

# Quakers Hill to Vineyard Upgrading Project Application Report

February, 2008

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Transport Infrastructure Development  
Corporation

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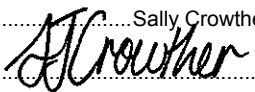
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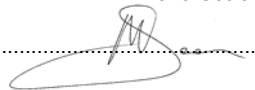
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## Glossary and abbreviations

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Average recurrence interval (ARI) flood	The estimate of the chance of a flood occurring in any one year
Clearway 5 – North and West Lines	A section of the Rail Clearways Program that incorporates the North and West Lines
crossover	The connection between two tracks allowing trains to cross tracks
dB	Sound power level in decibels
dBA	A-weighted sound power level in decibels
DEC	New South Wales Department of Environment and Conservation (now DECC)
DECC	New South Wales Department of Environment and Climate Change (formerly DEC)
DGRs	Director General's Requirements
DoP	New South Wales Department of Planning
Down side	The side of the track that travels away from Sydney
Duplication	Providing an additional railway track adjacent to an existing track
EA	Environmental Assessment
Edge effected habitat	Edge effected habitat is an area of changed environmental conditions (i.e. altered light levels, wind speed and/or temperature) occurring along the edges of habitat fragments
EP&A Act	Environmental Planning and Assessment Act 1979
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999
$LA_{max}$	The 'maximum noise level' occurring during a train passby noise event
$LA_{eq}$	The 'equivalent continuous noise level', sometimes also described as the 'energy-averaged noise level'
LEP	Local Environmental Plan
LGA	Local Government Area
maintenance siding	Spare track where trains are parked for maintenance
North West Growth Centre	Area identified for land release and growth in the Sydney Metropolitan Strategy; also known as the North West Sector
North West region of Sydney	The region of Sydney covered by the LGAs of Baulkham Hills, Blacktown, Blue Mountains, Hawkesbury and Penrith, as defined in the Sydney Metropolitan Strategy
NSW	New South Wales
Overbridge	A bridge over a railway line
probable maximum flood (PMF)	An estimate of the largest flood that could conceivably occur and is typically used to consider implications arising from the design of major infrastructure and flood evacuation
PAR	Project Application Report
Quakers Hill to Vineyard Upgrading	The Project as described in this environmental assessment
Rail corridor	The area of land owned by RailCorp between Quakers Hill and Vineyard
Rail Clearways Program	A RailCorp initiative to address issues of reliability and passenger growth on the Sydney metropolitan rail network
RailCorp	Rail Corporation of New South Wales
Richmond Branch Line	Section of the CityRail network that extends from Blacktown to Richmond and forms part of the Western Line (Central to Richmond and Central to Emu Plains)
SEPP	State Environmental Planning Policy

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SREP	Sydney Regional Environmental Plans
SHR	State Heritage Register
South West Growth Centre	Area identified for land release and growth in the Sydney Metropolitan Strategy; also known as the South West Sector
Sydney Metropolitan Strategy	The Strategy outlined in the report <i>Metropolitan Strategy, City of Cities—A Plan for Sydney's Future</i> (NSW Government 2005a)
TSC Act	Threatened Species Conservation Act 1995
TIDC	Transport Infrastructure Development Corporation of New South Wales
turnback	A terminal end of track from which train services terminate and reverse direction
turnout	The intersection and mechanisms for the meeting of two tracks
Up side	The side of the track that travels towards Sydney

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# Executive summary

## Background

On 16 September 2004, the Minister for Transport Services directed the Transport Infrastructure Development Corporation (TIDC) to undertake works associated with the Rail Clearways Program. The Rail Clearways Program is a \$1.8 billion initiative to address issues of reliability and passenger growth on the Sydney metropolitan rail network. The Program was designed to improve the capacity and reliability of CityRail's network by separating the 14 metropolitan rail routes into five clearway routes to ensure that an incident on one of the clearways would have only a limited effect on the other four clearways. The Program comprises 15 main projects. As part of the Program, TIDC proposes to duplicate part of the existing Richmond Branch Line by constructing an additional track between Quakers Hill and Vineyard stations ("the Quakers Hill to Vineyard Upgrading" or "the Project"). The Project is a component of Clearway 5 – the North and West Lines, and also includes associated works at Schofields, Riverstone and Vineyard Stations, including bus interchanges, provision for pedestrians and additional car parking.

The existing duplicated track on the Richmond Line extends from Blacktown to approximately 150m north of Quakers Hill Station with passing loops located at Clarendon and Mulgrave. The single line sections of the Richmond Branch line limit service frequency on this line, as trains travelling in each direction need to share the same track. The population growth anticipated for the North West Growth Centre will increase the demand for travel. It is therefore important to increase the capacity of this line.

This Project Application Report (PAR) describes the proposal, undertakes a preliminary assessment of its likely impacts and outlines the proposed scope of the environmental assessment, and seeks environmental assessment requirements under Section 75F(3) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

## Planning and Assessment process

Part 3A of the EP&A Act establishes an assessment and approval regime for major infrastructure projects. Part 3A applies to the carrying out of development that is declared to be a Part 3A Project by either a state environmental planning policy (SEPP) or a Ministerial Order published in the Government Gazette (under Section 75B of the EP&A Act). A Ministerial Order was published in the Government Gazette on 29 July 2005 in accordance with Section 75B of the EP&A Act. The Ministerial Order relevantly provides that development that is an activity for which the proponent is also the determining authority and would have required an environmental impact statement under Part 5 of the EP&A Act (but for the Order) will be assessed under Part 3A.

Clause 80 of State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) provides that development for the purpose of any of the following railways or railway projects as described in Schedule 2 may be carried out by or on behalf of a public authority without consent on any land:

- (a) the Sydney Airport Rail Link
- (b) the Parramatta Rail Link
- (c) the Southern Sydney Freight Line
- (d) the Rail Clearways Program.

Schedule 2 of the Infrastructure SEPP identifies the Quakers Hill to Vineyard Upgrading as a project that does not require consent. Accordingly, the Project is an activity under Part 5 of the EP&A Act.

Pursuant to the Order, if TIDC's preliminary environmental assessment of the Project indicates that it is likely to significantly affect the environment, and would (but for Part 3A) require an environmental impact statement, the Project is a project to which Part 3A of the EP&A Act applies.

The findings of preliminary environmental investigations that have been carried out for this Project indicate that the Project is unlikely to trigger an assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), as it is not likely to constitute a controlled action.

### **Strategic context**

The *Metropolitan Strategy, City of Cities—A Plan for Sydney's Future* (NSW Government 2005a) was released in December 2005 to provide a framework by which to plan for and manage the predicted population growth in Sydney. The Growth Centres Commission, established under the *Growth Centres (Development Corporations) Act 1974*, was set up to coordinate the release of greenfield land and the provision of infrastructure in Sydney's North West and South West Growth Centres, the last two remaining areas within the Sydney basin that are available for new urban development. The growth centres are planned to accommodate new communities of approximately 100,000 new dwellings in the South West and 60,000 new dwellings in the North West, and combined they are intended to provide for approximately 500,000 new residents.

