

REVIEW OF ENVIRONMENTAL FACTORS (REF) DECISION REPORT

Proposed **BOTANY YARD BI-DIRECTIONAL SIGNALLING – ADDITIONAL VEGETATION CLEARING**

Introduction

I have reviewed the Review of Environmental Factors (REF) for the proposal known as *Botany Yard Bi-Directional Signalling – Additional Vegetation Clearing (Supplementary)*. The REF has been prepared for the proposal by ARTC to satisfy ARTC's environmental assessment requirements under Part 5, Division 5.1 of the *Environmental Planning and Assessment Act 1979* ("EP&A Act"). The REF is titled *Botany Yard Bi-Directional Signalling Supplementary Review of Environmental Factors* and is dated 9 June 2022 (revision B).

This Decision Report provides a summary of the key environmental considerations and the determination for the proposal consistent with requirements of Section 4.4 of the ARTC *Code of Practice for Environmental Impact Assessment of Development Proposals in New South Wales*.

Project Description

A Review of Environmental Factors (REF) prepared for the Botany Yard Bi-Directional Signalling project was determined by ARTC on 13 July 2020. The approved project involves reconfiguration of the Botany Yard signalling system to enable bi-directional signalling and other infrastructure upgrades to improve operational efficiency in Botany Yard. Botany Yard rail corridor extends for approximately 4km from the Banksia Street footbridge at the north to Penrhyn Road access gate in Banksmeadow in the south, with approximate chainage along the Botany Line from 10.000km to 6.625km.

The approved REF considered that some vegetation clearing ('grubbing') would be required to facilitate the works within the rail corridor, however no mature trees would be required to be pruned or removed.

Since the commencement of works, it has been identified that additional vegetation clearing, including mature tree pruning and removal, is required to facilitate construction vehicle access and the installation of signalling and other service crossings under the rail (ULX). The additional vegetation clearing works would occur within the existing approved project area (also referred to as study area in the approved REF), as well as immediately adjacent areas.

The following additional scope (the additional activity) is required:

- Removal of tree branches overhanging access paths to facilitate construction vehicle access. In some instances, trees will need to be removed as trimming tree branches to enable access and maintain tree health is not possible. Some trees located on adjacent land over hanging the rail corridor may also need to be pruned and/or removed.
- Clear vegetation and trees where required to facilitate the installation of signalling and other services within the rail corridor.

All other project activities remain consistent as per the approved REF.

There are no changes proposed to construction hours or duration as a result of the proposed change. EPL 3142 applies to this proposal.

Environmental Considerations	
<i>Note: this table summarises key environmental issues by exception. It does not capture routine environmental issues / management measures documented in the REF.</i>	
Biodiversity (Flora and Fauna)	
Key issues and management measures proposed	<p>Minor</p> <p>The approved REF described the project area as highly modified urban/industrial landscape with vegetation predominantly only present at the sides of the rail corridor. No threatened flora species or communities, protected under the BC Act or the EPBC Act, were identified and no native Plant Community Types (PCTs) were considered to be present. The vegetation composition was predominately noted to be dominated by exotic weed species. No further ecological assessments were undertaken for the supplementary REF.</p> <p>Trees required to be pruned and or removed that are located outside the study area must be inspected by a qualified ecologist to confirm they are not threatened species and do not provide significant ecological value or habitat for threatened fauna.</p> <p>In all cases pruning and removal of trees, located either within the study area or adjacent to it, must be inspected and supported by a qualified arborist. This will ensure that any tree pruning undertaken, can wherever possible, maintain the tree in good health, and trees are only removed where necessary.</p> <p>Management measures documented in the approved REF will be implemented, as well as additional management measures documented in the supplementary REF, including a pre-clearance survey will be undertaken by a qualified ecologist prior to any vegetation removal and/or trees being cleared or pruned outside the study area, and trimming of established tree branches will be executed by an appropriately qualified tree surgeon or arborist.</p>
Indigenous Heritage	
Key issues and management measures proposed	<p>Negligible</p> <p>The additional activity will not result in additional substantial ground disturbance outside the study area considered in the REF. No items or sites of cultural significance were identified adjacent to the study area.</p> <p>Management measures documented in the approved REF are considered appropriate, and no additional management measures are required.</p>
Noise and Vibration	
Key issues and management measures proposed	<p>Minor</p> <p>The works will utilise plant and equipment consistent with that considered and assessed in the REF. In addition, the works will be intermittent and of a short duration. No additional noise or vibration impact is anticipated as result of the additional activity.</p> <p>Management measures documented in the approved REF are considered appropriate, and no additional management measures are required.</p>
Non-Indigenous Heritage	
Key issues and management measures proposed	<p>Nil</p> <p>There are no items of local or State heritage significance within or adjacent to the study area.</p>

