CONCEPT PLAN – LINK RD NORTH, LINK RD SOUTH & MINMI – S07/00406-1
ENVIRONMENTAL ASSESSMENT REQUIREMENTS UNDER PART 3A OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Project Description	Concept Plan for Link Rd North, Link Rd South and Minmi including the: • Rezoning of land to allow 6312 residential allotments (526 ha) • Rezoning of land to allow associated infrastructure including roads, sewerage, water, electricity and telecommunications, • Dedication of land for education, community facilities and other social/recreational needs, • Dedication of 2473 ha of regionally significant conservation land to complete the Watagan to Stockton green corridor.
Capital Investment Value	Over $400 million (to be confirmed based on estimated cost of future development)
Site	Lot 71 DP 1065169; Lot 35 DP 800036; Lot 6 DP 1044574; Lot 2 DP 877349; Lot 3 DP 877349 (known as Link Road North, Link Road South and Minmi) and Lots and Deposited Plans set out in attached Table (known as Stockrington).
Proponent	Coal and Allied Operations Pty Ltd.
Date of Issue 10	April 2008
Date of Expiration 10	April 2010
Special Provision	The Minister for Planning formed the opinion that the development described is of State or regional environmental planning significance and authorised the submission of a concept plan for the project pursuant to section 75M(1) of the *EP&A Act*. The Minister also declared that development described was a project to which Part 3A of the *EP&A Act* would apply, and that such development would be required to be consistent with a structure plan to be prepared for the wider area.
General requirements	The Environmental Assessment (EA) for the **Concept Plan** must include: (1) an executive summary; (2) a description of the project including: (a) need for the project; (b) alternatives considered; (c) various components and staging of the project; and, (d) map indicating the footprint of the proposed work (3) a thorough site analysis and description of the existing environment; (4) justification of the project, taking into consideration the environmental impacts of the proposal, the suitability of the site and whether or not the project is in the public interest; (5) a consideration of all relevant statutory and non-statutory provisions and identification of any non-compliance with such provisions (especially the *SEPP (Major Projects) 2005, SEPP 44, SEPP 55, Draft SEPP 66, SEPP (Infrastructure) 2007, SEPP (Mining, Petroleum Production & Extractive Industries) 2007, Planning Circular PS 07-018 (Infrastructure Contributions), Newcastle LEP 2003, Hunter Regional Environmental Plan 1989, Lake Macquarie LEP 2004, Hunter Regional Environmental Plan 1989 (Heritage), Lower Hunter Regional Strategy, The Western Corridor Lands Study* that is currently being prepared, and *Planning for Bushfire Protection, 2006*); (6) a draft Statement of Commitments outlining commitments to public benefits, environmental management, mitigation and monitoring measures (especially in relation to flooding, biodiversity and stormwater) to be established on site and clear identification of who is responsible for these measures; (7) a signed statement from the author of the EA certifying that the information contained in the report is neither false nor misleading; and (8) the likely scope of developer contributions between: (a) the proponent and Newcastle City Council and Lake Macquarie City Council and (b) the proponent

	and State Government agencies for provision of community, regional and local infrastructure, public transport provision, social infrastructure and facilities etc. (9) A report from a quantity surveyor identifying the capital investment value of the Concept Plan including the estimated cost of future development (see covering letter).
Key Assessment Requirements	**Uses** (1) Demonstrate the suitability of the site for the proposed land uses. (2) Demonstrate consistency of the proposed uses with relevant planning documents including the Lower Hunter Regional Strategy, the Western Corridor Study that is currently being prepared, Lake Macquarie LEP 2004 and Newcastle LEP 2003. (3) Demonstrate that proposed uses include an adequate level of social infrastructure to meet the needs of the future population arising from proposed development of the land. **Urban Design, development controls and land uses** (1) Propose development controls for the site based on a comprehensive site analysis of constraints and opportunities. The resulting development controls must satisfy the objects of the *EP&A Act* and the aims and objectives of relevant planning instruments. (2) Demonstrate that development controls will complement surrounding existing land uses and the dedicated conservational lands. (3) Provide a detailed contour plan to identify the finished contour levels of the site, with details provided on the earthworks required to achieve the finished contours. (4) Provide an assessment of the impacts of any site preparation works required to accommodate the construction of any proposed physical infrastructure. (5) Assess the visual impact of the proposal, particularly in regard to the heritage significance and recreational amenity of the area. (6) Identify the footprint for urban development including the envisaged urban form for development on the subject land and assess the visual impacts of proposed development when viewed from public vantage points in the surrounding environs. **Staging of Development** (1) Provide details of the staging of development including a Staging Plan that sets out the sequencing of land release. Include relevant maps. (2) Identify the staging process for infrastructure provision commensurate with proposed staging of development and land release. **Conservation lands** (1) Identify the extent, locations, and timing of dedication of proposed conservation lands. (2) Discuss any edge effects between the development area, and the conservational and surrounding lands. Commit to an ongoing management program for edge effects – assess the provision of a buffer zone. (3) Explore linkages, access and integration of the recreational and conservational lands to the proposed development as well as beyond the site. **Biodiversity** (1) Assess the impact of the proposed rezoning and land clearing on existing native flora and fauna, on the site and surrounding areas (including Blue Gum Hills Regional Park, Pambalong Nature Reserve, Hexham Swamp, Hunter Estuary National Park and the dedicated conservation areas). The assessment must be conducted in accordance with the Guidelines for *Threatened Species Assessment (DEC July 2005)* and include a field study. (2) Describe the actions that would be taken to avoid or mitigate impacts on biodiversity, threatened species, their habitat and ecological corridors. (3) Identify proposed riparian areas and future management options for these lands. (4) Demonstrate the linkages between proposed conservation lands and adjoining lands and the benefits in providing biodiversity habitats in these locations.