The North West Growth Centre is located approximately 35 kilometres north-west of the City and 15 kilometres north-west of Parramatta, with the Richmond Branch line centrally positioned within the planned growth centre. It includes the existing suburbs of Schofields, Riverstone and Vineyard. The plan for the North West Growth Centre is to provide a string of transit-oriented towns located on either side of the existing rail line. As such, the need for, and design of, the Project is closely related to the plans for the North West Growth Centre.

### **Need and alternatives**

The existing single track layout of the Richmond Branch Line restricts the frequency of trains travelling between Richmond and the City, as trains operating in one direction must wait for services in the opposite direction. The single track is currently operating at capacity during peak periods. The single track section limits the ability of services to recover quickly during disruptions.

The Richmond Branch Line bisects the North West Growth Centre and is a significant feature of the plan for the area, aiming to develop transit-oriented towns located on either side of the existing rail line. Predicted regional growth, particularly associated with the North West Growth Centre, will increase the demand for train services, and compound the demand on the current operations.

The duplication of the track, and associated station upgrades, is necessary to:

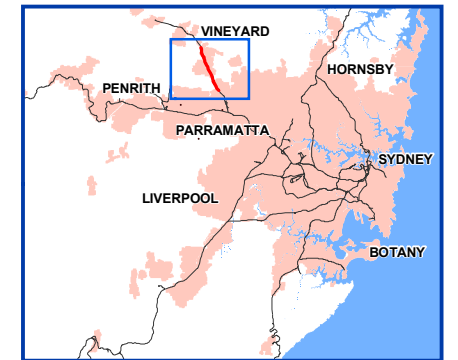
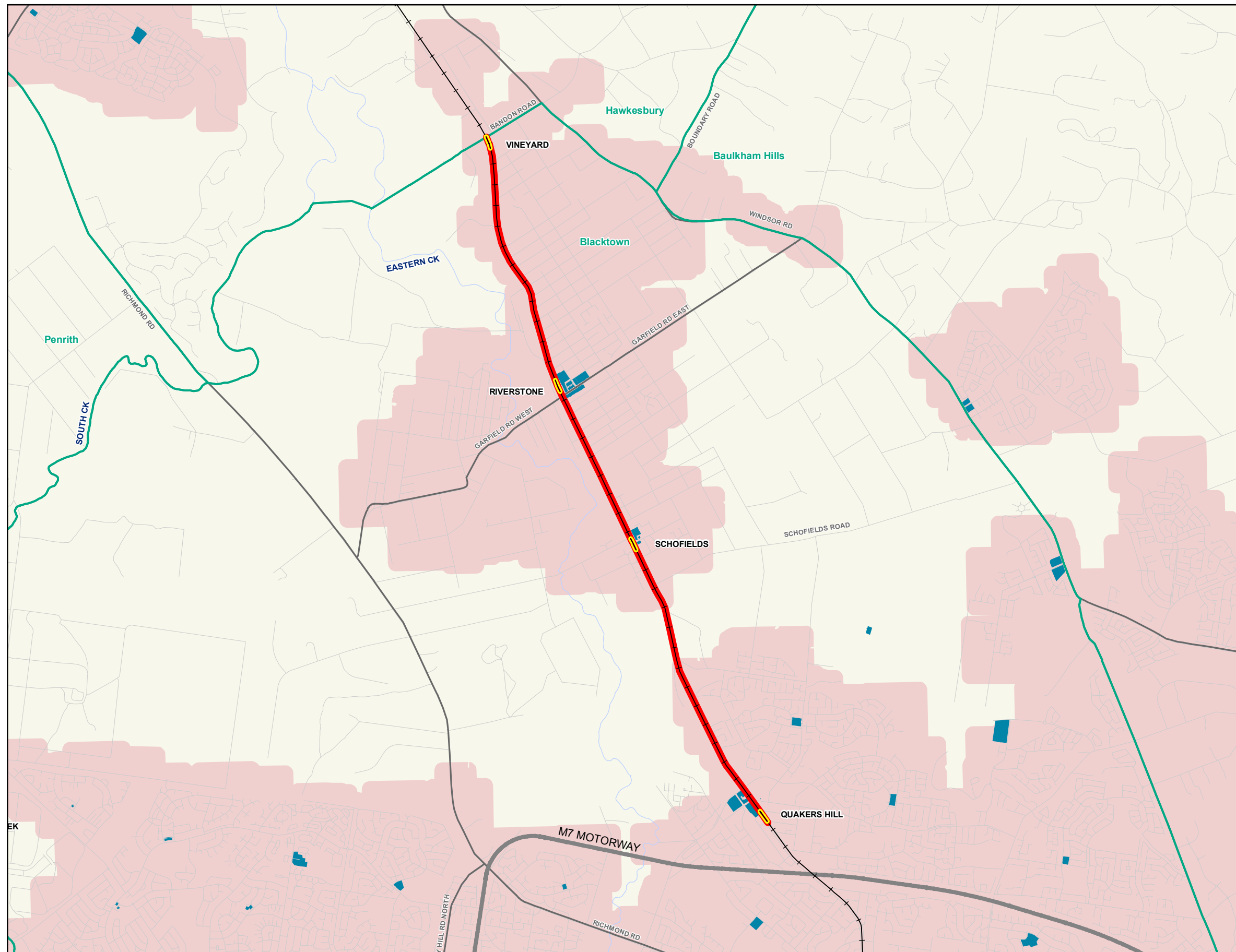
- increase service frequencies for the existing and future populations of the area
- improve the ability to recover during disruptions through the reduction in single track sections of the Richmond Branch Line
- improve accessibility at some stations through design of easy access provisions and car parking.

## **Project description**

The Project would involve the construction and operation of approximately 10.1 kilometres of new track between Quakers Hill and Vineyard (See Figure E.1). The track would be constructed on the Up side between Quakers Hill and Riverstone, and on the Down side between Riverstone and Vineyard. The Project would also require the construction and operation of crossovers, turnbacks and turnouts. Schofields and Vineyard Stations would be relocated and provided with car parks and bus interchanges. Other works would include new overhead wiring, modifications of the existing signalling system, culvert works and the adjustment and protection of utilities. Westminster Street overbridge at Riverstone would be reconstructed and the pedestrian level crossings at Quakers Hill and Schofields Station would be removed and alternative access provided.

