

5 February 2013

Mr Sam Haddad  
Director-General  
Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Haddad,

**Determination of the Newcastle Gas Storage Facility Modification 1  
(MP10\_0133)**

I refer to the Acting Deputy Director General's letter dated 29 January 2013 referring the above modification application to the Planning Assessment Commission (Commission) for determination under Ministerial delegation.

Ms Gabrielle Kibble AO, Chair of the Commission, nominated me to constitute the Commission to consider and determine the application.

I have carefully considered the Department's assessment report and recommendation as well as agencies' submissions.

The key issues identified in the assessment report were water quality and hydrology, waste and traffic. I note that both the NSW Office of Water and the Hunter Water Corporation are satisfied that the proposed concrete washout facility could be managed to protect the water quality of the Tomago Sandbeds Aquifer and the Drinking Water Catchment. The Department's assessment report also concluded that the waste management procedures for the concrete washout skips will ensure proper disposal of all wastes and mitigate potential risks to the environment. The additional pump-out truck movements will not result in unacceptable impact on the surrounding areas.

I am satisfied that the issues have been adequately addressed and the recommendation to approve subject to conditions is reasonable. However, I note that the relevant Construction Environmental Management Plan and Surface Water Management Plan (conditions B56 and B56(d) respectively in the original approval) may also need to be updated following this approval.

The application is approved subject to the recommended conditions as simplified by the Commission to minimise confusion. The signed instrument of approval and document are returned herewith.

Yours sincerely,



David Johnson  
Planning Assessment Commission

cc. The Hon Brad Hazzard MP  
Minister for Planning and Infrastructure  
Minister Assisting the Premier on Infrastructure NSW  
Level 33 Governor Macquarie Tower  
1 Farrer Place  
SYDNEY NSW 2000