in which their proposed mitigation measures, most likely through an acoustic barrier, satisfying the current raise noise level requirements for residential dwellings.

If you have any enquires or require clarification regarding any issue raised within this submission please contact me on 49785100.

Yours faithfully
ADW Johnson - HUNTER OFFICE

A handwritten signature in black ink, appearing to read 'Shannon Sullivan'.

Shannon Sullivan
SENIOR TOWN PLANNER

Enc. Renzo Tonin & Associates Document dated 6 July 2010

TE188-05F03 (rev 0) Maitland to Minimbah Review.doc

6 July 2010

Mr Brian Swaine
McCloy Group
Suite 1, Level 3, 426 King Street
Newcastle West NSW 2300

Dear Sir

RE: HERITAGE GREEN – MAITLAND TO MINIMBAH THIRD RAIL TRACK

At the request of the McCloy Group, Renzo Tonin & Associates has reviewed the proposed third rail track Project Application [ref: NSW Department of Planning MP 09_0024 and EPBC 2009/4897], specifically in relation to the projected operational noise impacts onto the Heritage Green site.

We have reviewed Appendix K "Noise, Vibration and Blasting Assessment Part 1 and Part 2", prepared by GHD, as exhibited on the NSW Department of Planning website.

The operational noise from the third line redevelopment is to comply with Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects (IGANRIP), 2007. Table 4-4 of the GHD report presents the applicable noise criteria, and has been reproduced below.

Table 4-4 Airborne Rail Traffic Noise Trigger Levels for Residential Land Uses

Type of Development	Noise Trigger Levels dB(A)		Comment
	Day (7:00–22:00)	Night (22:00–7:00)	
Redevelopment of existing rail line	Development increases existing rail noise levels and resulting rail noise levels exceed:		These numbers represent external levels of noise that trigger the need for an assessment of the potential noise impacts from a rail infrastructure project.
	65 $L_{Aeq}(15h)$ 85 L_{Amax}	60 $L_{Aeq}(9h)$ 85 L_{Amax}	An 'increase' in existing rail noise levels is taken to be an increase of 2dB(A) or more in L_{Aeq} in any hour or an increase of 3dB(A) or more in L_{Amax}

The report identifies that the new track and increased capacity on the line will result in more than a 2dB(A) increase in existing noise levels. Furthermore, Appendix D of the GHD report highlights the area of the Heritage Green site that will be subject to L_{Aeq} night time noise levels above the critical night time criteria of $L_{Aeq (9hr)}$ 60dB. This is also identified in Table 6-9 pg 82, for Noise Catchment Area ID U9. Therefore all reasonable and feasible mitigation measures are to be implemented by ARTC to reduce noise impacts over the Heritage Green site.

It is noted that the results are presented for 1.5m above the ground only and do not identify impacts at second storey or other elevated receiver locations. It is proposed that two storey premises will be constructed onto the Heritage Green site. Therefore noise mitigation treatment along the rail corridor should be provided so that the external night time $L_{Aeq 9hr}$ 60dB is achieved across the Heritage Green site at both ground floor (typically 1.5m above the ground) and upper levels (typically 4.5m above the ground).

With respect to the noise monitoring and modeling undertaken by GHD, it is unclear from the report whether all monitoring locations were corrected to a façade location (in accordance with Note 6 below Tables 1 and 2 of the IGANRIP) prior to the validation of the noise model.

We trust this meets your immediate requirements.

Yours faithfully,



RENZO TONIN & ASSOCIATES (NSW) PTY LTD

Glenn Wheatley

Team Leader / Senior Consultant

Environmental Acoustics Team 3

Mark Turner - Online Submission from Graham Duncan (object)

34

From: Graham Duncan <fiona.duncan19@bigpond.com>
To: Mark Turner <Mark.Turner@planning.nsw.gov.au>
Date: 12/07/2010 10:41
Subject: Online Submission from Graham Duncan (object)
CC: <assessments@planning.nsw.gov.au>

There has been no proposals regarding noise reduction of coal trains through Greta. We have raised this matter on several occasions with representatives of Pacific National & Hunter Alliance also our Local Government member Kerry Hickey. Branxton has had noise barriers for over 10 years, Greta has none and with the advent of the third line and doubling the export of coal through this valley, we therefore demand something promising will be insitu.

