

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	Mailland Road (Pacific Highway), Hexham
Proponent	Queensland Rail Limited (QRNational)
Date issued	22 March 2010
Expiry date	22 March 2012
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 consideration of the <i>Hunter-Central Rivers</i>

Catchment Action Plan and the Watagan Ranges to Port Stephens conservation corridor identified in the *Lower Hunter Regional Conservation Plan (DECCW)*; taking into account of the *Draft Guidelines for Threatened Species Assessment (DEC and DPI)*; and *Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities (DEC)*;

- offsets for native vegetation clearance consistent with the 'improve and maintain' principle; 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, including pedestrians and cyclists). This should include the preparation of a Transport and Accessibility Study, and an assessment of site layout, property severance and access restrictions; taking into account of the *Guide to Traffic Generating Developments (RTA)*. The Transport and Accessibility Study shall consider travel demand management measures that facilitate a greater non-car transport mode split; and
- interaction and integration with existing and planned transport infrastructure (eg. F3 to Raymond Terrace Pacific Highway Upgrade, Richmond Vale Rail Trail) 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:

	<ul style="list-style-type: none"> • 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 <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC)</i>; and • greenhouse gas assessment (including an assessment of emissions from the disposal/use of extracted coal tailings); taking into account of the <i>AGO Factors and Methods Workbook (Australian Greenhouse Office)</i>. <p>Hazards and Risks - including but not limited to:</p> <ul style="list-style-type: none"> • 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 <i>Applying SEPP 33</i>. If the risk screening indicates that the proposal is potentially hazardous as defined by SEPP 33, a Preliminary Hazard Analysis in accordance with <i>Hazardous Industry Planning Advisory Paper (HIPAP) No.6 – Hazard Analysis Guidelines</i> is to be included; • 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	<p>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.</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; ◦ Department of Industry and Investment (Fisheries, Minerals); ◦ NSW Office of Water; ◦ Hunter-Central Rivers CMA; ◦ NSW Transport and Infrastructure; ◦ 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 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	<p>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.</p>

Director-General's Requirements Compliance Table
QR National Train Support Facility, Hexham

Item	Environmental Assessment Requirement	Environmental Report Location/Comments	Compliance
GENERAL REQUIREMENTS			
The Environmental Assessment must include:			
1.	an executive summary	An executive summary has been provided in Section 1.0 of the Environmental Assessment Report.	Yes
2.	a detailed description of the project including (but not limited to):		
	- location, site description and planning context (including previous, existing, future and surrounding land uses and operations);	Section 3.0 provides a comprehensive site description.	Yes
	- project components and design elements (including layout);	Section 6.0 describes the proposal.	Yes
	- extraction construction and operational characteristics and processes (including site preparation; and resources recovery and disposal of fillings); and	Section 6.0 describes the construction of the Train Support Facility.	Yes
	- project and component staging and timing.	Section 6.0 outlines timing of the proposed facility.	Yes
3.	an assessment of the key issues , with the following aspects addressed for each key issue (where relevant):		
	- describe the existing environment;	Section 9.0 describes the existing environment of each key issue.	Yes
	- assess the potential impacts of the proposal at extraction, construction and operation stages. Direct, indirect and cumulative impacts must be considered;	Provided within Section 9.0 .	Yes
	- identify how relevant planning, land uses and development matters, including relevant strategic and statutory matters) have been considered in the impact assessment and/or in developing management/mitigation measures and	Section 7.0 of the Environmental Assessment Report considers all relevant planning, land use development matters.	Yes
	- describe measures to be implemented to avoid, minimise, mitigate, offset and/or monitor the impacts of the project and any residual impacts.	Section 9.0 outlines all mitigation measures to be implemented.	Yes

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4.	a draft Statement of Commitments (SoC) . The SoC must incorporate or otherwise capture measure 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.	This is addressed within Section 13.0 of the Environmental Assessment Report.	Yes
5.	certification by the author of the Environment Assessment that the information contained in the Assessment is neither false nor misleading.	Page 3 of EAR provides Author Certification.	Yes
KEY ISSUES			
1.	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.	Section 4.0 of the Environmental Assessment Report outlines Strategic and Project Justification.	Yes
2.	Ecology – including but not limited to:	Section 9.2 and Appendix F addresses Ecology.	Yes
	- 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 consideration of the <i>Hunter-Central Rivers Catchment Action Plan</i> and the	These matters are addressed within Section 9.2 and Appendix F of the Environmental Impact Assessment.	Yes

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	Watagan Ranges to Port Stephens conservation corridor identified in the <i>Lower Hunter Regional Conservation Plan</i> (DECCW)); taking into account of the <i>Draft Guidelines for Threatened Species Assessment</i> (DEC and DPI); and		
	- <i>Threatened Biodiversity Survey and Assessment; Guidelines for Developments and Activities</i> (DEC);	Section 9.2 and Appendix F of the Environmental Assessment Report.	Yes
	- offsets for native vegetation clearance consistent with the 'improve and maintain' principle; and	Addressed within Section 9.2 and Appendix F .	Yes
	- demonstration that the project can be managed to minimise impacts on the Hexham Swamp Rehabilitation Project.	Addressed within Section 9.2 and Appendix F .	Yes
3.	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 <i>Managing Urban Stormwater; Soils and Construction (Landcom)</i> guidelines and the <i>Acid Sulfate Soil Manual (ASSMAC)</i> ;	Section 9.4 of EAR and Appendix L address Stormwater and Water quality.	Yes
	- groundwater hydrology, groundwater dependent ecosystems, and groundwater users and licences (as applicable);	Section 9.8 addresses Groundwater.	Yes
	- 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	Section 9.3 and Appendix G address flooding.	Yes
	- geological and soil characteristics (physical and chemical) that may impact or be impacted on by land stability and geological integrity.	This is addressed within Section 9.7 and Appendix H .	Yes

