



Contact: Mark Turner  
Phone: (02) 9228 6351  
Fax: (02) 9228 6355  
Email: mark.turner@planning.nsw.gov.au

Our ref: 9036869-2

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

**Attention: Stephen Williamson**

Dear Mr Higgins

**Director General's Requirements for the Environmental Assessment of the Proposed Pacific Highway Upgrade Oxley Highway to Kempsey**

The Department has received your application for the proposed Pacific Highway Upgrade between Oxley Highway and Kempsey Project (Application Number: 07\_0090).

I have attached a copy of the Director-General's requirements (DGRs) for the environmental assessment of the Project. These requirements have been prepared following the Planning Focus Meeting held on Wednesday 30 May 2007 and in consultation with the relevant government agencies.

It should be noted that the Director-General's requirements have been prepared based on the information provided to date. Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the proponent seeking approval for the Project.

I would appreciate it if you could contact the Department at least two weeks before you propose to submit the Environmental Assessment for the Project to determine:

- the fees applicable to the application;
- relevant land owner notification requirements;
- consultation and public exhibition arrangements that will apply;
- options available in publishing the Environmental Assessment via the Internet; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessment that will be required.

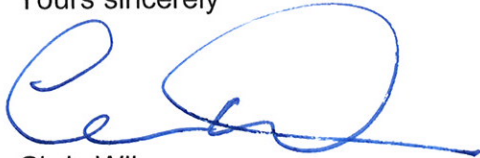
Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGRs. The Department may consult with other relevant government agencies in making this decision. If the Director-General considers that the Environmental Assessment does not adequately address the DGRs, the Director-General may require the proponent to revise the Environmental Assessment to address the matters notified to the proponent. Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days.

If your proposal includes any actions that could have a significant impact on matters of National Environmental Significance, it will require an additional approval under the Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Department of Environment and Water Resources to determine if an approval under the EPBC Act is required for your proposal (6274 1111 or <http://www.environment.gov.au>).

Please note that the Commonwealth Government has accredited the NSW environmental assessment process for assessing impacts on matters of National Environmental Significance. As a result, if it is determined that an approval is required under the EPBC Act, please contact the Department immediately as supplementary Director-General's requirements will need to be issued.

If you have any enquiries about these requirements, please contact Mark Turner, Environmental Planning Officer, Major Infrastructure Assessments on 02 9228 6351 or via email ([mark.turner@planning.nsw.gov.au](mailto:mark.turner@planning.nsw.gov.au)).

Yours sincerely



25.8.07

Chris Wilson  
**Executive Director**  
**As delegate for the Director-General**

## Director-General's Requirements

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

<b>Application number</b>	07_0090
<b>Project</b>	Pacific Highway Upgrade – Oxley Highway to Kempsey
<b>Location</b>	An approximately 40 kilometre length of dual carriageway from the Pacific and Oxley Highway interchange to the southern edge of the Kempsey to Eungai project within the Port Macquarie-Hastings and Kempsey Shire Local Government Areas.
<b>Proponent</b>	NSW Roads and Traffic Authority (RTA)
<b>Date issued</b>	28 August 2007
<b>Expiry date</b>	28 August 2009
<b>General requirements</b>	<p>The Environmental Assessment (EA) must include the following:</p> <ol style="list-style-type: none"> <li>1. an <b>executive summary</b>.</li> <li>2. a <b>detailed description</b> of the Project including: <ul style="list-style-type: none"> <li>▪ route alignment and corridor width;</li> <li>▪ design elements (e.g. requirements for LOS, pedestrian and cyclists, rest areas and service centres etc);</li> <li>▪ differentiate the limits of the Project with respect to the existing Pacific Highway, including operational/ maintenance responsibilities;</li> <li>▪ potential staging;</li> <li>▪ ancillary facilities (e.g. compound site, batching plants etc); and</li> <li>▪ resourcing (e.g. construction material needs, spoil disposal, natural resource consumption including water).</li> </ul> </li> <li>3. an <b>assessment of the key issues</b>, with the following aspects addressed for each key issue (where relevant): <ul style="list-style-type: none"> <li>▪ describe the existing environment;</li> <li>▪ assess the potential impacts of the proposal at both construction and operation stages, in accordance with relevant policies and guidelines. Both direct and indirect impacts must be considered including potential interactions with the existing Pacific Highway (as relevant);</li> <li>▪ identify how relevant planning, land use and development matters, (including relevant strategic and statutory matters), have been considered in the impact assessment and/ or in developing management/ mitigation measures; and</li> <li>▪ describe measures to be implemented to avoid, minimise, manage, mitigate, offset and/or monitor the impacts of the Project and the residual impacts.</li> </ul> </li> <li>4. a <b>draft Statement of Commitments (SoC)</b>. The SoC must incorporate or otherwise capture all measures to avoid, minimise, manage, mitigate, offset and/or monitor impacts identified in the impact assessment sections of the EA and ensure that the wording of the SoC clearly articulates the desired environmental outcome of the commitment. The SoC must be achievable, measurable (with respect to compliance), and time specific, where relevant.</li> <li>5. <b>certification</b> by the author of the Environment Assessment that the information contained in the Assessment is neither false nor misleading.</li> </ol>