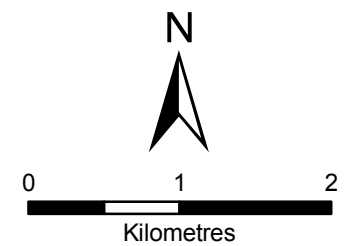
The vehicle level crossing at Garfield Road is proposed to be replaced by the RTA as a result of a ministerial announcement by the Minister for Roads on 26 February 2007. Various options available for the construction of a Garfield Road Crossing at Riverstone are currently being investigated by the RTA. The construction of the crossing is anticipated to be completed prior to an increase in services. The design and construction of the crossing will be commissioned by the RTA and will be subject to a separate assessment. Additionally, RailCorp has proposed the closure of another vehicle level crossing at Riverstone, (the 'Meatworks' level crossing). The closure of this crossing is not associated with this Project and would be assessed separately by RailCorp.

# Quakers Hill to Vineyard Duplication



### Legend

- Rail line
- Proposed duplication
- Motorways and tunnels
- Major watercourse
- Main roads
- Secondary road
- Rail station
- Urban Area
- LGA boundary
- Business land



Scale 1:50,000 (@ A3)

Projection: GDA94 (MGA94 Z56)

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Figure E.1 Project overview

## Proposed scope of the Environmental Assessment

Based on the preliminary environmental assessment in this report the following key issues are identified and would receive detailed consideration as part of the environmental assessment of the Project:

- flora and fauna
- noise and vibration
- visual amenity
- traffic and transport
- cultural heritage
- land use and property
- social and economic impacts.

These issues would form the focus of the environmental assessment and project-specific mitigation measures would be identified for these issues.

The 'other' environmental issues associated with the Project would be able to be managed through the application of best practice environmental management and proposed management measures and safeguards. Further investigation of some of the 'other' issues may be required, and would be undertaken during the EA process. These other issues identified are:

- soils
- water quality and groundwater
- flooding
- waste, energy and demand on resources
- contaminated land
- air quality and greenhouse gases
- hazard and risk
- public safety
- services and utilities.

## Conclusion

As identified above, there are a number of 'key' issues associated with the construction and/or operation of the Project which would require further investigation during the environmental assessment. There are also a number of 'other' issues that could be effectively managed and/or mitigated through the implementation of best practice environmental management and proposed management measures and safeguards. Further investigation of some of these 'other' issues may be required and would be undertaken during the EA process. It is expected that these investigations would confirm the current assumptions that the issues can be appropriately managed by standard construction mitigation measures. If unforeseen issues arise based on these investigations, the issues would be further investigated in the EA.

The proposed scope for the environmental assessment for the issues requiring further investigation has been developed based on the current concept design and preliminary investigations. These investigations will assist in further determining the nature and extent of the Project's potential impacts on the environment.

# 1. Introduction

## 1.1 Background

On 16 September 2004, the Minister for Transport Services directed the Transport Infrastructure Development Corporation (TIDC) to undertake works associated with the Rail Clearways Program. The Rail Clearways Program is a \$1.8 billion initiative to address issues of reliability and passenger growth on the Sydney metropolitan rail network. The Program was designed to improve the capacity and reliability of CityRail's network by separating the 14 metropolitan rail routes into five clearway routes. Separation of these rail routes would ensure that an incident on one of the clearways would have only a limited effect on the other four clearways, thus reducing the congestion and delays currently experienced. The 'untangling' of the metropolitan rail network would also ensure simpler timetables and provision for future growth in patronage.

The Rail Clearways Program comprises 15 main projects (refer Figure 1-1). As part of this Program, the Transport Infrastructure Development Corporation (TIDC) proposes to duplicate part of the existing Richmond Branch Line by constructing an additional track between Quakers Hill and Vineyard Stations ('the Quakers Hill to Vineyard Upgrading' or 'the Project') (refer Figure 1-2). This Project, which is a component of Clearway 5 – the North and West Lines, would also include associated works at Schofields, Riverstone and Vineyard Stations, including bus interchanges, provision for pedestrians and additional car parking.

The existing duplicated track on the Richmond Branch Line only extends from Blacktown to approximately 150 metres north of Quakers Hill Station (refer Photograph 1-1). Consequently, trains travelling in both directions between Quakers Hill and Richmond share the same track, resulting in limited peak services. The Richmond Line currently provides two trains per hour from Richmond to the city and two trains per hour from Quakers Hill to the city in the morning peak. The population growth anticipated for the North West Growth Centre (refer Section 1.3 and 2.4) will increase the demand for frequent and reliable services.



**Photograph 1-1 The end of the duplicated track, just north of Quakers Hill Station, facing Quakers Hill Parkway (overbridge)**

