





Australian Rail Track Corporation

Maitland to Minimbah Third Track Project

Submissions Report including Preferred Project Report

September 2010

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GHD



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Document Status

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				Name	Signature	Name	Signature
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- B Terrestrial Flora and Aquatic Ecological Study
- C Terrestrial Fauna Study
- D Traffic Study
- E Noise and Vibration Study
- F Preliminary Contamination Study
- G Revised Project Drawings



Part A
Introduction





Part A Introduction

1. Introduction

1.1 Overview

A number of rail infrastructure improvements to the Hunter Valley Rail Network have been proposed by Australian Rail Track Corporation (ARTC) to address the projected forecast increase in freight throughput at the Port of Newcastle. One of the key improvement projects is a proposed third track adjacent to the existing Main Northern Railway between Maitland and Whittingham, known as the Maitland to Whittingham Third Track Project. The Maitland to Whittingham Third Track Project was announced as part of the Government's Nation Building package in November 2008.

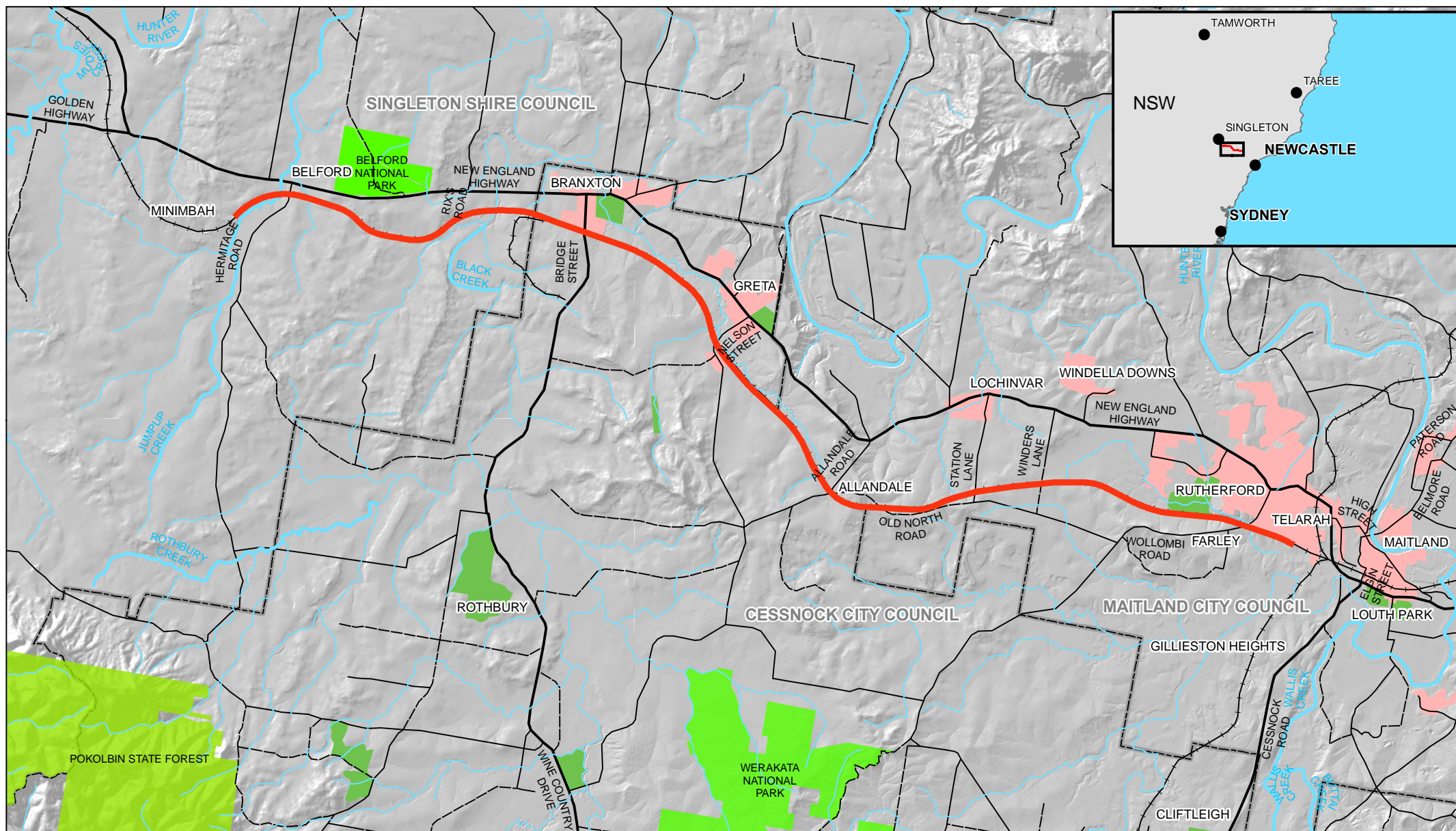
The first stage of the Maitland to Whittingham Third Track Project consists of the construction of the third track between Whittingham and Minimbah (known as the Minimbah Bank Third Track Project). This project is now complete. The second stage of the Maitland to Whittingham Third Track Project consists of the construction of the third track between Maitland and Minimbah (the Project).