Name: Graham Duncan

Address:
16 Clift St. GRETA. 2334

IP Address: cpe-58-168-87-125.lns5.ken.bigpond.net.au - 58.168.87.125

Submission for Job: #2924 Maitland to Minimbah Third Track - Project Application
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Mark Turner
Environmental Planning Officer

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Mark Turner - Online Submission from Daniel Gorczyca (object)

From: Daniel Gorczyca <dl.gorczyca@bigpond.com>
To: Mark Turner <Mark.Turner@planning.nsw.gov.au>
Date: 12/07/2010 00:01
Subject: Online Submission from Daniel Gorczyca (object)
CC: <assessments@planning.nsw.gov.au>

The Maitland to minimbah environmental assesment has many facutal inaccuracies,there are also a number of community concerns that need to be adequately addressed. It is for these reasons that the project application be rejected. The time period given to the public to review the EA is inadequate. The submissions close date needs to be extended for a further 30 Days. As the owner of lot 202 lovdale rd I was informed 6 months ago that acqistion was no longer required. However on page 5 appendix I Lot 202 is still being acquired. Noise and vibration modeling only uses 2 trains to predict Lmax, it should take into account that there could be three trains one on each track. It assumes neutral weather condtions. The prevailing north/ west winds should be considered when determining who will be affected by noise and vibration. This would alter the modeled contour lines. Future longer trains with larger or more locomotives also need to be included. The use of noise monitoring in each of the identified noise catchment areas should accur for extened periods of time eg 3 weeks. It is stated there are no air quality meters along most of the track. There needs to be several installed along the length of the track so air quality can be monitored. On page 38 &39 it states "there are no properties along the project route which rely on structures likely to be affected by flood waters for access" This is not true, there are 3 properties that are affected by flooding of the Allandale underbridge. These three properties are at the end of Lovdale rd. The minutes in Appendix B dated 18 May 2009 states "there is a huge flooding problem at the Allandale underbridge, with water reaching 1.8 meteres". This huge problem has not been adequately address. I have brought this to the attention of people at the drop in centres. Property devaluation has not been properly addressed. What will be the process of deciding the value to which a property has been devalued. The propsed mitiagation and management measures will not have an impact in all situations. Further measure need to be included such as monetary. If TV reception is affected how will it be determined if it is directly attributed to the trains. Consideration of an areail and cabling is an inadequate measure.

Thankyou for this oppertunity, I would appreciate more time to review the EA and submit further comments.

Name: Daniel Gorczyca

Address:
Po Box 88 Lochinvar 2321

IP Address: cpe-121-217-124-95.lnse2.cht.bigpond.net.au - 121.217.124.95

Submission for Job: #2924 Maitland to Minimbah Third Track - Project Application
https://majorprojects.onhiive.com/index.pl?action=view_job&id=2924

Site: #1836 Maitland to Minimbah Third Track
https://majorprojects.onhiive.com/index.pl?action=view_site&id=1836

Mark Turner
Environmental Planning Officer

P: 02 9228 6351
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Mark Turner - Online Submission from Jennifer Schroeder (object)

From: Jennifer Schroeder <jenny@jnrservices.com.au>
To: Mark Turner <Mark.Turner@planning.nsw.gov.au>
Date: 11/07/2010 23:51
Subject: Online Submission from Jennifer Schroeder (object)
CC: <assessments@planning.nsw.gov.au>

Jennifer Schroeder
148 Winders Lane
LOCHINVAR NSW 2321
Phone 02 4930 7973
Mobile 0417 307 971
Email: jenny@jnrservices.com.au
11 July 2010

Dear Sir,

I would like to set out my objections to the proposed increase of freight trains on the Maitland to Minimbah rail line.

Our home is set on a five-acre property, approximately 300 metres from the existing rail line. The freight trains already adversely affect us by both, noise and pollution (coal dust). The proposed increase in the number of coal trains is of enormous concern to us.

We have had no communications with the Hunter 8 Alliance other than the ones we have initiated. They have not done any noise or air monitoring study on our property because they claim that we are 'below the level of mitigation'. My question in response to this statement is; how can they tell if we are being impacted on, if they have not done any studies yet?

We have gone to the expense to purchase a Sound Level Datalogger, so we can record the noise levels both inside and outside our home. I have set out preliminary findings below. But it must be noted the morning these recordings were monitored the trains were travelling at greatly reduced speeds.

I also believe that the Planning Department must take into consideration the impact on the Winders Lane residents (Approx 25 families live in Winders Lane) of the ARTC proposal?..