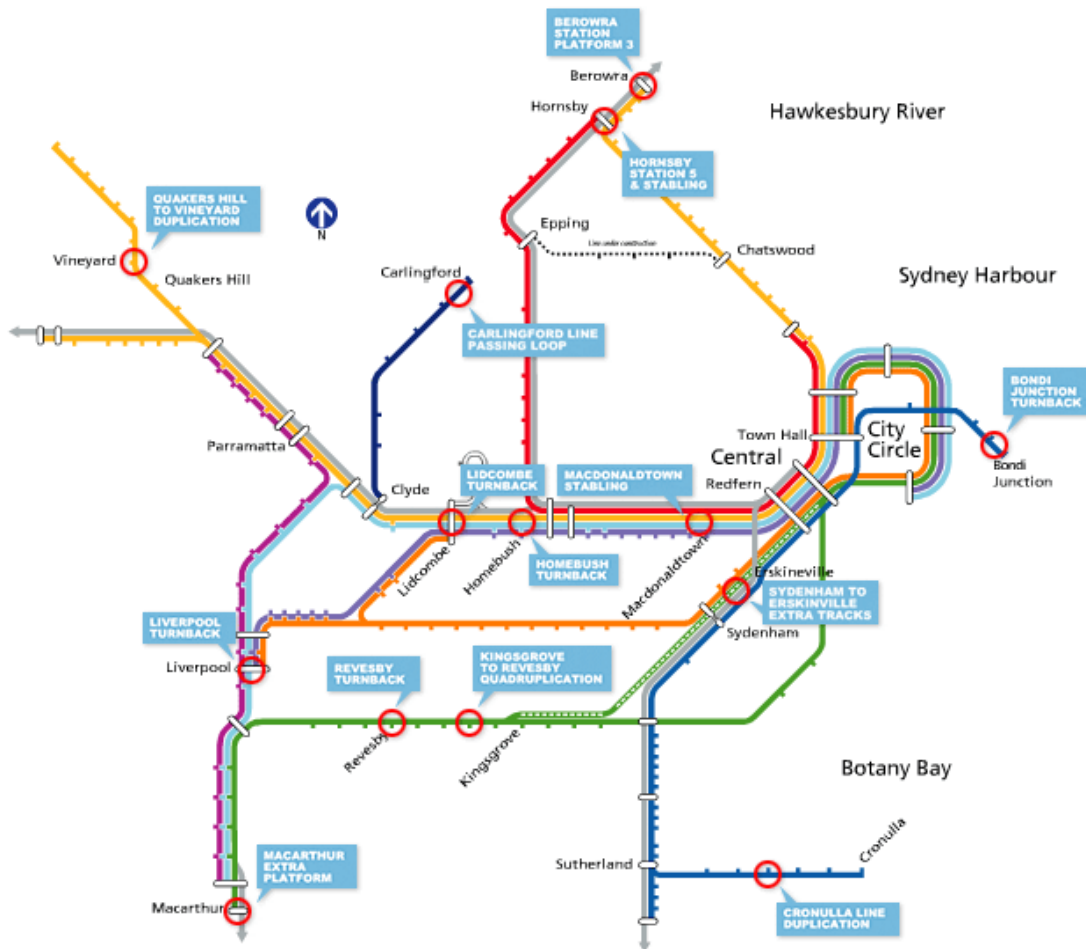
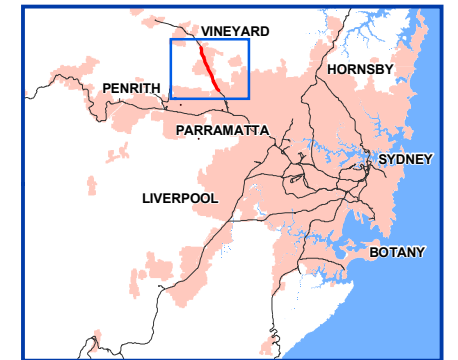
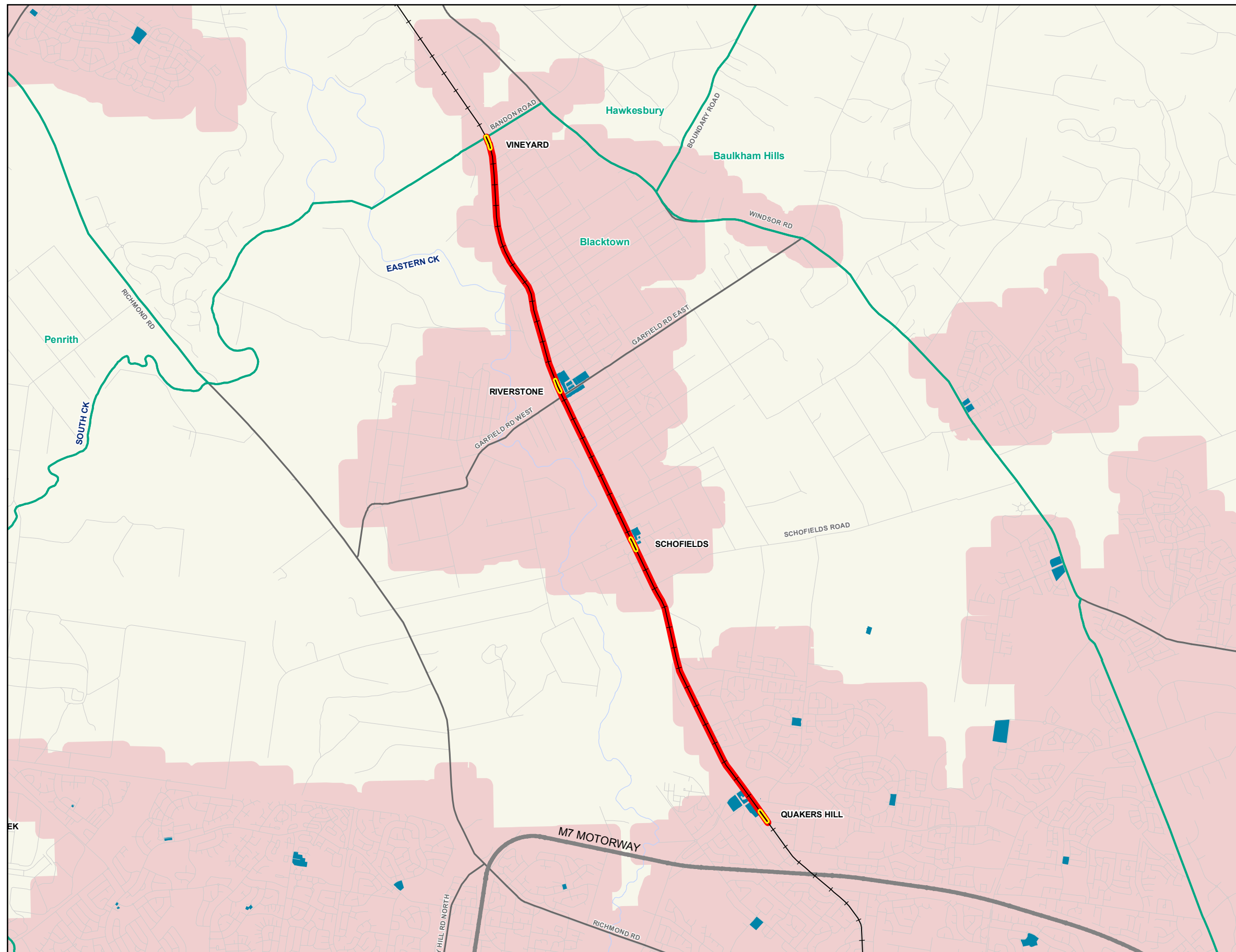


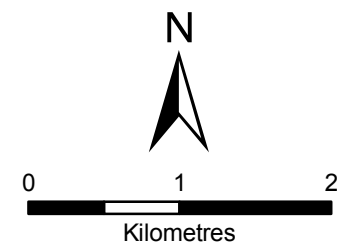
Figure 1-1 Rail Clearways Program for the metro rail network

# Quakers Hill to Vineyard Duplication



### Legend

- Rail line
- Proposed duplication
- Motorways and tunnels
- Major watercourse
- Main roads
- Secondary road
- Rail station
- Urban Area
- LGA boundary
- Business land



Scale 1:50,000 (@ A3)  
Projection: GDA94 (MGA94 Z56)

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Figure 1.2 Project overview

## 1.2 Overview of the Project

The Project would involve the construction and operation of approximately 10.1 kilometres of new track between Quakers Hill and Vineyard in Sydney's north-west. The new track would be constructed on the Up side (the side of the track that travels towards Sydney) between Quakers Hill and Riverstone, and on the Down side (the side of the track that travels away from Sydney) between Riverstone and Vineyard. The Project would also require turnbacks (a track from which train services terminate and change direction) and turnouts (the intersection and mechanisms for the meeting of two tracks). Schofields and Vineyard Stations would be relocated and provided with car parks and bus interchanges. Other works would include new overhead wiring, modifications of the existing signalling system, culvert works and the adjustment and protection of utilities. Westminster Street overbridge at Riverstone would be reconstructed and the pedestrian level crossings at Quakers Hill and Schofields Station would be removed and alternative access provided. The vehicle level crossings at Riverstone Station and at Riverstone, (the 'Meatworks' level crossing) are proposed to be removed by the RTA and RailCorp respectively. The removal of these level crossings does not form part of this Project.