Air Quality

(1) Assess the odour and air quality impacts of the nearby existing development and any proposed development including sewerage treatment plants on the site and in light of potential coal mining and coal-bed methane extraction on the subject land. The assessment must be consistent with the *Technical Framework Assessment and management of odour from stationary sources in NSW (DECC November 2006)* and the *Technical Notes Assessment and management of odour from stationary sources in NSW (DECC November 2006)*.

Geotechnical

(1) Assess the capability of the land for the proposed development including with respect to erosion potential, slope stability, sodicity and salinity and the presence of potential and actual acid sulphate soils if any.

(2) Identify the potential for subsidence, hazards associated with subterranean gases and contamination and other associated risks for development and propose restrictions and limitations for building in areas that are geotechnically sub-optimal.

(3) Identify the impacts of the development of the proposal and conservation offsets on the future recovery of resources of coal and coal-seam methane below the site.

(4) Outline actions, management and mitigation measures required and address contamination issues associated with the project if any, in accordance with *SEPP 55* and other relevant legislation and guidelines.

Sustainability

(1) The EA should outline commitments to sustainability including water reuse, waste minimisation, the minimisation of energy use and car dependency etc.

Traffic/Transport

(1) Include a traffic study in accordance with the *RTA Guide to Traffic Generating Developments*, which addresses:
   (a) Impacts on regional road networks during construction and operation.
   (b) Opportunities to minimise traffic on sensitive road frontages during construction and operation;
   (c) Efficiency of emergency vehicle access/egress;
   (d) Proposed access from the wider road network as well as the opportunities and constraints of alternative vehicular access points;
   (e) Measures to introduce and promote public transport usage and mode share;
   (f) Proposed pedestrian and cycle access within and to the site that connects to all relevant transport services and key off-site locations;
   (g) Traffic signal and intersection upgrades underpinned by an intersection analysis and micro-simulation model; and
   (h) Road design that is responsive to the proposed land use and associated urban form including proposed transport linkages between the subject land and surrounding key destination points such as existing centres, recreational areas and employment/industrial centres.

Noise Impact

(1) Demonstrate that the proposal will be designed, constructed, operated and maintained so that there are no unacceptable impacts from noise (including traffic noise).

Heritage

(1) Assess in accordance with the *Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation DEC (July 2005)* the heritage significance of the area.

(2) Provide detail of how the development will incorporate and not negatively impact on site setting, landscapes, landmark elements, heritage items, views and vistas.

(3) Assess the impact of potential development on the historic setting and visual catchment of Minmi and demonstrate how proposed development is to be integrated with the existing development in Minmi.

Surface water and groundwater quality

(1) Assess any potential impact of proposed development on hydrology and hydrogeology of the site and adjacent areas in terms of impact on water quality in keeping with the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2000).*

(2) Identify drainage and stormwater management issues, including: on site detention of stormwater; water sensitive urban design (WSUD); and drainage infrastructure.

(3) Provide details in relation to the short and long term management of water quality and ecosystem health during construction and the life of the development, including the formation of buffer zones.

(4) Develop suitable Flood Planning Levels for the development and demonstrate consistency with the *NSW Floodplain Development Manual: the management of flood liable land (2005)* and the *DECC Floodplain Risk Management Guideline – Practical Consideration of Climate Change*.

