**Attachment 2**

**For Public Notice via Internet**

**REASONS FOR DECISION UNDER *ENVIRONMENT EFFECTS ACT 1978***

**Title of Proposal: Mernda Rail Extension project**

**Proponent: Level Crossing Removal Authority**

**Description of Project:**

The Mernda Rail Extension Project (MREP) is a proposed new 8 km dual track railway line from the existing South Morang Station to Mernda, almost entirely within an existing rail reserve. The project allows for construction of a new station and car parking at Mernda and Marymede Catholic College and provision for a station at Hawkstowe Parade. Stabling facilities and a transport interchange at Mernda will be constructed, as well as five grade separated road crossings. A high voltage cable will be installed within the existing operational rail reserve from Epping Substation, through the existing South Morang Tie-Station and up to Hawkstowe, to provide extra traction power infrastructure.

**Decision:**

The Minister for Planning has decided that an Environment Effects Statement (EES) is not required for the Mernda Rail Extension project, as described in the referral accepted on 15 July 2016, subject to the following conditions:

1. A Construction Noise Report is to be prepared to the satisfaction of the Minister for Planning prior to the commencement of works. This report needs to include:
	1. Assessment of noise sources and noise generation scenarios for construction of the railway, including specification of the duration of construction works to be completed at night and evening;
	2. Suitable noise mitigation measures, for locations in the vicinity of the proposed works where sensitive receptors are likely to be exposed to noise levels exceeding the proposed noise standards; and
	3. A procedure for notifying residents in advance of night and evening works as well as a complaints handling procedure.
2. Six months after the commencement of rail passenger services the proponent is to submit a report to the satisfaction of the Minister for Planning on the Assessment of Operational Noise. This report needs to:
	1. Include an assessment of the noise emissions produced from the passenger rail service operation and the sidings, having regard to Passenger Rail Infrastructure Noise Policy (PRINP) and SEPP N-1 noise criteria respectively, and review the effectiveness of noise mitigation measures in place (such as noise barriers).
	2. Should assessment of the noise emissions from the passenger rail service operation and the sidings not be able to demonstrate that existing mitigation measures have enabled respective PRINP and SEPP N-1 criteria to be met, the report also needs to examine further mitigation measures that may be required to meet those criteria, as well as assess the visual amenity impacts of any such additional mitigation.
3. The proponent is to undertake further visual assessment, to the satisfaction of the Minister for Planning, of the six viewpoint locations identified in the EES referral documentation as having a ‘moderate to major’ or ‘major’ impact resulting from the project, prior to the commencement of works. This assessment needs to:
	1. Identify the extent to which these effects will impact individual sensitive receptors, making appropriate use of maps;
	2. Have regard to the anticipated view changes as well as lighting impacts;
	3. Develop specific mitigation measures that would need to apply for each of the viewpoint locations to further reduce the significant adverse effect on all relevant sensitive receptors; and
	4. Specify the project performance requirements proposed to be implemented to manage the potential effects of the project on visual amenity.

**Reasons for Decision:**

* There are no practical alternatives for the alignment and the project’s potential environmental effects are not sufficiently complex or extensive to warrant an Environment Effects Statement.
* There is potential for adverse environmental effects, in particular on biodiversity values, cultural heritage, as well as landscape and amenity values, due to nature of the existing surrounding environment and changes resulting from the project. However, effects associated with construction noise, operational noise and visual amenity can be sufficiently addressed through targeted conditions set out within this decision.
* The potential adverse effects on biodiversity values have been thoroughly examined as part of the referral and will be further assessed and managed through requirements under the *Planning and Environment Act 1987*, *Flora and Fauna Guarantee Act 1988*, and the *Environment Protection and Biodiversity Conservation Act 1999*. This will include ensuring appropriate mitigation and offsets in accordance with state and commonwealth legislation.
* Potential adverse effects on Aboriginal cultural heritage values can be addressed through the statutory requirements under the *Aboriginal Heritage Act 2006*.
* Other residual potential effects should be readily addressed through respective statutory requirements, under the *Planning and Environment Act 1987*, *Heritage Act 1995*, and *Water Act 1970*.

**Date of Decision: 6 September 2016**