A more detailed description of the Project is provided in Section 4.

## 1.3 Project development history

### 1.3.1 North West Growth Centre

In December 2004, the NSW Government announced a new land release plan for the South West and North West Growth Centres as a key component of the Metropolitan Strategy for Sydney, the *Metropolitan Strategy, City of Cities—A Plan for Sydney's Future* (NSW Government 2005a). The Growth Centres will accommodate 30 to 40% of Sydney's long term housing growth, and will eventually accommodate 181,000 new homes, serviced by \$7.5 billion of infrastructure (Growth Centres Commission 2006a).

Development of these areas will be led by the Growth Centres Commission, which has been established by the NSW Government to ensure that new development proceeds with infrastructure and services planned, funded and linked to the sequence of land release.

The North West Growth Centre comprises parts of the Baulkham Hills, Blacktown and Hawkesbury LGAs, and includes the existing suburbs of Schofields, Riverstone and Vineyard. The area has been divided into 16 precincts, which are planned to hold a total of approximately 66,000 new homes.

The Project runs through the centre of the proposed North West Growth Centre, and directly borders the planned precincts of Schofields, Schofields West, Alex Avenue, Riverstone, Riverstone West and Vineyard (refer Figure 1-3). Travel demand along this corridor is expected to increase as a result of growth of the local population associated with further land releases within the North West Growth Centre. The Project is, therefore, critical in terms of providing transport infrastructure to the region to meet new demands in existing and new suburbs and encourage public transport use.



### 1.3.2 Project development

The Project was planned as part of RailCorp's Rail Clearways Program, and in response to planned growth associated with the North West Growth Centre. It forms part of Clearway 5, which includes the North Shore, Western and Northern Lines. The original Clearways program in 2004 proposed duplicating between Quakers Hill and Schofields. The Urban Transport Statement, 2006, included duplication to Riverstone and the extension to Vineyard. During the initial planning stage, two track alignment options for this duplication were considered:

- providing new track on the Up side (i.e. towards Sydney CBD) of the existing track, or
- providing new track on both the Up and Down (i.e. away from Sydney CBD) sides, with various interfaces with the existing track.

Eight options for the modification of Schofields Station were assessed, including facing and island platforms, pedestrian underpasses and footbridges, and the presence or absence of lifts. A preferred option, for track duplication on the Up side of the existing track, was selected following a stakeholder workshop held in 2002.

In November 2006, the NSW Government extended the Project to include duplication of the line to Riverstone by 2010 and Vineyard by 2012. Preliminary investigations for the Quakers Hill to Schofields duplication and further investigations for the Quakers Hill to Vineyard duplication were undertaken as part of the options development process. These preliminary investigations included:

- geotechnical studies
- noise impact assessment
- pedestrian studies
- contamination assessment.

Three options were defined in the *Quakers Hill to Vineyard Duplication Project Definition Working Paper* (TIDC 2007) (refer Section 3.2.2). The preferred option was selected following a stakeholder workshop held in January 2007. This included the provision of a new track on the Up side of the existing track from Quakers Hill to Riverstone and on the Down side of the existing track from Riverstone to Vineyard. The preferred option also included replacement stations at Schofields and Vineyard, an upgraded Down-side platform at Riverstone Station, and pedestrian footbridges with ramps at the Quakers Hill and Schofields Stations, to replace existing pedestrian level crossings. This preferred option has been developed further and is referred to as 'the Project' in this report.

## 1.4 Purpose and structure of this document

This Project Application:

- describes the proposal, undertakes a preliminary assessment of its likely impacts and outlines the proposed scope of the Environmental Assessment
- seeks environmental assessment requirements under Section 75F(3) of the *Environmental Planning and Assessment Act 1979*.

The structure of the remaining sections of the document is as follows:

- Section 2 — Planning and assessment process
- Section 3 — Need and alternatives
- Section 4 — Description of the Project
- Section 5 — Preliminary environmental assessment
- Section 6 — Proposed scope of the Environmental Assessment
- Section 7 — Conclusion.

## 2. Planning and assessment process

### 2.1 Environmental Planning and Assessment Act 1979

#### 2.1.1 Part 3A

Part 3A of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act) establishes an assessment and approval regime for major infrastructure projects. Part 3A applies to the carrying out of development that is declared to be a Part 3A project by either a state environmental planning policy (SEPP) or a Ministerial Order published in the Government Gazette (under Section 75B of the EP&A Act).

A Ministerial Order was published in the Government Gazette on 29 July 2005 in accordance with Section 75B of the EP&A Act. The Ministerial Order relevantly provides that development that is an activity for which the proponent is also the determining authority and would have required an environmental impact statement under Part 5 of the EP&A Act (but for the Order) will be assessed under Part 3A.

Clause 80 of State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) provides that development for the purpose of any of the following railways or railway projects as described in Schedule 2 may be carried out by or on behalf of a public authority without consent on any land:

- (a) the Sydney Airport Rail Link
- (b) the Parramatta Rail Link
- (c) the Southern Sydney Freight Line
- (d) the Rail Clearways Program.

Schedule 2 of the Infrastructure SEPP identifies the Quakers Hill to Vineyard Upgrading as a project that does not require consent. Accordingly, the Project is an activity under Part 5 of the EP&A Act.

Pursuant to the Order, if TIDC's preliminary environmental assessment of the Project indicates that it is likely to significantly affect the environment, and would (but for Part 3A) require an environmental impact statement, the Project is a project to which Part 3A of the EP&A Act applies.