The Project commences in Farley approximately two kilometres west of Maitland Station and continues through the local government areas of Maitland, Cessnock and Singleton for approximately 30 kilometres, concluding at Minimbah. Figure 1.1 shows the regional location of the Project.

An Environmental Assessment of the Project was prepared to seek Project Approval from the Minister for Planning under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and for that purpose, to demonstrate that the Director-General's Environmental Assessment Requirements had been satisfied. The Environmental Assessment was publically exhibited for a period of 30 days between 9 June 2010 and 12 July 2010 in accordance with Section 75H(3) of the EP&A Act. During this period, submissions were invited from anyone with an interest in the Project, including members of the community and government stakeholders (refer Chapter 2). These submissions have been considered and are addressed in the Submissions Report (this report).

1.2 Purpose of this Report

This Submissions Report documents and considers the submissions received on the Environmental Assessment and outlines Hunter8's response to them, as required under Section 75H(6) of the EP&A Act. The Submissions Report also provides an overview of the Environmental Assessment (refer to Section 1.7), consultation activities undertaken during the preparation and public exhibition of the Environmental Assessment (refer to Chapter 2), a summary of the key non-government and government issues raised (refer to Chapter 3), the response to the issues raised in these submissions (refer to Chapter 4) as well as details of additional investigations and project modifications that have been made since the exhibition of the Environmental Assessment (refer to Chapters 5 and 6, respectively). This Submissions Report also documents a revised Statement of Commitments which reflects the key issues raised in the submissions received.

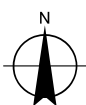


1:125,000(at A4)

0 600 1,200 2,400 3,600 4,800

Metres

Map Projection: Transverse Mercator
Horizontal Datum: Australian Geodetic Datum 1966
Grid: Integrated Survey Grid, Zone 56-1



LEGEND

- | | | | |
|---|---|--|---|
| — Project Location | — Highway | ■ Recreation Areas | ■ Built Up Area |
| — Railway | --- Unsealed | ■ State Forest | □ LGA |
| — Watercourse | — Main Road | ■ National Park | |
| | --- Minor Road | | |



Maitland To Minimbah Third Track
Submissions Report

Job Number 22-14471
Revision A
Date August 2010

Regional Location

Figure 1.1

1.3 Need for the Project

Industry forecasts predict that the demand for the transport of coal by rail will increase substantially in the future. The existing track between Minimbah and Maitland is built on a relatively poor quality embankment formation. With an increase in forecast traffic volume there is a strong prospect that the existing formation will require a significant increase in maintenance frequency and intensity (ARTC 2009). The frequent need for on-track maintenance results in loss of capacity for coal trains and disruptions to CityRail passenger services. These maintenance delays are expected to increase as coal tonnages increase, creating more delays and causing greater loss in capacity in the movement of coal and other freight.