Item	Environmental Assessment Requirement	Environmental Report Location/Comments	Compliance
4.	Transport and Access – including but not limited to:		
	<ul style="list-style-type: none"> - 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, including pedestrians and cyclists). This should include the preparation of a Transport and Accessibility Study, and an assessment of site layout, property severance and access restrictions; taking into account of the Guide to Traffic Generating Developments (RTA). The Transport and Accessibility Study shall consider travel demand management measures that facilitate a greater non-car transport mode split; and 	<p>Section 9.6 and Appendix O of the Environmental Assessment Report addresses Traffic, Access and Car Parking.</p>	Yes
	<ul style="list-style-type: none"> - interaction and integration with existing and planned transport infrastructure (eg. F3 to Raymond Terrace Pacific Highway Upgrade, Richmond Vale Rail Trail) and services. Consideration should be given to safety, capacity, efficiency and required augmentations (eg. Tarro interchange). 	<p>This is addressed within Section 9.6 and Appendix O of the Environmental Assessment Report.</p>	Yes
5.	Infrastructure – including but not limited to:		
	<ul style="list-style-type: none"> - interaction with existing and proposed utilities infrastructure; and 	<p>Section 9.11 and Appendix M outlines existing and proposed infrastructure.</p>	Yes
	<ul style="list-style-type: none"> - 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). 	<p>Addressed in Section 9.11 and Appendix M of EAR.</p>	Yes

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6.	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 <i>Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC)</i> ; and	Section 9.12 and Appendix K address Aboriginal Archaeology.	Yes
	- Non-indigenous heritage, including items, archaeological relics, landscapes, natural and cultural values of the site and surrounding area; taking into account of the <i>NSW Heritage Manual (NSW Heritage Office)</i> ; and <i>Assessing Heritage Significance Guidelines (NSW Heritage Office)</i> .	Section 9.13 and Appendix D addresses European Heritage.	Yes
7.	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 <i>NSW Industrial Noise Policy (DEC)</i> .	Section 9.14 and Appendix P of the Environmental Assessment Report address Noise and Vibration.	Yes
8.	Air Quality – including but not limited to:		
	- Air pollutants, including an assessment of dust deposition, total suspended particulates, PM ₁₀ 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 <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC)</i> ; and	Section 9.15 and Appendix Q address Air Quality.	Yes
	- Greenhouse gas assessment (including an assessment of emissions from the disposal/use of extracted coal tailings); taking into account of the <i>AGO Factors and Methods Workbook (Australian Greenhouse Office)</i> .	Section 9.15 and Appendix Q address Greenhouse gas.	Yes
9.	Hazards and Risks – including but not limited to:		
	- Identifying dangerous goods likely to be used on site, including their classification and maximum quality; and carry	Addressed in Section 11.1 of EAR.	Yes

Item	Environmental Assessment Requirement	Environmental Report Location/Comments	Compliance
	<p>out a risk screening in accordance with the procedure detailed in the Department's guidelines <i>Applying SEPP 33</i>. If the risk screening indicates that the proposal is potentially hazardous as defined by SEPP 33, a Preliminary Hazard Analysis in accordance with <i>Hazardous Industry Planning Advisory Paper (HIPAP) No.6 – Hazard Analysis Guidelines</i> is to be included:</p>		
	<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; 	<p>Section 9.9 and 11.4 of the Environmental Assessment Report addresses Contamination.</p>	<p>Yes</p>
	<ul style="list-style-type: none"> - Where remediation of contaminated land is required, presentation of a Remedial Action Plan in accordance with the relevant DECC (EPA) guidelines; 	<p>Section 9.9 and 11.4 of the Environmental Assessment Report.</p>	<p>Yes</p>
	<ul style="list-style-type: none"> - Processes or activities that have the potential to cause harm to people and/or the environment outside the site; and 	<p>Section 11.0 of EAR.</p>	<p>Yes</p>
	<ul style="list-style-type: none"> - The risk to the project and surrounding land use and development from natural hazards such as flooding and bushfire. 	<p>Section 11.0 of EAR.</p>	<p>Yes</p>
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 (construction and operation), proposed mitigation measures and potentially significant residual environmental impacts after the application and 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.</p>	<p>Section 12.0 of EAR.</p>	<p>Yes</p>

Item	Environmental Assessment Requirement	Environmental Report Location/Comments	Compliance
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; • Department of Industry and Investment (Fisheries, Minerals); • NSW Office of Water; • Hunter-Central Rivers CMA; • NSW Transport and Infrastructure; • 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; 	Section 8.0 of EAR.	Yes
	<ul style="list-style-type: none"> - Specialist interest groups including Local Aboriginal Land Council's; and - The public, including adjoining and affected landowners. 	<p>Section 9.12 of EAR addresses Aboriginal Group consultation.</p> <p>Section 8.0 of EAR addressed all other consultation.</p>	Yes
	The EA must describe the consultation process, document consultation undertaken and identify the issues raised (including where these have been addressed in the EA).	Section 8.0 of EAR.	Yes