



NSW GOVERNMENT
Department of Planning

Contact: Glenn Snow
Phone: (02) 9228 6352
Fax: (02) 9228 6355
Email: glenn.snow@planning.nsw.gov.au

Our ref: S07/01014

Mr Nick Montague
Principal Planner
Property Division
QRNational
GPO Box 1429
BRISBANE Qld 4001

Dear Mr Montague

Hexham Redevelopment Project (MP 07_0171) – Maitland Road (Pacific Highway) Hexham

I refer to your request for the Minister for Planning (the Minister) to consider a State significant site listing for the subject site; a major project application and request for Director-General's requirements for:

- a concept plan for a train support facility, intermodal terminal and industrial subdivision; and
- a project application for the train support facility.

The Minister agreed on the 30 September 2007 to commence the process for making the subject site a State Significant Site under Schedule 3 of *State Environmental Planning Policy (Major Projects) 2005* (the Major Projects SEPP). At this time the Minister also formed the opinion that the Hexham Redevelopment Project (the Project) is a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies; and authorised the lodgement of a concept plan.

The following matters are to be considered in preparing the State significant site study and the environmental assessment.

State Significant Site Study Requirements

The effect of the Minister's announcement means a State significant site study is required and in accordance with clause 8 of the Major Project SEPP, I require you to prepare a study to support the proposal. I have attached a copy of the Director-General's State significant site study requirements.

You should ensure that you consult with the Department prior to submission of the State significant site study to determine:

- the fees applicable to the investigation;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy or CD-ROM) of the study that will be required.

On receipt the Department will review and arrange for the State significant site study to be publicly exhibited. The study can be a stand alone document, which can be publicly exhibited prior to or concurrent with the environmental assessment for the concept plan and project application for the Project.

Director General's Requirements for the Environmental Assessment

I have attached a copy of the Director-General's requirements (DGRs) for the environmental assessment. These have been prepared taking into consideration issues raised at the Planning Focus Meeting held on Wednesday 16 January 2008 and in consultation with relevant government agencies.

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 available prior to approval for the Project being sought.

The Department acknowledges that some issues identified in the project application may be more appropriately addressed as part of subsequent project applications under Part 3A or development applications under Part 4 of the Act. Nonetheless, it is prudent to address all requirements to the extent necessary within the environmental assessment and/or statement of commitments for the concept plan.

At least two weeks before you propose to submit the environmental assessment for the Project you should contact the Department 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 prior to making the environmental assessment 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* (the EPBC Act). This is in addition to any approvals required under New South Wales legislation and it is your responsibility to contact the Department of Environment, Heritage, Water and the Arts to determine if an approval under the EPBC Act is required (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 notify the Department immediately as supplementary Director-General's requirements will need to be issued.

If you have any enquiries about these requirements, please contact Glenn Snow, Senior Environmental Planning Officer, Major Infrastructure Assessments on 02 9228 6352 or via email (glenn.snow@planning.nsw.gov.au).

Yours sincerely



13.2.08

Chris Wilson

Executive Director, Major Project Assessments

As delegate for the Director-General

State Significant Site Study Requirements

Clause 8 of the *State Environmental Planning Policy (Major Projects) 2005*

Study	State Significant Site study into the Hexham Redevelopment
Location	Maitland Road (Pacific Highway), Hexham
Proponent	Queensland Rail Limited (QRNational)
Date of Issue	13 February 2008
Date of Expiration	13 February 2010
General requirements	<p>The State significant site study must be prepared to a high technical and scientific standard and must address the following:</p> <ul style="list-style-type: none"> the State or regional planning significance of the site (having regard to the <i>Guideline for State Significant Sites under the Major Project SEPP (DoP)</i>); the suitability of the site for any proposed land use taking into consideration environmental, social or economic factors, the principles of ecologically sustainable development and any State or regional planning strategy; the implications of any proposed land use for local and regional land use, infrastructure, service delivery and natural resource planning; details of proposed development controls for the site and justify the necessity for these controls against existing environmental planning instruments; certification by the author of the State Significant Site study that the information contained in the Study is neither false nor misleading.
Key Assessment Requirements	<p>In addressing the General Requirements, the State significant site study must address the following key assessment requirements:</p> <p>State or Regional Planning Significance – including but not limited to:</p> <ul style="list-style-type: none"> the state or regional importance of the site in terms of its employment-generating potential; its specific location; its likely social, environmental and economic impacts; and any relevant State or regional development policies including the <i>Lower Hunter Regional Strategy (DoP)</i>. a strategic vision for the site, detailing the objectives and aims for the site, as well as a strategic framework for the co-ordinated achievement of those objectives and aims. <p>Suitability of the Site - including but not limited to:</p> <ul style="list-style-type: none"> ecological and conservation values of the site, including impacts to regional ecological corridors, and wetlands in and adjoining the site and the implementation of the Hexham Swamp Rehabilitation Project; flooding characteristics of the site; and cultural heritage characteristics of the site including items, landscape and natural values; and relevant State planning policies, including but not limited to <i>State Environmental Planning Policy No 55—Remediation of Land</i>; draft <i>State Environmental Planning Policy No 66—Integration of Land Use and Transport</i>; and <i>Draft Lower Hunter Regional Conservation Plan (DECC)</i>. <p>Proposed Land Use Implications - including but not limited to:</p> <ul style="list-style-type: none"> access to and from the site; and service infrastructure needs and any contributions or levies that may need to be secured in respect of the development on the site. <p>Development Controls - including but not limited to:</p> <ul style="list-style-type: none"> zoning; subdivision; site layout; and design; and the future approval regime for development on the site by identifying the circumstances when Part 3A or Part 4 of the Act would apply.