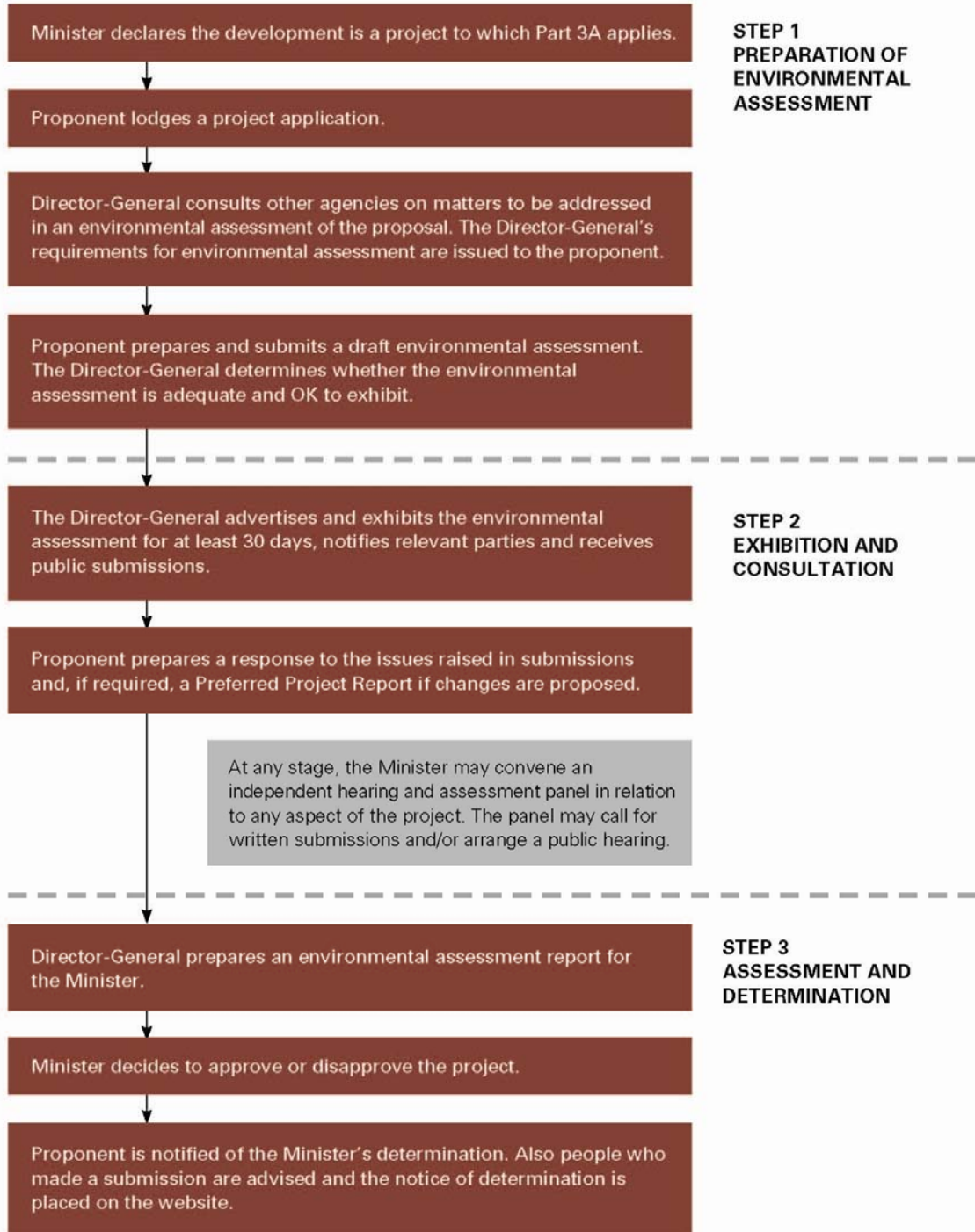
Under Part 3A, the planning and approval process involves the following key steps (see Figure 2-1):

- Project Application to the Minister for Planning:
  - The proponent prepares an application, commonly referred to as a Project Application Report, for the approval of the Minister to carry out a project. The Project Application is then lodged with the Director-General of the Department of Planning and should describe the Project and contain any other matter required by the Director-General (Section 75E).
  - In response to the Project Application, the Director-General prepares environmental assessment requirements and notifies the proponent of the requirements. These requirements are prepared in consultation with the relevant public authorities and address any key issues raised by those public authorities (Section 75F).

- ▶ The environmental assessment requirements may require an Environmental Assessment to be prepared by or on behalf of the proponent, in the form approved by the Director-General (Section 75F).
- ▶ The Director-General may also require that a statement outlining the commitments the proponent is prepared to make for environmental management and mitigation measures on the site, is included in the environmental assessment. This is commonly referred to as a Statement of Commitments (Section 75F).
- ▶ The Minister may request an independent hearing and assessment panel to assess any aspect of the Project (Section 75G).
- Environmental Assessment:
  - ▶ The proponent prepares and submits to the Director-General the Environmental Assessment for approval to carry out the Project. The Environmental Assessment documents the expected environmental impacts from construction and operation of the Project, and outlines the proposed mitigation measures that will be implemented to reduce or avoid these impacts.
  - ▶ The Director-General may require the proponent to submit a revised Environmental Assessment if it is considered that the assessment does not adequately address the environmental assessment requirements (Section 75H).
- Exhibition of the Environmental Assessment:
  - ▶ The Director-General must make the Environmental Assessment publicly available for at least 30 days.
  - ▶ During this exhibition period, any person (including a public authority) may make a written submission to the Director-General concerning the Project.
  - ▶ Copies of the submissions received by the Director-General are provided to the proponent, and any relevant public authorities (including the Department of Environment and Climate Change if the Project requires an environment protection licence under Chapter 3 of the *Protection of the Environment Operations Act 1997*).
  - ▶ The proponent may be required to prepare and submit to the Director-General a:
    - Representations Report, providing a response to the issues raised in the submissions.
    - Preferred Project Report, outlining any proposed changes to the Project to minimise its environmental impacts (If the changes are considered significant, the Director-General may require the proponent to make the Preferred Project Report available to the public.).
    - A revised Statement of Commitments (Section 75H).
- Determination of the Project:
  - ▶ The Director-General prepares a report to the Minister on the Environmental Assessment, for the purposes of the Minister's consideration of the application for approval to carry out the Project.
  - ▶ The Minister determines whether to approve or refuse the Project. A project may be approved with conditions, as determined by the Minister (Section 75I).

## MAJOR PROJECT ASSESSMENT — TYPICAL STEPS

Under Part 3A of the *Environmental Planning and Assessment Act 1979*



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**Figure 2-1 Part 3A planning and approval process**

Source: Department of Planning (September 2007), *Steps in the major project assessment process: Major projects assessment system: fact sheet 3*

## 2.2 Environmental planning instruments

### 2.2.1 Local environmental planning instruments

The majority of the Project is located within the Blacktown Local Government Area (LGA). The level crossing at Vineyard Station is positioned on the border of the Blacktown and Hawkesbury LGAs. The only part of the proposed works that would be undertaken within the Hawkesbury local government area is the upgrading of the existing substation at Vineyard, and any associated works connecting the power supply to the rest of the Project.

The majority of the Project would be constructed within the existing rail corridor, which is zoned 5a Special Uses (Rail) under the Blacktown Local Environmental Plan 1988 (LEP). Construction within this zone, for the purpose of rail utility undertakings is permissible with consent.

There are two sections of the Project which are proposed to be constructed outside of the rail corridor, the new Schofields Station, at the junction of Railway Terrace and Pelican Road, Schofields, and the new Vineyard Station and associated track work and car park along both sides of Riverstone Parade.

Both of these sections are proposed to be constructed on land zoned as Zone 1A (General Rural Zone) under the Blacktown LEP. The zone lists 'transport terminals' as prohibited development, and adopts the definitions in the model provisions which define transport terminal as:

"a building or place used as an airline terminal, a road transport terminal, a bus station or a bus depot".