(Sourced from 2009-2018 Hunter Valley Corridor Capacity Strategy Consultation Document)

ARTC proposes that all fuelling and provisioning be relocated out of the terminal areas as soon as possible. Given that rail operator initiatives in this area have failed to gain momentum to date, ARTC is now proceeding with establishing a multi-user facility itself. Investigations to date have identified that construction of a facility at Rutherford, immediately to the north of Maitland, is the preferred solution

This proposal will have a vast impact on the residents of Winders Lane. The continual squeal of trains braking or the increase in noise as they accelerate to increase speed.

Response to statements made in the Maitland to Minimbah Third Track ? Environmental Assessment.

AIR POLLUTION.

Fugitive Coal Dust.

It appears that no studies have been undertaken in the Hunter Valley regarding coal dust emission from sources in the coal rail corridor. All conclusions have been taken from a study conducted in central Qld. on behalf of Qld Rail Limited.

** Identifies Extract from Environmental Assessment

****16.3.2 Operation Sources ?**The air speed based Total Suspended Particulate (TSP) emission factor equation detailed in the Environmental Evaluation of Coal Dust study was adopted in conjunction with the average local wind speed (9 kilometres per hour) and train speed (60 kilometres per hour) to provide an estimate of TSP emissions from loaded coal wagons of 0.17 grams per kilometre per tonne of coal hauled.?

Another risk factor that is highlighted in the Environmental Assessment is?. quote ?it should be noted that other factors contribute to emissions including the mine-specific coal properties (such as dustiness, moisture content and particle size distribution), wagon vibrations, coal load profile?..?

Our property is classified by the Maitland Council as a high wind area. Therefore, the basis of this section of the report must be disregarded due to the high degree of risk that the Total Emission Factor is faulted.

NOISE POLLUTION

**17.2 Noise Monitoring

Attended and unattended noise monitoring was undertaken to assess the level of background noise in the vicinity of the Project.

Hunter 8 Alliance has never monitored noise levels on our property. They have incorrectly assumed that we are not affected. Our home runs north south, on the southern end of the home is a bedroom. The noise impact on this bedroom has necessitated us to purchase an air conditioner to minimise noise of the trains. Yet family still complain that they lay awake at night waiting for the noise of the next train. I cannot take the phone out onto the front porch and sit in the morning sun and talk on the phone because I cannot hear the other person talking, and they can hear the noise of the trains.

YES, the increased number of trains will have a detrimental impact on our life, not to mention the value of our home.

**Table 17-3 ICNG Recommended Standard Hours for Construction Work

The current ARTC Environment Protection Licence 3142 (EPL) allows for maintenance and construction works to be undertaken outside business hours in accordance with specific conditions contained in the EPL. Additionally, further works outside these hours are anticipated during track possession periods, which occur for up to 72 hours.

Where the noise affected level is exceeded, all feasible and reasonable work practices to minimise noise should be applied and all potentially impacted residents should be informed of the nature of the works, expected noise levels, duration of works and a method of contact.

It is offensive to me, to think I could be subjected to noise above the rating background level +5 (RBL) for periods of up to 72 hours and the ARTC only has to inform me of the nature of the works, expected noise levels, duration and a method of contact. It would be a more effective to limit excessive noise activities to business hours only.

**17.3.2 Operational Rail Noise Goal

Operational rail noise goals are derived from the Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects (IGANRIP).

Where trigger levels are already exceeded, noise attenuation options would be investigated to reduce noise levels towards IGANRIP levels as far as practical and reasonable.

As I have already noted Hunter 8 have not conducted any studies therefore how will they be able to reduce noise levels towards IGANRIP levels as far as practical and reasonable.

Table 17-6 Airborne Rail Traffic Noise Trigger Levels for Residential Land Uses

Clause 6.1.1 (General Noise Limits) of the ARTC Environmental Protection Licence 3142 states
 ?It is an objective of this Licence to progressively reduce noise levels to the goals of
 65 dB(A)Leq, (day time from 7am ? 10pm), 60 dB(A)Leq, (night time from 10pm ? 7am) and
 85dB(A) (24 hr) max pass-by noise, at one metre from the fa?ade of affected residential
 properties through the implementation of the Pollution Reduction Programs.? These levels are
 consistent with the IGANRIP trigger levels noted in Table 17-6.

Reading taken on Monday 5th July (It must be noted that these reading where taken when there was some interference with the
 normal speed of the trains, hence the trains where moving at extremely reduced speed. At normal speed, these levels would be
 increased significantly). These reading where taken from the front porch of the house.