**Key issues**

- **Strategic Justification and Project** – outline the strategic outcomes for the Pacific Highway Upgrade Program (PHUP), including with respect to strategic need and justification, the aims and objectives of relevant State planning policies, the principles of Ecologically Sustainable Development, and cumulative and synergistic impacts associated with the Program as a whole. Identify how the project fits within these strategic outcomes and how impacts associated with the project will be considered and managed to achieve acceptable environmental planning outcomes across the PHUP.
- **Project Justification** – describe the need for and objectives of the project; alternatives considered (including an assessment of the environmental costs and benefits of the project relative to alternatives), and provide justification for the preferred project taking into consideration the objects of the *Environmental Planning and Assessment Act 1979*.
- **Land Use and Property** - including but not limited to:
  - directly-affected properties and landuses adjacent to the project, including: impacts to landuse viability and future development potential;
  - property allotment, land sterilisation and severance impacts;
  - impacts on the connectivity (including pedestrian and cycleway opportunities) and contiguity of existing and planned settlement and activity clusters around Telegraph Point, Sancrox Road and Kundabung.
  - the attainment of the objectives of the *Draft Mid-North Coast Farmland Mapping Project*; and
  - the attainment of the objectives of the *Draft Mid North Coast Strategy*.
- **Social and Economic** - including but not limited to:
  - regional economic impacts to the agricultural sector taking into account the loss of regional and State Significant farmland as identified in the *Draft Mid-North Coast Farmland Mapping Project* (Department of Planning, July 2007).
  - local community socio-economic impacts associated with access, landuse, property and amenity related changes;
  - the overall viability, property infrastructure (ie. sheds, water supplies etc), profitability, productivity, sustainability and natural resource values of businesses (including agricultural producers and Forests NSW); and
  - impacts on oyster priority areas in accordance with the *NSW Oyster Industry Sustainable Aquaculture Strategy 2006*.
- **Surface and Ground Water** - including but not limited to:
  - water quality taking into account impacts from both accidents and runoff and considering relevant environmental water quality criteria specified in the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000*;
  - groundwater including cumulative impacts on regional hydrology. The assessment must consider: extent of drawdown; impacts to groundwater quality; discharge requirements; and implications for groundwater-dependent surface flows (including springs and drinking water catchments), groundwater-dependent ecological communities, and groundwater users;
  - identifying changes to existing flood regimes, in accordance with the *Floodplain Development Manual* (former Department of Natural Resources, 2005), including impacts to existing receivers and infrastructure and the future development potential of affected land; and
  - waterways to be modified as a result of the project, including ecological, hydrological and geomorphic impacts (as relevant) and measures to rehabilitate the waterways to pre-construction conditions or better.
- **Flora and Fauna** - including but not limited to:
  - threatened terrestrial and aquatic species, populations, ecological communities and/or critical habitat; and
  - targeted surveys of threatened flora and fauna species including *Saproskinkus oriarus* and *Adenostemma lavenia*.
  - native vegetation loss; weed infestation; habitat fragmentation; impacts to wildlife and riparian corridors; impacts to groundwater-dependent communities, riparian and aquatic habitat including:
    - seagrass and mangrove strands at the Hastings River, Wilson River and associated wetland areas evaluated in accordance with the NSW Fisheries