The Project is therefore essential to increase rail reliability and secure future capacity between the Hunter Valley and the Port of Newcastle. In addition to the construction of the third track, the construction and upgrade of stations as part of the Project would improve the accessibility and functionality of these stations.

1.4 Key Features of the Project

The Project would involve the construction of a third track adjacent to the existing Main Northern Railway as well as construction and/ or modification of major infrastructure along the Main Northern Railway. The major elements of the Project include:

- ▶ Approximately 30 kilometres of new track including turnouts.
- ▶ Major cut and fill earthworks along the route and other minor earthworks.
- ▶ Drainage works including amendments to culverts for cross drainage, central and cess track drainage and the re-alignment of a creek.
- ▶ Demolition of one existing rail overbridge and modification of one existing rail overbridge.
- ▶ Construction of eight new rail underbridges and demolition of one existing rail underbridge.
- ▶ Modification of three existing railway stations.
- ▶ Widening of the rail corridor through property acquisition.

Chapter 5 describes the Project including proposed modifications to design, construction and operation of the Project from that described and assessed in the Environmental Assessment. These modifications are outlined in Sections 1.5 and 1.6. Chapter 6 addresses the potential environmental impacts and any additional environmental mitigation measures to address these proposed modifications.

1.5 Staging of the Project

The key modification to the Project is the proposed staging of construction, as displayed in Figure 5.2. This would include the following:

Phase 1

- ▶ Construction of the third track (and associated earthworks, infrastructure and construction support facilities) between chainages and 216.340 kilometres and 224.200 kilometres, and between chainages 196.100 kilometres and 209.840 kilometres.
- ▶ Installation of rail turnouts at the following chainages:

- 216.340 kilometres (Branxton).
- 209.840 kilometres (Greta).
- 196.100 kilometres (Farley).

Phase 2

- ▶ Construction of the third track (and associated earthworks, infrastructure and construction support facilities) between chainages 209.840 kilometres and 216.340 kilometres (Branxton to Greta), and chainages 194.500 kilometres and 196.100 kilometres (Farley to Telarah).

1.6 Other Project Changes

In addition to the staging of construction, there are several other proposed modifications to the Project as described in Chapter 7 of the Environmental Assessment. These modifications are as follows:

- ▶ Amendments to the earthworks design required for the third track, including modification to the design of the Down side access track.
- ▶ A reduction in the required property acquisition resulting from the amendments to the earthworks design.
- ▶ Additional potential spoil disposal areas and the addition of potential sources of appropriate track construction material adjacent to the rail corridor (known as borrow pits).
- ▶ Alternative and proposed new locations for construction compounds (primary and secondary) and associated changes to traffic access and management.

1.7 Overview of Potential Impacts and Benefits of the Project

The key potential construction and operational impacts that would occur if the Project was to proceed would include:

- ▶ Flora and Fauna.
- ▶ Aboriginal Heritage.
- ▶ Non-Indigenous Heritage.
- ▶ Land Use.
- ▶ Traffic and Access.
- ▶ Air Quality.
- ▶ Noise and Vibration.
- ▶ Surface Water.

These impacts are discussed in detail in Part C of the Environmental Assessment. A summary of the key potential environmental impacts noted above and proposed measures to mitigate these impacts are provided in Table 1-1. These have been updated (where relevant) to reflect the modifications to the Project design as described in Chapter 5 of this report. Potential benefits that are expected to be associated with the Project are also summarised in Table 1-1

It is expected that the impacts identified in Table 1-1 would be manageable, given the commitments to environmental protection and management made by the Hunter 8 Alliance and ARTC (refer to Chapter 7 of this report).