TIME TO N'CLE / FROM N'CLE dB(A)

8.36 am TO 61.0

9.02 am FROM 62.0

9.38 am FROM 58.3

9.48 am To 65.6

10.26 am TO 56.2

10.31 am FROM 64.8

10.53 am TO 57.3

11.05 am Taken in bedroom FROM 58.7

**Social Impacts

The nature and scale of the Project?s construction and operational activities is likely to give rise
 to impacts on the local community, including direct property impacts such as land acquisitions,
 noise, property damage, changes to property infrastructure, reduced access to private property
 and reduced security.

The severity of the potential social impacts that have been identified is likely to be limited as the
 Project is fundamentally an upgrade of existing infrastructure. In general, adverse social
 impacts are likely to be linked to individual / household / business level. At this level, there are a
 greater number of adverse social impacts likely to occur during the Project?s construction.
 However, the direct property impacts can be adequately compensated and / or managed.
 Mitigation and management measures suggested for each of the social impacts identified range
 from the provision of sufficient information to enable stakeholders to understand the likely
 nature, extent and duration of the social impacts, to the implementation of attenuation measures
 to screening sensitive receptors.

To suggest that this is fundamentally an upgrade to existing infrastructure is a false statement. The definition of upgrade is to replace
 an existing object with something better; if they where removing one track and replacing it, then it would be an upgrade. An increase
 of train movement of up to 150 train movements per day (or greater) on an additional track is NOT an upgrade.
 Yes, property impacts may be adequately compensated and/ or managed, but as yet, we have not seen any evidence that this is
 happening

We have not been given any information other than this Environmental Assessment, when we have asked Hunter 8 about the
 refuelling depot they have denied any knowledge of it. It was up to us to find out about it and try to gauge the impact on us.
 Hunter 8 has informed me that we are below the level of mitigation and therefore they cannot supply trees (or even mulch for the
 trees) to lessen the visual impact. According to Hunter 8 any compensation is out of the question.

Social impacts on us are

Loss of value on property

Loss of serenity

Loss of human comfort goals

Loss of sleep

Additional Information

The draft policy below clearly states factors that should be taken into account and the impact of topography. The Environmental Assessment Statement does not make any reference to the establishing a multi-user facility for proposed fuelling and provisioning (much the same impact as a stabling yard) or topography of the residences around the rail line.

NSW Guidelines

DEVELOPMENT NEAR BUSY ROADS and RAIL CORRIDORS

DRAFT ---- NOT government policy

*For Clauses 87 (Rail) and 102 (Road):

If the development is for the purpose of a building for residential use, the consent authority must be satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:

in any bedroom in the building : 35dB(A) at any time 10pm-7am anywhere else in the building (other than a garage, kitchen, bathroom or hallway): 40dB(A) at any time.

3.7 What a noise assessment report should contain

3.7.1 Seeking early advice

It is best to consider noise and vibration issues in the early stages of planning for the development.

Each location may be different. Some of the factors affecting the level of noise and vibration impacts from rail corridors and busy roads Include: topography, distance from the road/track, shielding by other structures track/road configuration and condition the maintenance regime on the road/line pavement type of road road grades truck or train numbers characteristics of the rolling stock using the rail line and presence of stabling yards daily changes in rail/traffic operations. Given the site-specific nature of noise and vibration, an acoustic consultant can be of assistance in providing advice on the optimum layout and design to minimise noise and vibration impacts and provide an acoustic amenity that is appropriate for the use.

Topography plays a major role in determining adverse noise impact. A building which is sited below the level of the noise source will be impacted less than a building which is sited above the noise source, especially if a noise barrier (like a mound or wall) is provided at the top of the slope

CONCLUSION

I refer to the draft policy above and ask that these guidelines be taken into consideration when the assessment of this application is made. I make special mention of factors that have not been adequately address ? the topography of our property in association to the rail track and the associated noise impact; the impact of the a multi-user facility for proposed fuelling and provisioning; loss of land value; the aesthetic beauty of the area.

Before this development plan is given approval, mitigation or compensation must be given to us with regard to-

- ? Air Pollution
- ? Noise Pollution
- ? Visual Pollution
- ? Social Impacts

Yours sincerely,
Jennifer Schroeder

Jennifer Schroeder.