	<p>document <i>Policy and Guidelines for Aquatic Habitat Management and Fish Conservation 1999</i> (Section 6.4 and 6.5 specifically).</p> <ul style="list-style-type: none"> <li>▪ regional scale cumulative impacts and identify the significance of the impacts of the project in the context of the PHUP.</li> <li>▪ <b>Noise and Vibration</b> - including but not limited to: <ul style="list-style-type: none"> <li>▪ construction noise and vibration including construction traffic noise and blasting impacts; and</li> <li>▪ operational road traffic noise impacts including consideration of local meteorological conditions (as relevant) and any additional reflective noise impacts from proposed noise mitigation barriers;</li> <li>▪ the assessment(s) must take into account the following guidelines as relevant: <i>Environmental Criteria for Road Traffic Noise</i> (EPA 1999), <i>Environmental Noise Management Manual</i> (RTA, 2001), <i>Environmental Noise Control Manual</i> (EPA, 1994), <i>Assessing Vibration: A Technical Guideline</i> (DEC, 2006); and <i>Technical Basis for Guidelines to Minimise Annoyance Due to Blasting Overpressure and Ground Vibration</i> (ANZECC, 1990).</li> </ul> </li> <li>▪ <b>Visual Amenity and Design</b> - including but not limited to: <ul style="list-style-type: none"> <li>▪ design (including noise barriers, retaining walls and landscaping) consistent with overall design of the PHUP and the existing (and desired) character of affected localities;</li> <li>▪ consideration of the <i>Noise Wall Design Guideline</i> (RTA, 2006); and</li> <li>▪ visual significance of the crossings at the Hastings and Wilson Rivers (including district views across floodplain).</li> </ul> </li> <li>▪ <b>Traffic and Transport</b> - including but not limited to: <ul style="list-style-type: none"> <li>▪ operational traffic and transport impacts to the local, regional and Forests NSW road network (existing and planned), including impacts from traffic rerouting and modified access to the upgraded highway;</li> <li>▪ construction traffic impacts (including spoil haulage);</li> <li>▪ public transport impacts (including on bus services); and</li> <li>▪ interactions with rail infrastructure and the viability of a shared road and rail corridor.</li> </ul> </li> <li>▪ <b>Indigenous heritage</b> – including but not limited to: <ul style="list-style-type: none"> <li>▪ Aboriginal cultural heritage values of the route, specifically on both artefact, potential archaeological deposits and landscape cultural values (such as watercourses) and mitigation measures, where relevant; and</li> <li>▪ regional scale cumulative impacts and identify the significance of the impacts of the project in the context of the PHUP.</li> </ul> </li> <li>▪ <b>Environmental Risk Analysis</b> – notwithstanding the above key assessment requirements, the EA must include an environmental risk analysis to identify potential environmental impacts associated with the project (construction and operation), proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed mitigation measures. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of this additional key environmental impact must be included in the EA.</li> </ul>
<p><b>Consultation</b></p>	<p>You should undertake an appropriate and justified level of consultation with relevant parties during the preparation of the EA, including:</p> <ul style="list-style-type: none"> <li>▪ local, State or Commonwealth government authorities and service providers, including the Department of Environment and Climate Change, the Department of Primary Industries, the Department of Water and Energy, Australian Rail Track Corporation, Kempsey Shire Council and Port Macquarie-Hastings Council;</li> <li>▪ Specialist Interest Groups including Local Aboriginal Councils, oyster growers; and</li> <li>▪ the public, including affected landowners.</li> </ul> <p>The EA must describe the consultation process, document all community consultation undertaken to date and identify the issues raised (including where these have been addressed in the EA).</p>