	Management measures documented in the approved REF are considered appropriate, and no additional management measures are required.
Community and Visual Impacts	
Key issues and management measures proposed	<p>Minor</p> <p>No additional community or visual impacts have been identified.</p> <p>Management measures documented in the approved REF will be implemented, as well as additional management measures documented in the supplementary REF including in instances where tree works are required on adjacent land, the property owner and or land manager must be contacted and permission sought prior to undertaking these works.</p>
Soil and Water	
Key issues and management measures proposed	<p>Minor</p> <p>The additional activity will not result in significant or altered impacts to soil and water. Some vegetation clearing was considered in the REF including 'grubbing' which may disturb the soil surface.</p> <p>Management measures documented in the approved REF are considered appropriate, and no additional management measures are required.</p>
Contamination and Waste	
Key issues and management measures proposed	<p>Minor</p> <p>No additional areas of contamination or concern have been identified.</p> <p>Management measures documented in the approved REF are considered appropriate, and no additional management measures are required.</p>
Other	
Key issues and management measures proposed	No cumulative impacts have been identified.

Review of Environmental Factors (EP&A Regulation 2021 - section 171) and Matters of National Environmental Significance (EPBC Act 1999)

Have the section 171 Environmental Factors and Matters of National Environmental Significance been considered?	Yes
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REF Exhibition and Public Submissions

Was the REF publicly exhibited, and were community or stakeholder submissions received?	No
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Environmental Approvals and Licences Required

Approval requirements

The proposal can be assessed under Part 5 of the EP&A Act and determined by ARTC. EPL 3142 applies to this proposal.

Operational Requirements

Are there any operational requirements that apply to the proposal post-construction?

No

Reviewer notes

N/A

Conclusion

I have considered the requirements of Part 5, Division 5.1 of the EP&A Act and the ARTC *Code of Practice for Environmental Impact Assessment of Development Proposals in NSW*.

On behalf of ARTC I have determined that:

- The Proposal is subject to Part 5, Division 5.1 of the EP&A Act;
- The environmental impact assessment for the Proposal complies with the requirements of Part 5 of the EP&A Act and the Environmental Planning and Assessment Regulation 2021;
- An Environmental Impact Statement (EIS) is not required for the Proposal;
- A Species Impact Statement (SIS) is not required for the Proposal; and
- The Proposal should proceed subject to the environmental conditions as set out in Schedule 1.

I make these determinations in reliance on the documents I have reviewed and the advice I have received in relation to the Proposal as summarised above.

I note that I did not prepare the REF and that I am authorised by ARTC to make the determination set out in this Decision Report.

Approval Recommended by:

Name and position: Stuart Ross, Acting General Manager Safety and Environment

Signature




Date 27 June 2022

Endorsed by: Applicable / ~~Not applicable~~

Name and position: Peter Clements, Group Executive Safety and Environment

Signature



Date 30.6.22

Approved by:

Name and position: Mike Zambelli, Group Executive Major Construction Projects

Signature



Date

30/06/2022

Note: Refer Schedule 1 for environmental conditions.

SCHEDULE 1 - ENVIRONMENTAL CONDITIONS

REFERENCE	ENVIRONMENTAL CONDITIONS
1.	GENERAL
1.1	The proposal must be carried out in accordance with the terms of this approval and generally in accordance with the proposal as described in the REF documents.
1.2	All works within the rail corridor must be undertaken in compliance with ARTCs Environment Protection Licence (EPL 3142).
1.3	All mitigation measures recommended in the REF and this Schedule (Schedule 1 Environmental Conditions) shall be applied to the proposal. These Schedule 1 Environmental Conditions will prevail where there is any inconsistency.
1.4	All necessary licences, permits and approvals required by legislation shall be obtained prior to the works commencing. Copies of these licences permits, and approvals shall be kept on site and complied with during works.
1.5	Where proposal construction has not commenced within twenty-four months of REF determination, a Consistency Review will be undertaken.
2.	CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN
2.1	A construction environmental management plan (CEMP) shall be prepared addressing all REF mitigation measures, these Schedule 1 Environmental Conditions, and other environmental requirements as applicable.
3.	TRAINING
3.1	A site-specific environmental induction must be prepared and delivered to site personnel and is to include: <ul style="list-style-type: none"> - environmentally sensitive areas and 'no go' zones; - emergency procedures, - complaints handling, - environmental incident recording and reporting, and - site specific environmental controls.
4.	INCIDENT NOTIFICATION
4.1	Environmental incidents shall be reported to ARTC Project Manager (and as applicable to the ARTC Network Controller) as soon as practicable.
5.	COMMUNITY COMPLAINTS

REFERENCE	ENVIRONMENTAL CONDITIONS
5.1	Details of all complaints are to be forwarded to ARTC Enviroline (1300 550 402 or enviroline@artc.com.au) for logging into the ARTC complaints database, unless a project specific contact number has been provided to the community.
6.	OTHER
6.1	ARTC documents ENV-GL-010 and ENV-GL-011 provide guidance on the compliant management of waste spoil and timber.