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Submission for Job: #2924 Maitland to Minimbah Third Track - Project Application
https://majorprojects.onhiive.com/index.pl?action=view_job&id=2924

Site: #1836 Maitland to Minimbah Third Track
https://majorprojects.onhiive.com/index.pl?action=view_site&id=1836

Mark Turner

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Mark Turner - Online Submission from Brendan and Merran Power ()

From: Brendan and Merran Power <berniebm@bigpond.com>
To: Mark Turner <Mark.Turner@planning.nsw.gov.au>
Date: 10/07/2010 19:49
Subject: Online Submission from Brendan and Merran Power ()
CC: <assessments@planning.nsw.gov.au>

Submission by Brendan and Merran Power
577 Old North Road, Lochinvar (Allandale)

Construction
Generally

We note that the third line is to be constructed on the northern side of the railway from our property and that ARTC will be acquiring property on that side of the line. We request that during the construction period the closed road section in front of our property not be used to establish a ?construction camp?. As land is being acquired on the northern side of the line and there is already a large area available to be used we shall be pleased if:

- a. demountables comprising work offices and induction centres not be established in front of our property.
- b. Workers not to park their private and work vehicles facing our front fence as was the case recently when extensive work was carried out on the track.
- c. huge stockpiles of gravel and similar not be made outside our front fence and the area not be used as a thoroughfare for heavy equipment and large trucks.
- d. Access to the railway line be at Lochinvar as there is an access road on either side of the track. We understand that ARTC also has the use of land owned by Priestleys opposite us on the same side of the line and near Lochinvar.
- e. the cement barrier at the entrance to our property not be pushed aside to allow heavy vehicles to constantly pass by our frontage. Despite assurances that ?everything would be left better than before? this was not the case and despite numerous requests at the time to do something about the ?bog hole? made near our stock yards this was not done. We have put considerable time and effort in to mowing and improving our frontage and shall be pleased if this can be respected including having fast food wrappings disposed of appropriately.

16. Air Quality

A consultation is required to inform us on the measures that will be undertaken to protect our water tanks from dust including coal dust. We request dust monitors be installed during construction near our house.

We also note that when trains are forced to stop we are ?swamped? by very strong fumes throughout our home due to trains backing up and remaining stationary for considerable periods.

17. Noise and Vibration

Property L11 ? MMD-026 Lot 1 in DP852322 NCA D10
203-050 ? 205-100

We request monitors be installed before, during and after construction.

Blasting ?Figure 6.2d Appendix K

Particularly we request blast monitors be set up at our house when blasting is being undertaken close to our house and that the results of the ground and the overpressure section of the monitor be made available to us or be made public so that we can ascertain the actual results versus the limits.

We request that signals be moved to further towards Lochinvar so that we are not subjected to ?squealing? when trains stop.

Table 6.10 We understand that our property is apparently to be affected by 2022. We require clarification as to why three trains passing at the same time in 2012 will be any quieter than three trains passing at the same time in 2022. We require a consultation as to what measures will be undertaken to mitigate noise and request that these measures be put in place by 2012 as it obvious that the number and frequency of trains will be ever increasing.

Our property appears to be cut out of maps showing 2012 and 2022 night time operational levels.

The claim in the Assessment that various issues will be addressed in the future is not acceptable.

The proposal should be amended to address current issues and not those in 2009.

Demolition of Old North Road Bridge

Figure 7.23 Page 119

Moved to Allandale 1978

Lived at Allandale until 2000.

Moved to present location in 2000. Land purchased some years earlier.

Have strong attachment to Allandale community. A major contributing factor in purchasing our particular block was that an easy accessible link was maintained with the Allandale Community. This link is now going to be severed. This sense of community is very important to us.

Heritage aspects of the bridge appear to be of no consequence to the Alliance/Government.

The closure of Old North Road by the placement of a cement block barrier has created an area of land from that point extending over the Old North Road bridge and up the other side to the top of the hill towards Allandale Road which provides a safe area available to and used by residents of both sides of the line for exercising, walking family pets, riding bicycles and also horses. Many local people take advantage of this area as they are generally free of the worry of passing traffic. Train enthusiasts also make use of the bridge particularly during Steamfest.

We agist cattle in paddocks on the other side of the line to our property. This is easily undertaken by walking them from our property across the bridge and into the neighbouring properties. Once the bridge is demolished we will have to incur the expense of arranging a truck to transport them down to Station Lane, along the New England Highway, up Allandale Road and then up Old North Road to almost back to our own property.