Table 1-1 Overview of Potential Project Impacts and Key Management Commitments

Key Issue	Identified Key Potential Impact/Benefit	Key Management Commitments
Flora and Fauna	Clearance of native vegetation, including threatened flora species and potential threatened fauna species habitat.	<ul style="list-style-type: none"> Minimising the area of vegetation clearance and retain mature trees where possible. Development and implementation of a Revegetation Plan. Preparation and implementation of a Biodiversity Offsetting Strategy.
Aboriginal Heritage	Disturbance of Aboriginal heritage relics.	<ul style="list-style-type: none"> Work with Aboriginal stakeholder groups to appropriately manage Aboriginal heritage relics. Avoid disturbance of Aboriginal heritage relics wherever possible. Provision of cultural and heritage awareness training to relevant construction personnel. Preparation and implementation of an Aboriginal Heritage Management Plan.
Non-Indigenous Heritage	Disturbance of non-indigenous heritage relics.	<ul style="list-style-type: none"> Avoid or minimise disturbance of non-indigenous heritage items wherever possible. Archival recording of any non-indigenous heritage item where disturbance is required. Preparation and implementation of a Non-Indigenous Heritage Management Plan.
	Disturbance of a natural heritage location (Allandale Area).	<ul style="list-style-type: none"> Earthworks and blasting activities within the Allandale Area to be designed to allow for retrieval of fossiliferous materials by palaeontologists and other interested parties.
Land Use	Property acquisition required to accommodate the third track.	<ul style="list-style-type: none"> Acquisition process in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>.
	Impacts on land uses adjoining the corridor during construction.	<ul style="list-style-type: none"> Development of specific management measures in coordination with the landholder. Implementation of a Construction Environmental Management Plan to minimise environmental impacts on adjoining landholders.

Key Issue	Identified Key Potential Impact/ Benefit	Key Management Commitments
	Impacts on farm dams and other infrastructure.	<ul style="list-style-type: none"> ▶ Provision of appropriate compensation to affected landholders. ▶ Consult with the NSW Office of Water regarding licensing requirements for amended or relocated dams.
Traffic and Access	Potential construction vehicle impacts on traffic and road safety	<ul style="list-style-type: none"> ▶ Preparation and implementation of a Construction Traffic management Plan and Traffic Control Plans. ▶ Provision of traffic controls at intersections of the New England Highway to be used by construction traffic.
Air Quality	Potential construction air quality impacts (dust).	<ul style="list-style-type: none"> ▶ Real time dust and weather monitoring to allow for immediate and appropriate response. ▶ Minimising exposure of soils and stockpiles, and disturbance of exposed soils. ▶ Designation of haul roads which would be managed (surface material, speed limits and water spraying) to minimise dust generation. ▶ Wetting and/ or covering of dirt, sand, soil or other loose materials being transported to and from the construction site.
	Potential operational air quality impacts (dust and emissions).	<ul style="list-style-type: none"> ▶ Implementation of the ARTC Pollution Reduction Program for reduction of coal dust emissions for locomotive loads (currently under review by DECCW). ▶ Railway verges and other exposed surfaces would be revegetated or covered with cobbles or coarse gravel where possible. ▶ Where practicable and space available, consideration to maintaining or establishing a stand of trees or other vegetation on properties adjacent to the Project.

Key Issue	Identified Key Potential Impact/ Benefit	Key Management Commitments
Noise and Vibration	Potential construction noise and vibration impacts	<ul style="list-style-type: none"> Implementation of standard construction hours. Any works proposed outside these standard construction hours would be consistent with relevant Environment Protection Licence conditions. Preparation and implementation of a Construction Noise and Vibration Management Plan. Preparation and implementation of Noise and Vibration Impact Statements for discreet key areas and/ or activities. Noise and vibration monitoring to be undertaken for activities within 30 metres of a residence or in response to a noise and/ or vibration complaint.
	Potential operational noise and vibration impacts.	<ul style="list-style-type: none"> Provision of noise attenuation (noise barrier or architectural treatment) where IGANRIP is predicted to be triggered. Detailed vibration monitoring at potentially affected residences prior to third track operations to confirm vibration levels and develop appropriate management measures in consultation with the landholder.
Surface Water	Impacts on water quality from erosion and sediment loss and inadequate management of construction materials.	<ul style="list-style-type: none"> Preparation and implementation of a Spoil and Fill Management Plan, that includes measures to minimise erosion and sediment loss, provide sediment control and minimise impacts on the quality of receiving waters. Preparation and implementation of a surface water quality monitoring program prior to and throughout construction.
	Impacts of the Project on hydrology and existing drainage infrastructure.	<ul style="list-style-type: none"> Project drainage has been designed to minimise changes to hydrology.