Bushfire Risk Assessment

(1) Provide an assessment against the current version of *Planning for Bush Fire Protection 2006*, section 100B of the *Rural Fires Act 1997* and Section 79BA of the *EP&AA 1979.*

(2) Identify the ongoing management arrangements of proposed Asset Protection Zones.

Ownership/Maintenance of Public Domain

(1) Provide details of the proposed ownership arrangements for publicly accessible land including roads, parks, riparian areas etc.

Utilities Infrastructure

(1) Prepare a utility and infrastructure servicing report and plan for the site – This must:

- (a) identify existing utilities and infrastructure such as the supply of water, sewerage, stormwater, gas, electricity and telephone services.
- (b) assess the capacity of utility infrastructure to service the proposed development in conjunction with existing uses, proposed uses and potential future uses (including fire suppression).
- (c) demonstrate compliance with the requirements of any public authorities in regard to the connection to, relocation and/or adjustment of services affected by the development proposal.
- (d) Detail technologies which may reduce the demand or need for servicing or provide for the supply of sustainable services (such as water sensitive urban design measures and sediment control measures.
- (e) Identify the types of infrastructure and community facilities required for proposed development and assess the adequacy of the existing level of infrastructure services and community facilities for each stage of proposed development.
- (f) Justify any staging of proposed infrastructure works.

Ecologically Sustainable Development (ESD)

(1) The EA should demonstrate that all aspects of the concept plan satisfy the principles of ESD including compliance with BASIX.

Developer contributions

(1) Provide details of the likely scope of developer contributions between the proponent and the State Government (via agencies including the Roads and Traffic Authority and the Ministry of Transport). This should be based on the estimated cost of future development and an agreed schedule of infrastructure funding for the land.

(2) Provide details of the likely scope of developer contributions between the proponent and both Newcastle City Council and Lake Macquarie City Council. This should be based on the estimated cost of future development.

(3) Provide a social impact analysis of surrounding communities including a gap analysis relating to community and sporting facilities, provision of aged housing, community health facilities and a diverse housing range.

Consultation Requirements	During the preparation of the EA, the proponent must undertake an appropriate and justified level of consultation with relevant parties. A Communication Strategy should be included that identifies opportunities for existing communities in the surrounding areas to provide input. The Strategy should include timing for the carrying out of proposed consultation processes. If consultation has already been undertaken or will be undertaken during exhibition, this needs to be documented. Relevant agencies must include, but not be limited to: • Newcastle City Council • Lake Macquarie City Council • Department of Environment and Climate Change • Roads and Traffic Authority • Ministry of Transport • Mine Subsidence Board • NSW Heritage Council • Department of Health • Department of Education • Hunter-Central Rivers CMS • Hunter Water • Commonwealth Department of Environment and Heritage • Local Aboriginal Land Council • Utility and infrastructure providers • Emergency Services, including the Ambulance Service of NSW, the State Emergency Services, Rural Fire Service and NSW Fire Brigades. • Sydney Gas Operations (Holder of Petroleum Exploration Licence 267) • Newcastle Wallsend Coal Company Pty ltd (holder of Consolidated Coal Lease 731). If the Director-General considers that significant changes are proposed to the nature of the project, the Director-General may require the proponent to make the preferred project available to the public.
Deemed refusal period	120 days (see Clause 8E of the Environmental Planning & Assessment Regulation)
Landowners Information	The consent of the landowner is to be provided in accordance with s8F of the *Environmental Planning and Assessment Regulation 2000.*

Table of Lots and DP for Stockrington

1/83/DP 755260	1/71/DP1065169	1/2/DP551917	1/2/DP34957
1/30/DP1051995	1/2/DP250339	1/2/DP844313	1/1/DP250339
1/84/DP755260	1/2/DP124209	2/96/DP755260	2/82/DP755260
1/1/DP726037	1/1/DP155446	1/3/DP250339	1/1DP877416
2/8/DP755260	1/1/DP503566	1/24/DP1051995	1/31/DP1051995
1/5/DP977096	1/3/DP977096	1/79/DP755260	1/26/DP1051995
1/32/DP1051995	1/2/DP877416	1/2/DP1039968	1/1/DP505578
1/89/DP755260	1/23/DP1051995	1/25/DP1051995	1/4/DP877416
1/77/DP755260	1/1/DP1039968	1/1/DP123945	1/126/DP755262
1/72/DP755260	1/8/DP807908	1/5/DP250339	1/20/DP1051995
1/1/DP433355	1/4/DP977096		
1/125/DP755260	1/1/DP119630		
1/1/DP124209	1/101/DP881099		