The same exercise will have to be undertaken to visit or help any of our neighbours on the other side of the bridge and for them to come to our assistance if required. Again the same exercise will have to be undertaken to access the on/off ramp at Allandale for the F3 Highway when it is completed.

Having access to our property both via Station Lane on to Old North Road and via Allandale Road on to Old North Road makes it unique. The demolition of the bridge takes away this uniqueness and completely changes the general amenity of our property, aspects which influenced our purchase of same.

The access is and has been used regularly for work and social reasons

The loss of the access affects the value and marketability of our property and the shadow of third line places a ?blight? on the value and marketability of our property.

The Environmental Impact Statement is false and misleading as to property acquisition and compensation as at 29.5.2010.

Land Acquisition/compensation

Loss of Access

We were initially advised that a strip of our property would be acquired for an access road. An offer was made to us but we were not advised on how this offer was constructed or what was to happen on this land. This offer was later withdrawn following a decision not to acquire any of our property.

From the Environmental Impact Study it is apparent that compensation for loss of access via Old North Road over the bridge formed part of the above offer as it is mentioned on more than one occasion.

As a result of the decision not to acquire a strip of our property any form of compensation for our loss of access vanished as ?under the legislation? no compensation is payable even though the acquisition or not of a strip of our property has no bearing on the access over the bridge to it and does not lessen the impact of its loss on us.

We therefore seek an ex gratia payment equivalent to that which was to be initially paid to us as compensation for the loss of access when a strip of our property was to be acquired. We require to sight evidence of this value as determined by the Alliance. We believe this may have been a substantial amount.

We also seek an ex gratia payment for the detrimental affect on the value of our property and our quality of life.

Breach of Duty of Care

When contacted by the Alliance an obligation arose for the Alliance to conform to a standard of conduct (including acting honestly) to protect us against unreasonable careless behaviour.

The Alliance entered into our lives and our property and required us to provide access to our property and our time. The Alliance occupied a status which demanded professional skill. A ?relationship? commenced between us and the Alliance. The Alliance was required to take reasonable care to avoid acts or omissions which could be reasonably foreseen as likely to cause injury to us. The relationship so closely and directly affected us that the Alliance ought reasonably to have contemplated that we would be affected by their acts or omissions and carelessness. The Alliance made an offer to us for our property even though they knew that the final track alignment had not been finally decided. This was careless given the amount of the offer.

Irrespective of whether or not Contracts were exchanged financial decisions were made and strategies put in place that a reasonable prudent person would make in the circumstances given the prospect of receiving a large sum of money e.g. minimisation of payment of capital gains tax. The compensation was purported to be received in the last financial year. We have suffered financial loss.

The Property Officer advised us that it was possible the resumption was not proceeding and confirmed same in March by handing us a letter and a plan. On each occasion we were advised that ?things could change in the future?. We still felt uncertain until our Solicitors received a letter on 17 May 2010. This uncertainty has caused stress. We believe that the length of time we were left not knowing whether or not the acquisition would proceed was excessive in the circumstances and believe that this information was known to ARTC in January/February or earlier and could have been imparted to us then. On 11 February Merran Power spoke to an officer at the Alliance. We believe that it was known then that the acquisition was not proceeding and that the duty of care to act honestly (and not be evasive by saying ?fine tuning being done, seeing if can lessen impact, offer should stay about the same?) was not exercised. This same officer rang Merran Power to ask if the offer could be considered ?null and void?. It was assumed that this was because we had asked for a second valuation. We had previously indicated that our valuer had said the amount of the compensation was fair and reasonable subject to him being provided with further information. The opportunity was there for us to be treated honestly and fairly. This did not happen.

We also seek compensation by way of an ex gratia payment for breach of the Alliance/ARTC?s duty of care to us.

Please provide details as to how this application can be implemented.

Communication/Consultation

We believe that had our property not been part of land to be acquired initially we would not have been contacted or consulted (as other residents whose land is not required have not) as to the effect of the third line on us and our property.

Conclusion

We believe approval should be refused unless the conditions requested are implemented.
We believe that approval should be refused unless communication/consultation with those directly affected be improved.
We believe Hunter8Alliance must amend the project and not make decisions as the work progresses.
We believe we are entitled to an ex gratia payment by way of compensation. As the government proposes to impose a resource tax we believe that compensation by way of mitigation can be paid from this tax due to the fact that the transportation of the resource greatly impacts on our property and lives.

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