Consultation	<p>You should undertake an appropriate level of consultation with relevant parties during the preparation of the study, including (but not limited to):</p> <ul style="list-style-type: none"> ▪ local, State or Commonwealth government authorities such as: <ul style="list-style-type: none"> • Department of Environment and Climate Change, • Department of Primary Industries (Fisheries, Minerals), • Department of Water and Energy, • Hunter-Central Rivers CMA, • Ministry of Transport, • Roads and Traffic Authority, and • Newcastle City Council; ▪ service and infrastructure providers such as: <ul style="list-style-type: none"> • Australian Rail Track Corporation, • RailCorp, • Hunter Water, and • Hunter Energy; ▪ specialist interest groups including Local Aboriginal Land Councils; and ▪ the public, including adjoining and affected landowners. <p>The study must clearly indicate issues raised by stakeholders during the consultation process, and how these matters have been addressed in the study.</p>
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Director-General's Requirements

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

Application	07_0171
Project	Hexham Redevelopment Concept Plan (train support facility, intermodal terminal and industrial subdivision); and Project Application (train support facility)
Location	Maitland Road (Pacific Highway), Hexham
Proponent	Queensland Rail Limited (QRNational)
Date issued	13 February 2008
Expiry date	13 February 2010
General requirements	<p>The Environmental Assessment (EA) must include the following:</p> <ol style="list-style-type: none"> 1. an executive summary. 2. a detailed description of the Project including (but not limited to): <ul style="list-style-type: none"> ▪ location, site description and planning context (including previous, existing, future, and surrounding land uses and operations); ▪ project components and design elements (including site layout); ▪ extraction, construction and operational characteristics and processes (including site preparation; and resource recovery and disposal of tailings); and ▪ project and component staging and timing. 3. an assessment of the key issues, with the following aspects addressed for each key issue (where relevant): <ul style="list-style-type: none"> ▪ describe the existing environment; ▪ assess the potential impacts of the proposal at extraction, construction and operation stages. Direct, indirect and cumulative impacts must be considered; ▪ 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 ▪ describe measures to be implemented to avoid, minimise, manage, mitigate, offset and/or monitor the impacts of the project and any residual impacts. 4. a draft Statement of Commitments (SoC). The SoC must incorporate or otherwise capture 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. 5. certification by the author of the Environment Assessment that the information contained in the Assessment is neither false nor misleading.
Key issues	<p>Strategic and Project Justification – describe the strategic need, justification and objectives for the project. Identify alternatives to the preferred project considered and justify the project taking into consideration the objects of the <i>Environmental Planning and Assessment Act 1979</i>; and its consistency with the aims and objectives of relevant State policies (<i>Lower Hunter Regional Strategy</i>) and project objectives, including the broader economic objectives and initiatives being undertaken in the Lower Hunter, including at the Stoney Pinch / Beresfield lands.</p> <p>Ecology - including but not limited to:</p> <ul style="list-style-type: none"> • flora, fauna and habitat (including rare, threatened and endangered species, populations, ecological communities and SEPP 14 wetlands), and consideration of local, regional, state and corridor impacts (including the Watagan Ranges to Port Stephens conservation corridor identified in the <i>draft Lower Hunter Regional Conservation Plan</i>); taking into account of the <i>Draft Guidelines for Threatened Species Assessment (DEC)</i>; and <i>Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities (DEC)</i>; and ▪ demonstration that the project can be managed to minimise impacts on the Hexham Swamp Rehabilitation Project.