The new stations and track work are not included in the definition of transport terminals, and therefore are not prohibited development within these zones. The new bus interchange at the new Vineyard Station would be constructed within the existing rail corridor and is not prohibited within this zone.

Within the Hawkesbury LGA, the upgrading of the existing substation would be undertaken on land zoned as Zone 1 (rural) mixed agriculture under the Hawkesbury Local Environmental Plan 1989. Under the zone, development by a public utility is classified as development that does not require consent.

### 2.2.2 Regional and state environmental planning instruments

A number of Sydney regional environmental plans (SREPs) and state environmental planning policies (SEPPs) are relevant to the Project. These are discussed below.

#### **SREP No. 20 — Hawkesbury-Nepean River (No. 2 - 1997)**

SREP No. 20 — Hawkesbury-Nepean River (No. 2 - 1997) (SREP 20) applies to certain land within the Blacktown LGA. The aim of the SREP is to:

protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

Where development is proposed on land to which this plan applies, the general planning considerations, specific planning policies and related recommended strategies set out in SREP 20 must be taken into consideration by the consent authority determining the application, or by the Project proponent.

As Eastern Creek is part of the South Creek Sub catchment, which is within the Hawkesbury-Nepean catchment area, and as the Project is in proximity to Eastern Creek, this plan is relevant to the Project and the applicable planning considerations and policies outlined in the plan should be considered during construction of the Project.

### **SEPP No. 19 — Bushland in Urban Areas**

The aim of SEPP No. 19 — Bushland in Urban Areas (SEPP 19) is to protect and preserve bushland for its natural heritage, aesthetic, recreational, educational and scientific resource values. Under clause 4 of SEPP 19, bushland refers to:

land on which there is vegetation which is either a remainder of the natural vegetation of the land or, if altered, is still representative of the structure and floristics of the natural vegetation.

SEPP 19 applies to bushland within the urban areas identified in SEPP 19 Schedule 1, which includes the Blacktown LGA.

Under clause 6 of SEPP 19, a consent authority must not consent to development affecting bushland unless it:

- a) has made an assessment of the need to protect and preserve the bushland having regard to the aims of this Policy
- b) is satisfied that the disturbance of the bushland is essential for a purpose in the public interest and no reasonable alternative is available to the disturbance of that bushland
- c) is satisfied that the amount of bushland proposed to be disturbed is as little as possible and, where bushland is disturbed to allow construction work to be carried out, the bushland will be reinstated upon completion of that work as far as is possible.

The construction of the car park for the new Vineyard Station would require the removal of a section of vegetation along Riverstone Parade, between Norwood and Ashford Roads, at Vineyard. This vegetation fits the description of bushland in SEPP 19. Therefore, the requirements of SEPP 19 must be taken into consideration for this Project. Further investigations into the nature of the bushland will be undertaken as part of the Environmental Assessment.

### **SEPP No. 55—Remediation of Land**

The aim of SEPP No. 55—Remediation of Land (SEPP 55) is to provide for a State-wide planning approach to the remediation of contaminated land, and to promote the remediation of contaminated land so as to reduce the risk of harm to human health or any other aspect of the environment. SEPP 55 requires that, where land is contaminated, it must be suitably remediated prior to any further development occurring on that land. SEPP 55 also contains provisions relating to the type of remediation work required, and references to contaminated land planning guidelines.

Clause 7 of SEPP 55 requires that contamination and remediation of land be considered by a consent authority in determining a development application. However, development consent under Part 4 of the EP&A Act is not required for this Project, by virtue of the provisions of the Infrastructure SEPP. Accordingly, Clause 7 of SEPP 55 does not apply to the Project. Nevertheless, the principles of SEPP 55 have been considered.

A Phase 1 contamination assessment has been undertaken for the Project (refer to Section 5.3.4). The assessment identified a number of locations within the study area where there is a moderate to high risk of encountering contaminants during excavation. A Phase 2 contamination assessment would be undertaken and the results incorporated into the Environmental Assessment.

### SEPP (Infrastructure) 2007

Under clause 80 of State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP), development for the purpose of railway projects described in Schedule 2 of the Infrastructure SEPP may be carried out by or on behalf of a public authority without development consent. As the Quakers Hill to Vineyard Upgrading is listed under Schedule 2 of the Infrastructure SEPP, and as TIDC is a public authority, development consent for the Project will not be required.

The Infrastructure SEPP repeals SEPP 63.

### SEPP (Sydney Region Growth Centres) 2006

SEPP (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP) is the initial environmental planning instrument component for the Metropolitan Strategy, which applies to any land within the growth centres. The Growth Centres SEPP is relevant as the Project bisects the North West Growth Centre and an essential consideration for the sustainable development of the area.

The Growth Centres SEPP sets out the statutory plans and processes that will apply in the North West and South West Growth Centres. Central to the Growth Centres SEPP is the coordination of sustainable land release for urban development within each growth centre.

More detailed land use and other development control components will be progressively included in the Growth Centres SEPP on completion of the planning process in precincts released for urban development.

## 2.3 Applicable legislation

### 2.3.1 State legislation

The licences and approvals that may be required for the construction and operation of the Project are outlined in Table 2-1.

**Table 2-1 Summary of potential approval requirements under NSW legislation**

Provision	Approval requirements	Required action	Agency
<b>Protection of the Environment Operations Act 1997</b>			
Section 48 and Schedule 1	Environmental Protection Licence (EPL) required for construction of new track	Apply for an EPL	Department of Environment & Climate Change
<b>Roads Act 1993</b>			
Section 138	Consent to erect a structure or carry out a work in, on or over a public road, or dig up or disturb the surface of a public road.	Apply for consent	Roads and Traffic Authority

If approval to carry out the Project is granted under Part 3A of the EP&A Act, the following authorisations would not be required:

- a permit under Section 201, 205 or 219 of the *Fisheries Management Act 1994*

- an approval under Part 4, or an excavation permit under Section 139, of the *Heritage Act 1977*
- a permit under Section 87, or a consent under Section 90, of the *National Parks and Wildlife Act 1974*
- an authorisation referred to in Section 12 of the *Native Vegetation Act 2003* (or under any Act to be replaced by that Act) to clear native vegetation
- a permit under Part 3A of the *Rivers and Foreshores Improvement Act 1948*
- a bushfire safety authority under Section 1008 of the *Rural Fires Act 1997*
- a water use approval under Section 89, a water management work approval under Section 90, or an activity approval under Section 91, of the *Water Management Act 2000*.

Whilst the above authorisations would not be required, TIDC would consult with the relevant agencies that administer these Acts to ensure the intent of the Acts is appropriately observed.

### **2.3.2 Commonwealth legislation**

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) requires referral to the Commonwealth Minister for the Environment and Water Resources of actions that are likely to have a significant impact on:

- a matter of national environmental significance;
- the environment of Commonwealth land (even if the action is taken outside Commonwealth land);
- the environment of a Commonwealth Heritage Place outside the Australian jurisdiction; or
- the environment anywhere in the world (if the action is undertaken by the Commonwealth).

