

Director-General's Requirements

Section 75F of the <i>Environmental Planning and Assessment Act 1979</i>	
Application	MP 10_0203
Project	Major Project Application – Capital Dredging Project - South Arm Hunter River Dredging of ten shipping berth boxes at the South Arm of the Hunter River (Port of Newcastle) in various locations adjacent to Mayfield North, Carrington and Walsh Point.
Location	Hunter River
Proponent	Newcastle Port Corporation
Date issued	4 February 2011
Expiry date	4 February 2013
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"> • the project area, site location and description of the existing environment (including existing constraints on dredging), planning context, adjoining land uses (including industrial developments, conservation areas, wetlands etc); • construction, design and infrastructure elements (including site layout and foreshore treatments); • a description of all proposed works, including an evaluation of relevant dredging methodologies; • identification of how the project will be linked to future land side developments; • project interaction with relevant planning approvals, including the Hunter River Remediation Project (DA-134-4-2003-1) and current applications at the former BHP Mayfield site, including the Concept Plan for port terminal facilities (MP 09_0096) and Project Application for a cement terminal facility (MP08_0198); • identification of the types of activities that will require licensing and how licensing will be applied under relevant legislation; and • identification of project staging and timing (if proposed). 3. an assessment of the key issues, undertaken by an appropriately qualified person(s), 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 project, in accordance with relevant policies and guidelines. Direct, indirect and cumulative impacts must be considered (including regard to other existing and proposed development and activities in the locality and adjoining the site(s)); • 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; • describe measures to be implemented to avoid, minimise, manage, mitigate, offset and/or monitor the impacts of the project, and the effectiveness of the measures; and • any residual impacts. 4. a draft Statement of Commitments (SoC), incorporating or otherwise capturing measures to avoid, minimise, manage, mitigate, offset and/or monitor impacts identified in the impact assessment sections of the Environmental Assessment. The SoC must clearly articulate 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 Environmental Assessment that the

	<p>information contained in the Assessment is neither false nor misleading.</p>
<p>Key issues</p>	<p>Strategic and Project Justification – including but not limited to:</p> <ul style="list-style-type: none"> • a description of the strategic need, justification and objectives for the project; • identify alternatives to the proposed preferred project 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 Commonwealth, State and local policies including the <i>National Ports Strategy</i>, the <i>NSW State Plan</i>, <i>NSW Ports Growth Plan</i>, the <i>Lower Hunter Regional Strategy</i>, <i>Hunter Estuary Coastal Zone Management Plan (Newcastle City Council, 2009)</i> and the project objectives. <p>Sediment and Water Quality – including but not limited to:</p> <ul style="list-style-type: none"> • an assessment of the volume and type of sediment materials to be dredged, including the potential for the dredging of Acid Sulfate Soils; • impacts on water quality, including sediment dispersion and suspension, and identification of methods for sediment containment; • the stability of banks, foreshores and any structures adjacent to the dredge area (including the sheet pile containment wall adjacent to berths M5, M6 and M7); and • taking into account the <i>Acid Sulfate Soil Manual</i> (ASSMAC, 1998), <i>Water Quality Guidelines for Fresh and Marine Waters</i> (ANZECC, 2000) and associated guidelines. <p>Contamination – including but not limited to:</p> <ul style="list-style-type: none"> • potential land contamination, contaminated sediments and groundwater, their disturbance during excavation and dredging works, and identification of potential risk to human health or the environment; • sampling and characterisation of the distribution of contamination, taking into account the <i>Sediment Quality Guidelines</i> (CSIRO Handbook, 2000); and • if contamination is identified and remediation of material is necessary, preparation of a Remediation Action Plan (RAP) or other appropriate materials handling procedures taking account of the <i>Contaminated Land Management Act 1997</i>. <p>Hydrology – including but not limited to:</p> <ul style="list-style-type: none"> • hydrodynamic changes to the Hunter River, including flushing, tidal flow and velocity, wave dynamics, bank erosion and stability (including scouring and erosion of river banks by natural forces as well as by passing vessels); • potential for the project to alter the tidal range and water levels, and saline intrusion to upstream water bodies and environments (including wetlands), stratification and anoxia; • changes to flooding characteristics, including velocity changes within and adjoining the works and the consideration of climate change; and • consideration of the <i>Newcastle Floodplain Planning – Stage 1 Concept Planning Report (Newcastle City Council, 2009)</i>. <p>Noise and Vibration – including but not limited to:</p> <ul style="list-style-type: none"> • noise and vibration from all activities and sources on and offsite, including sheet piling and blasting, and impacts to adjoining receivers. The assessment must consider the impact from the project in isolation and in a cumulative context with relevant existing and approved development; and • taking into account the <i>Interim Construction Noise Guideline</i> (DECC, 2009) and <i>Environmental Criteria for Road Traffic Noise</i> (EPA, 1999) as relevant. <p>Heritage – including but not limited to:</p> <ul style="list-style-type: none"> • non-indigenous and indigenous heritage items and values of the site and surrounding area (including known or probable maritime heritage sites and

	<p>appropriate surveys); and</p> <ul style="list-style-type: none"> • consideration of the <i>NSW Heritage Manual</i> (NSW Heritage Office, 1996), <i>Assessing Heritage Significance Guidelines</i> (NSW Heritage Office, 2001) and <i>Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation</i> (DEC, 2005). <p>Spoil Handling and Disposal – including but not limited to:</p> <ul style="list-style-type: none"> • spoil disposal and reuse options, including identification and description of potential disposal locations; • air quality impacts associated with the dredging, handling, stockpiling and disposal of dredged material (as relevant), including odours beyond the site(s) boundary, taking into account the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i> (DEC, 2005); • traffic impacts associated with the hauling of dredged material to disposal locations, taking into account the <i>Guide to Traffic Generating Developments</i> (RTA, 2002), including: <ul style="list-style-type: none"> ○ identification of haulage routes, and a traffic analysis on the local and regional road network, including intersection analysis, having regard to the number, frequency and size of construction related vehicles and the nature of existing traffic on construction routes; ○ identification of any necessary road upgrades; and ○ management of impacts to minimise the potential for cumulative traffic impacts with other major construction activities in the region. <p>Flora and Fauna – including but not limited to:</p> <ul style="list-style-type: none"> • potential impacts on threatened terrestrial and aquatic species, populations, and ecological communities and/or critical habitat; • consideration of estuarine ecosystems, wetlands and mangroves up-river of the dredging operation; • potential mobilisation of sediments (including contaminated sediments) on aquatic fauna; and • taking into account the <i>Draft Guidelines for Threatened Species Assessment</i> (DEC & DPI, 2005).
Environmental Risk Analysis	<p>Notwithstanding the above key assessment requirements, the EA must include an environmental risk analysis to identify potential environmental impacts associated with the project, environmental performance criteria and development standards and other mitigation measures, and any significant residual environmental impacts. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed assessment of this key environmental impact must be included.</p>
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, Climate Change and Water; ○ NSW Office of Water; ○ NSW Industry and Investment; ○ NSW Maritime; ○ Roads and Traffic Authority; and ○ Newcastle City Council. • specialist interest groups 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>