1.8 The Assessment and Determination Process

The Project has been assessed and will be determined in accordance with Part 3A of the EP&A Act. Following the lodgement of this Submissions Report, the Department will, on behalf of the Minister, review the Environmental Assessment, all submissions received and the Submissions Report. Once the Department has completed its assessment, a draft assessment report will be prepared for the consideration of the Director-General. This report may include recommended Conditions of Approval for the project.

The assessment report will then be submitted to the Minister for formal determination. The Minister may then approve the project with any appropriate Conditions imposed, or may also choose to refuse the project.

Immediately following the Minister's determination, copies of the determination and assessment report will be published on the Department of Planning's website.

2. Exhibition and Consultation

This section documents the consultation that was undertaken by the Hunter 8 Alliance during the preparation and public exhibition of the Environmental Assessment. This section also provides details of the consultation that would be undertaken by the Hunter 8 Alliance if project approval is granted.

2.1 Pre-exhibition Consultation

The objective of this consultation phase was to identify stakeholder and community issues to be addressed in the Environmental Assessment and to inform stakeholders about the Project. Consultation was undertaken with government agencies, members of the community and other stakeholders during the preparation of the Environmental Assessment as summarised in Table 2-1.

Table 2-1 Community Consultation History

Date	Activity	Location
Ongoing from early 2009	Website describing the Minimbah Bank Third Track and the Maitland to Minimbah Third Track Projects	www.hunter8alliance.com.au (promoted heavily in other consultation materials)
	1800 number – project info line	1800 216 317 (promoted heavily in other consultation materials)
	Project email address	communityinput@hunter8.com.au
	Discussions with residents, arising from calls and emails	Usually at the homes of residents, and often with representatives of the Property Team.
June 2009	Advertisements regarding the Project	Maitland Mercury Singleton Argus Newcastle Herald
October 2009	Newsletter	To all on the Hunter 8 Alliance stakeholder database, which at that the time was primarily landholders along the line, and other interested parties.
	Advertisements about the Community Drop In Days	Maitland Mercury Singleton Argus Newcastle Herald Hunter Valley News
12 October 2009	Community Drop In Day	Greta
14 October 2009	Community Drop In Day	Maitland

Date	Activity	Location
November 2009	Advertisement regarding the Environmental Assessment application notification.	Maitland Mercury Singleton Argus Newcastle Herald Hunter Valley News
November/December 2009	Advertisements about 1 December Community Drop In Day.	Maitland Mercury Singleton Argus Newcastle Herald Hunter Valley News
1 December 2009	Community Drop In Day	Greta
January 2010	Newsletter	To all on Hunter 8 Alliance stakeholder (now larger) database, plus to half of Greta and Rutherford, and to all of Allandale, Farley, Telarah, Harpers Hill, Lochinvar, Whittingham, Belford and Branxton.
June 2010	Advertisements about Environmental Assessment Community Drop In Day	Maitland Mercury Singleton Argus Newcastle Herald Hunter Valley News
June 2010	Newsletter	To all on Hunter 8 Alliance stakeholder (now larger) database, plus to half of Greta and Rutherford, and to all of Allandale, Farley, Telarah, Harpers Hill, Lochinvar, Whittingham, Belford and Branxton.
16 June 2010	Environmental Assessment Community Drop In Day	Greta
17 June 2010	Environmental Assessment Community Drop In Day	Maitland

2.2 Consultation during the Public Exhibition Period

The Environmental Assessment was placed on public exhibition for a period of 30 days between 9 June and 12 July 2010. The exhibition activities and consultation undertaken during the exhibition period are summarised in the following sections.

