

**CONCEPT PLAN – MINMI, NEWCASTLE LINK ROAD, AND STOCKRINGTON (MP10_0090)
ENVIRONMENTAL ASSESSMENT REQUIREMENTS UNDER PART 3A OF THE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Project Description	<p>Concept Plan for Minmi, Newcastle Link Road and Stockrington including the:</p> <ul style="list-style-type: none"> • Development of 520 hectares at Minmi, Newcastle Link Road comprising: <ul style="list-style-type: none"> ○ 3,300 residential dwellings; ○ 2 mixed use village centres; ○ associated infrastructure and facilities; ○ indicative lot and road layouts; and ○ indicative development staging. • Dedication of approximately 1,964 hectares for conservation.
Site	The site comprises land surrounding the existing Minmi village and to the north and south of Newcastle Link Road, and land on the western side of the F3 Freeway at Stockrington.
Proponent	Coal and Allied Industries Pty Ltd.
Date of Issue	19 August 2010
Date of Expiration	(2 years from date of issue)
General requirements	<p>The Environmental Assessment (EA) for the Concept Plan must include:</p> <ol style="list-style-type: none"> (1) An executive summary. (2) A description of the project including: <ol style="list-style-type: none"> (a) need for the project; (b) alternatives considered; (c) various components and staging of the project (including relevant maps); and (d) a map indicating the proposed development footprint and conservation lands. (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 <i>SEPP (Major Development) 2005</i>, <i>SEPP 44</i>, <i>SEPP 55</i>, <i>SEPP (Infrastructure) 2007</i>, <i>SEPP (Mining, Petroleum Production & Extractive Industries) 2007</i>, <i>Newcastle LEP 2003</i>, <i>Lake Macquarie LEP 2004</i>, <i>Hunter Regional Environmental Plan 1989 (Heritage)</i>, <i>Lower Hunter Regional Strategy</i>, <i>Lower Hunter Regional Conservation Plan</i>, <i>Western Corridor Planning Strategy (2010)</i>, and <i>Planning for Bushfire Protection 2006</i>. (6) A draft Statement of Commitments outlining specific commitments to public benefits, environmental management, mitigation and monitoring measures to be established on site and clear identification of the timing and responsibility 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. (8) The likely scope of developer contributions between: <ol style="list-style-type: none"> (a) the proponent and Newcastle City Council and Lake Macquarie City Council; (b) the proponent and State Government agencies for provision of State infrastructure in accordance with <i>Planning Circular PS 07-018 (Infrastructure Contributions)</i>; and (c) if relevant, any public benefits to be provided with the development. (9) A report from a quantity surveyor identifying the capital investment value of the Concept Plan including the estimated cost of future development.

Key Assessment Requirements**Urban Design, development controls and land uses**

- (1) Propose suitable land uses and development controls for the site based on a comprehensive analysis of the site constraints and opportunities, and consideration of development controls outlined in councils' existing and draft local environmental plans and development control plans.
- (2) Demonstrate how the proposed land uses and development controls will complement surrounding existing land uses and the proposed conservation lands.
- (3) Identify opportunities to integrate and link the proposal with surrounding urban areas, both existing and planned, including through appropriate pedestrian and cycle access connections.
- (4) Identify proposed treatment and landscaping of all public domain areas.
- (5) Outline strategies for retention of trees both within individual lots and the public domain.
- (6) Address the principles of Crime Prevention Through Environmental Design.

Staging of Development

- (1) Provide details of and justification for the proposed staging and indicative time frames for the 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, through consultation with relevant agencies.

Commercial / retail development

- (1) Identify and justify the configuration, extent and likely floor space yield of any commercial / retail uses, and consider its impact on nearby existing and proposed retail / commercial centres.

Topography and site preparation

- (1) Provide a detailed contour plan and slope analysis. Demonstrate the suitability of the site for the proposed development, and associated infrastructure, having particular regard to areas with steep topography. Identify the extent of cut and fill required to achieve the proposed development, and outline strategies to minimise excavation works, both for site preparation works and individual dwellings.
- (2) Provide an assessment of the impacts of site preparation works required to accommodate the proposed development and associated infrastructure.
- (3) Demonstrate that development controls and public domain controls respond to the topographical constraints of the site.

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. Outline commitments to ongoing management of edge effects and consider the need for a buffer zone.