Hydrology and Geology - including but not limited to:

- surface water and stormwater management, including consideration of water quality (sedimentation and acid sulfate soils) and treatment; hydrological regimes, watercourses (including ephemeral), riparian and receiving areas (including Hexham Swamp Nature Reserve); taking into account of the *Managing Urban Stormwater: Soils and Construction (Landcom)* guidelines and the *Acid Sulfate Soil Manual (ASSMAC)*;
- groundwater hydrology, groundwater dependent ecosystems, and groundwater users and licences (as applicable);
- effect of floods on the project (including access); and project effects on flood characteristics (including on surrounding land, infrastructure, housing and businesses for a range of flood events up to and including the PMF). This assessment must take into account the potential for credible flood characteristic changes resulting from climate change and sea level rise; and
- geological and soil characteristics (physical and chemical) that may impact or be impacted on by land stability and geological integrity.

Transport and Access - including but not limited to:

- access (including for people, freight, and construction and extractive material movements) to, from and within the project and to surrounding lands and development (for all modes). This should include the preparation of a Transport Management and Accessibility Plan, and an assessment of site layout, property severance and access restrictions; taking into account of the *Guide to Traffic Generating Developments (RTA)* and the *Draft Interim Guidelines on Transport Management and Accessibility Plans (DoT/RTA)*; and
- interaction and integration with existing and planned transport infrastructure (eg. F3 to Raymond Terrace Pacific Highway Upgrade) and services. Consideration should be given to safety, capacity, efficiency and required augmentations (eg. Tarro interchange).

Infrastructure - including but not limited to:

- interaction with existing and proposed utilities infrastructure; and
- service demand, capacity and augmentation of existing and proposed utilities infrastructure as a result of the project (including the preparation of a water and wastewater servicing strategy).

Heritage - including but not limited to:

- Indigenous heritage including objects, places, archaeological sites; and landscape, natural and cultural values of the site and surrounding area; taking into account of the *Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC)*; and
- non-indigenous heritage, including items, archaeological relics, landscapes, natural and cultural values of the site and surrounding area; taking into account of the *NSW Heritage Manual (NSW Heritage Office)*; and *Assessing Heritage Significance Guidelines (NSW Heritage Office)*.

Noise and Vibration - including but not limited to:

- noise and vibration from all activities and sources, and impacts on receivers; taking into account of the *NSW Industrial Noise Policy (DEC)*.

Air Quality - including but not limited to:

- air pollutants, including an assessment of dust deposition, total suspended particulates, PM₁₀ and any other atmospheric pollutants of concern for local, regional and inter-regional air quality, from fugitive and point sources; taking into account of the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC)*; and
- greenhouse gas assessment (including an assessment of emissions from the disposal/use of extracted coal tailings); taking into account of the *AGO Factors and Methods Workbook (Australian Greenhouse Office)*.

Hazards and Risks - including but not limited to:

- identifying dangerous goods likely to be used on site, including their classification and maximum quantity; and carry out a risk screening in accordance with the procedure detailed in the Department's guideline *Applying SEPP 33*. If the risk screening indicates that the proposal is potentially hazardous as defined by SEPP 33, a Preliminary Hazard Analysis in accordance with *Hazardous Industry Planning Advisory Paper (HIPAP) No.6 – Hazard Analysis Guidelines* is to be included;

	<ul style="list-style-type: none"> ▪ land contamination and identification of the need for remediation of contaminated land, having regard to the ecological and human health risks posed by the contamination in the context of past, existing and future land uses; ▪ where remediation of contaminated land is required, presentation of a Remedial Action Plan in accordance with relevant DECC (EPA) guidelines; ▪ processes or activities that have the potential to cause harm to people and/or the environment outside the site; and ▪ the risk to the project and surrounding land use and development from natural hazards such as flooding and bushfire.
Environmental Risk Analysis	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.
Consultation	<p>You should undertake an appropriate level of consultation with relevant parties during preparation of the EA, including (but not limited to):</p> <ul style="list-style-type: none"> ▪ local, State or Commonwealth government authorities such as: <ul style="list-style-type: none"> • Department of Environment and Climate Change, • Department of Primary Industries (Fisheries, Minerals), • Department of Water and Energy, • Hunter-Central Rivers CMA, • Ministry of Transport, • Roads and Traffic Authority, • Rural Fire Service; and • Newcastle City Council; ▪ service and infrastructure providers such as: <ul style="list-style-type: none"> • Australian Rail Track Corporation, • RailCorp, • Hunter Water, and • Hunter Energy; ▪ specialist interest groups including Local Aboriginal Land Councils; and ▪ the public, including adjoining and affected landowners. <p>The EA must describe the consultation process, document consultation undertaken and identify the issues raised (including where these have been addressed in the EA).</p>
Deemed refusal period	Under clause 8E of the <i>Environmental Planning and Assessment Regulation 2000</i> , the applicable deemed refusal period is 120 days from the end of the Proponent's environmental assessment period for the project.