2.2.1 Exhibition Venues

The Environmental Assessment was placed on exhibition from 9 June 2010 to 12 July 2010 at the following locations:

- ▶ Department of Planning, Information Centre, Bridge Street, Sydney.
- ▶ Nature Conservation Council of NSW, Kent Street, Sydney.
- ▶ Singleton Council Administration Centre, corner of Queen Street and Civic Avenue, Singleton.

- ▶ Singleton Library, Queen Street, Singleton.
- ▶ Cessnock City Council Administration Centre, Vincent Street Cessnock.
- ▶ Cessnock Library, Vincent Street Cessnock.
- ▶ Maitland City Council Administration Centre, High Street Maitland.
- ▶ Rutherford Library, Arthur Street Rutherford.
- ▶ Department of Environment, Water, Heritage and the Arts (DEWHA), John Gorton Building, King Edward Terrace, Parkes ACT.

It was also available for review on the Department of Planning website and via a link from the Hunter 8 Alliance website and the DEWHA website.

All submissions were received by the Department of Planning and were provided to the Hunter 8 Alliance. Each submission that was received was allocated a unique identification number in chronological order. Late submissions were accepted by the Department of Planning up until 10 days after the close of the exhibition period.

Chapters 3 and 4 analyse and address the issues raised in these submissions. Details of the submissions and the issues raised are included in Appendix A.

2.2.2 Advertisements

Advertisements outlining the key details of the Project and exhibition of the Environmental Assessment were placed by the Department of Planning in the following local and metropolitan newspapers as listed below:

- ▶ Sydney Morning Herald.
- ▶ Newcastle Herald.
- ▶ The Australian.
- ▶ Maitland Mercury.
- ▶ Singleton Argus.
- ▶ Cessnock Advertiser.

These advertisements were placed by the Department of Planning prior to and again during the exhibition period. The advertisements requested submissions on the Environmental Assessment from anyone with an interest in the Project, including stakeholders and members of the community.

2.3 Exhibition Period Consultation

During the Environmental Assessment exhibition period, the Hunter 8 Alliance undertook the following community consultation activities:

- ▶ A Newsletter was issued to approximately 6000 residents surrounding the Project and other interested parties advising them of the Environmental Assessment exhibition, the proposed exhibition period, exhibition locations and how to make submissions to the Department of Planning.

- ▶ Community Drop In Days were held at:
 - Old Greta Courthouse, High Street (New England Highway) Greta on 15 June 2010.
 - Maitland CWA Hall, Church Street Maitland on 17 June 2010.

Representatives of the Environmental, Community Consultation, Design, Construction and Operation Teams from the Hunter 8 Alliance were available to discuss the Project and questions raised by the community. Information was provided informing attendees how formal submissions could be made to the Department of Planning.

2.4 Future Consultation

Should the Project be approved, the Hunter 8 Alliance would continue to consult with community members, government agencies and other stakeholders during the detailed design and construction phases of the Project. The Hunter 8 Alliance commitment to ongoing stakeholder consultation is reflected in the Statement of Commitments (refer to Chapter 7).

Prior to construction, a Consultation Strategy would be developed, which would include details on the following:

- ▶ Identification of stakeholders to be consulted as part of the Strategy.
- ▶ Procedures and processes for regularly informing the local community and local and regional road network users on construction progress and environmental management.
- ▶ Procedures and processes for the community and stakeholders can provide feedback to the Hunter 8 Alliance on the environmental performance of the construction activities.
- ▶ Procedures and processes for providing responses to any community and stakeholder feedback on the environmental performance of the construction activities.
- ▶ Procedures and processes for resolving any issues that arise between parties regarding environmental management and delivery of the Project.