Biodiversity

- (1) Assess the impacts of the proposal on existing native flora and fauna. The assessment must be conducted in accordance with the *draft Guidelines for Threatened Species Assessment* (DEC July 2005) and include a field study.
- (2) Demonstrate that biodiversity impacts can be appropriately offset in accordance with the NSW Government's policy for 'improvement or maintenance' of biodiversity values.
- (3) Describe the actions that would be taken to avoid or mitigate impacts on biodiversity, threatened species and their habitat. This should include identification of opportunities to maintain local biodiversity corridors, through consultation with DECCW, to ensure ongoing viability of threatened species.
- (4) Assess the impact of the proposal on existing reserves in the locality including Blue Gum Hills Regional Park, Pambalong Nature Reserve, and Hunter Wetlands National Park. Identify options to mitigate and manage impacts on reserves, in particular edge effects on Blue Gum Hills Regional Park. Identify access arrangements between the proposed development and the Blue Gums Hills Regional Park in consultation with DECCW. This assessment should be

carried out in accordance with *Guidelines for Developments Adjoining Land and Water Managed by DECCW* (DECCW 2010).

- (5) Provide an assessment of the cumulative impacts on biodiversity of the proposed development, and other development proposed in the area.

Geotechnical and mining activities

- (1) Assess the capability of the land for the proposed development including with respect to erosion potential, slope stability, salinity and the presence of potential and actual acid sulphate soils if any.
- (2) Provide a risk analysis examining the risk factors associated with the former mining use of the site and what effects it may have on future development, including mine subsidence and hazards associated with subterranean gases.
- (3) Identify measures that would be implemented to avoid or remediate potential subsidence issues encountered on the site.
- (4) 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.
- (5) 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.

Transport and accessibility

- (1) Provide a traffic study in accordance with the *RTA Guide to Traffic Generating Developments*, which includes:
- (a) all relevant vehicular traffic routes and intersections for access to/from the area;
 - (b) current traffic counts for all the above traffic routes and intersections;
 - (c) the additional vehicular traffic generated from the proposed development and associated trip distribution on the road network;
 - (d) consideration of the traffic impacts on existing and proposed intersections and the capacity of the local and classified road network to safely and efficiently cater for additional vehicular traffic generated by the proposed development. The assessment should also include the cumulative traffic impact of other proposed development in the area;
 - (e) consideration of the impact of the planned Hunter Expressway;
 - (f) details of necessary road network infrastructure upgrades required to maintain existing levels of service both on the local and classified road network;
 - (g) intersection analysis, as well as a micro simulation model to determine the need for intersection and mid block capacity upgrades, as well as to ensure traffic signal co-ordination;
 - (h) details on the efficiency of emergency vehicle access/egress;
 - (i) measures to introduce and promote public transport usage and mode share, including identification of bus routes;
 - (j) proposed pedestrian and cycle access within and to the site that connects to all relevant transport services, existing and proposed adjoining suburbs and other key off-site locations (for example schools, shops, parks recreation and community facilities) having regard to the *NSW Planning Guidelines for Walking and Cycling* (2004), and the *NSW Bike Plan* (2010);
 - (k) timing of delivery of proposed transport infrastructure including road and intersection upgrades, pedestrian and cycle paths, and public transport infrastructure; and
 - (l) consideration of impact on existing property access.
- (2) Identify 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. Road design should be in accordance with any requirements of the relevant agency that will have responsibility for its ongoing ownership and management.
- (3) Assess the proposal against the objectives of the Integrating Land Use and Transport policy package.

- (4) Assess the impact of the proposal on future access arrangements to the Summerhill Waste Management Centre.

Noise

- (1) Assess the impact of increased traffic generated by the proposal on existing and future residents, in accordance with the *Environmental Criteria for Road Traffic Noise* (EPA, 1999 and *Development Near Rail Corridors and Busy Roads – Interim Guideline* (Department of Planning).
- (2) Identify the extent of any necessary noise attenuation works, including noise barriers and/or treatment and design of dwellings within individual lots.

Air Quality

- (3) Assess the odour and air quality impacts of the nearby existing development and any proposed development 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).

Heritage

- (1) Provide an archaeological assessment and heritage impact statement in accordance with the NSW Heritage Office Guidelines. The statement should assess the impacts of the application on the area and any significant elements of the site including indigenous heritage.
- (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.
- (4) Provide an assessment in accordance with the *Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation* (DEC, July 2005).