An action includes a project, development, undertaking, activity, or series of activities.

Matters of national environmental significance comprise world heritage properties, national heritage places, wetlands of international importance, Commonwealth-listed threatened species and ecological communities, Commonwealth-listed migratory species, nuclear actions, Commonwealth marine areas, and Commonwealth land.

The findings of preliminary environmental investigations carried out for this Project indicate that the Project is unlikely to trigger an assessment under the EPBC Act, as it is not likely to constitute a controlled action. Small patches of Cumberland Plain Woodlands, an endangered ecological community listed under the EPBC Act occur within and along the rail corridor close to Quakers Hill, Schofields and north of Riverstone Station. Small amounts of vegetation may require clearing, however as the vegetation is highly fragmented and disturbed, it is unlikely that the clearing would trigger an EPBC Act referral.

A search of the *EPBC Act Protected Matters Search Tool* (Department of the Environment and Water Resources 2007) revealed that a parcel of Commonwealth land, identified as the Schofields Aerodrome (Department of Defence), is located between Eastern Creek and the rail corridor between Quakers Hill and Schofields. Based on the proposed alignment for the Project, the works would lie entirely within the rail corridor adjacent to the Department of

Defence land. A search of the relevant heritage databases did not identify any heritage items listed on the Register of the National Estate, National Heritage List or the Commonwealth Heritage List. Therefore, it is considered unlikely that a referral under the EPBC Act would be required on the basis of impacts on heritage or Commonwealth land.

## **2.4 Strategic context**

### **2.4.1 Sydney Metropolitan Strategy**

The population of Sydney is expected to increase by 1.1 million people in the next 25 years. The *Metropolitan Strategy, City of Cities—A Plan for Sydney's Future* (NSW Government 2005a) was released in December 2005 to provide a framework by which to plan for and manage this growth. The main aims of the Strategy are to provide stronger cities and centres around residential developments; to increase and concentrate jobs in Western Sydney and along the global economic corridor; to ensure that access to a diversity of housing, jobs, services and open space is more equally distributed; to safeguard resource lands; to improve environmental outcomes; and to improve transport connections.

### **2.4.2 Urban Transport Statement**

The Urban Transport Statement (NSW Government 2006) was released by the NSW Government in November 2006. The main focus of the Statement was on passenger transport, and the government's plans and commitments for improving and maintaining transport infrastructure to meet the planning requirements of the Sydney Metropolitan Strategy. The Statement identified a number of projects which the Government were to commence implementing immediately, including some new initiatives as well as the acceleration of existing approved works. These projects included increasing commuter car parking spaces at Quakers Hill and duplication of the Richmond Line from Quakers Hill to Riverstone (rather than Schofields) by 2010 and from Riverstone to Vineyard by 2012.

### **2.4.3 Growth Centres Commission**

The Growth Centres Commission was established under the *Growth Centres (Development Corporations) Act 1974* to coordinate the release of greenfield land and the provision of infrastructure in Sydney's North West and South West Growth Centres. The release of land for the Growth Centres is a key element of the Metropolitan Strategy, as the North West and South West Growth Centres are the last two remaining areas within the Sydney basin that are available for new urban development.

The Growth Centres SEPP and the Environmental Planning and Assessment Amendment Regulation 2006 provide the statutory planning framework for the Growth Centres. The Growth Centres SEPP is the initial environmental planning instrument component for the Metropolitan Strategy, applying to the release of land for urban and employment development. Under clause 276 of the Environmental Planning and Assessment Regulation 2000:

The Minister may, for the purposes of the Growth Centres SEPP, declare any precinct (or part of a precinct) to be released for urban development. The declaration is to be published in the Gazette and in such other manner as the Minister determines.

Clause 2 of the Growth Centres SEPP indicates the following aims:

- (a) to co-ordinate the release of land for residential, employment and other urban development in the North West and South West growth centres of the Sydney Region,
- (b) to enable the Minister from time to time to designate land in those growth centres as ready for release for development,
- (c) to provide for comprehensive planning for those growth centres,
- (d) to enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity,
- (e) to provide controls for the sustainability of land in those growth centres that has conservation value,
- (f) to provide for the orderly and economic provision of infrastructure in and to those growth centres,
- (g) to provide development controls in order to protect the health of the waterways in those growth centres,
- (h) to protect and enhance land with natural and cultural heritage value,
- (i) to provide land use and development controls that will contribute to the conservation of biodiversity.

The growth centres are planned to accommodate new communities of approximately 100,000 new dwellings in the South West and 60,000 new dwellings in the North West. Together, they are intended to provide for approximately 500,000 new residents. In combination with Sydney's existing land release programs and others under investigation, 220,000 new dwellings will be provided over the next 25 to 30 years (NSW Government 2005b).

#### **2.4.4 North West Growth Centre**

Located approximately 35 kilometres north-west of the City and 15 kilometres north-west of Parramatta, the North West Growth Centre is bisected by the Project and includes the existing suburbs of Schofields, Riverstone and Vineyard. The plan for the North West Growth Centre is to provide a string of transit-oriented towns located on either side of the existing rail line. The location and layout of the North West Growth Centre is shown in Figure 1-3 and the plans for the area are outlined in Table 2-2.

**Table 2-2 Population targets and town centres**

Local area	Release area precinct	Planning status
Riverstone	Riverstone	<ul style="list-style-type: none"> <li>▪ The Precinct Planning process has commenced</li> <li>▪ The precinct is 1,149 hectares and is expected to accommodate 8,500 dwellings.</li> <li>▪ The Precinct will be supported by a Town Centre around the Rail Station.</li> </ul>
	Riverstone West	<ul style="list-style-type: none"> <li>▪ Precinct Planning will commence in the next four years.</li> </ul>
	Vineyard	<ul style="list-style-type: none"> <li>▪ Vineyard is not within the first stage of the release program.</li> </ul>
Riverstone East	Riverstone East	<ul style="list-style-type: none"> <li>▪ Riverstone East is not within the first stage of the release program.</li> </ul>
	Area 20	<ul style="list-style-type: none"> <li>▪ Precinct Planning will commence in the next four years.</li> </ul>
Schofields	Schofields	<ul style="list-style-type: none"> <li>▪ Schofields is not within the first stage of the release program.</li> </ul>
	Alex Avenue	<ul style="list-style-type: none"> <li>▪ Precinct Planning has commenced.</li> <li>▪ The precinct is 450 hectares and is expected to accommodate 7,000 dwellings.</li> <li>▪ The Precinct will be supported by a Town Centre in the vicinity of the Richmond Railway Line.</li> </ul>
	Schofields West	<ul style="list-style-type: none"> <li>▪ Schofields West is not within the first stage of the release program.</li> </ul>

Source: Growth Centres Commission (2007a)