Water quality, groundwater and riparian corridors

- (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, including groundwater, in keeping with the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (2000).
- (2) Identify drainage and stormwater management infrastructure, including: on site detention of stormwater; water sensitive urban design (WSUD); and drainage infrastructure. Demonstrate that stormwater infrastructure is appropriate in the context of the site topography. Identify future management arrangements for stormwater infrastructure, in consultation with the relevant council.
- (3) Identify riparian corridors and associated buffers and assess against the *Guidelines for Controlled Activities – Riparian Corridors* (Department of Water and Energy 2008). Infrastructure including roads, pathways, drainage and stormwater structures, and asset protection zones, should be located outside the identified riparian corridors and buffers. This should be demonstrated through provision of plans and cross sections.
- (4) 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.

Flooding

- (1) 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 *DECCW Floodplain Risk Management Guideline – Practical Consideration of Climate Change*.

Visual impact

- (7) Assess the visual impact of the proposal, when viewed from the surrounding areas (including surrounding roads, the Blue Gum Hills Regional Park, proposed conservation lands, the existing Minmi village, and other nearby suburbs).

	<p>Bushfire Risk Assessment</p> <p>(1) Provide an assessment against the current version of <i>Planning for Bush Fire Protection 2006</i>.</p> <p>(2) Identify the ongoing management arrangements of proposed Asset Protection Zones (APZs), including through negotiation with relevant agencies where APZs are proposed on land to be transferred to public ownership.</p> <p>Future public land</p> <p>(1) Provide details of the proposed ownership, intended future use and management arrangements for publicly accessible land including roads, parks, and riparian areas, through negotiation with State and local government agencies where relevant.</p> <p>Utilities</p> <p>(1) Prepare a utility and infrastructure servicing report and plan for the site – This must:</p> <p>(a) identify existing utilities and infrastructure such as the supply of water, sewerage, stormwater, gas, electricity and telephone services;</p> <p>(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);</p> <p>(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; and</p> <p>(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).</p> <p>Ecologically Sustainable Development (ESD)</p> <p>(1) The EA should demonstrate that all aspects of the concept plan satisfy the principles of ESD including compliance with BASIX.</p> <p>(2) The EA should outline commitments to sustainability including water reuse, waste minimisation, the minimisation of energy use and car dependency etc.</p> <p>Social Impact and social infrastructure</p> <p>(1) Assess the social impact of the proposal on surrounding communities.</p> <p>(2) Identify additional demand created by the proposal for services and infrastructure including public transport, open space, recreation facilities, retail facilities and social and community facilities, based on an analysis of the existing and projected demographic profile of the locality. Demonstrate that an appropriate level of social infrastructure is provided to meet the needs of the future population arising from the development, including through identification of appropriate services and facilities. Where relevant this should be through negotiation with State or local government agencies and should inform the scope of infrastructure contributions.</p> <p>(3) Identify opportunities to meet demand for a range of housing types including seniors and affordable housing.</p> <p>Subdivision</p> <p>(1) Provide a subdivision plan to identify all covenants, easements and notations proposed for each title, for the proposed subdivision to facilitate transfer of lands to Government agencies.</p>
<p>Consultation Requirements</p>	<p>An appropriate and justified level of consultation should be undertaken. Where consultation has already been undertaken this should be documented.</p> <p>Consultation must be undertaken with the following relevant agencies and mineral resource titleholders:</p> <ul style="list-style-type: none"> • Newcastle City Council • Lake Macquarie City Council • Department of Environment, Climate Change and Water • NSW Office of Water

	<ul style="list-style-type: none"> • Roads and Traffic Authority • NSW Transport • Department of Industry and Investment • Mine Subsidence Board • NSW Heritage Council • Department of Health • Department of Education and Training • Hunter-Central Rivers Catchment Management Authority • Hunter Water • Local Aboriginal Land Councils • Utility and infrastructure providers • Emergency Services, including the Ambulance Service of NSW, the State Emergency Services, Rural Fire Service and NSW Fire Brigades. • Donaldson Coal Pty Ltd • Newcastle Coal Company Pty Ltd • Oceanic Coal Australia Limited • AGL (SG) Operations Pty Ltd. • Daracon Engineering Pty Ltd.
Deemed refusal period	60 days