

Determination under clause 7.9(2) of the Biodiversity Conservation Act 2016

I, Joe Thompson, Director of the Hunter Central Coast Branch, of the Department of Planning and Environment, under clause 7.9(2) of the *Biodiversity Conservation Act 2016*, determine that the proposed development is not likely to have any significant impact on biodiversity values and therefore a Biodiversity Development Assessment Report (BDAR) **is not required**.

Proposed development means the development as described in Schedule 1. If the proposed development changes so that it is no longer consistent with this description, a further request to waive the requirement for a BDAR must be lodged or a BDAR prepared.

If you do not lodge the development application related to this determination for the proposed development within 2 years of the issue date of this determination, you must either prepare a BDAR or lodge a new request to have the BDAR requirement waived.



10/6/2022

JOE THOMPSON
Director, Hunter Central Coast Branch
Biodiversity and Conservation Division

Date

SCHEDULE 1 – Description of the proposed development

Aurizon, the proponent of State Significant Infrastructure proposal (SSI-6090 MOD2) under the *Environmental Planning and Assessment Act 1979* are proposing modify the approved Hexham Long Term Train Support Facility (LTTSF), through the proposed relocation of the depot and construction of long-term wagon storage, located off Anderson Drive, Hexham, NSW. The proposed development is within the Newcastle City local government area. The site is legally described as Lot 104 in DP1189565 (as schematically shown on Figure 1).

The proposed development works requires a modification (MOD 2) to the Hexham LTTSF project approval MP07_0171 (as modified by MOD 1 and now referred to as SSI-6090). Due to the location of the proposed development works and lack of any impact to areas of ecological value, the proponent is seeking a Biodiversity Development Assessment Report (BDAR) waiver request to accompany this Modification Proposal.

The proposal identifies two modifications to the Hexham LTTSF, which are to construct new infrastructure to relocate the Newcastle Train Crew Depot and Maintenance Warehouse (Depot) (known as Area 1) and a long-term wagon storage area (known as Area 2).

Area 1 – Depot: Involves the relocation of depot, which supports the deployment of train crews operating the Aurizon fleet throughout the Hunter Valley and site maintenance activities. The relocation will involve the construction of the new depot, including car parking and ancillary structures. It covers an area of approximately 0.9 hectares and would generally comprise of a single storey office, amenities and driver shift sign-on, car parking, and maintenance warehouse.

Area 2 – Long-term Wagon Storage: The long-term wagon storage would be approximately 1.8 hectares and is located immediately west of the proposed depot area. Due to the reduction in coal haulage demand, the long-term wagon storage is needed. Wagons will be placed directly on soil by mobile cranes after being transported to the location from the adjacent rail line by truck.

The development site evidences a history of being cleared of vegetation for sixty years. Historically, the northern vicinity of the Hexham LTTSF has been used for agricultural purposes, while the southern vicinity has a long history of use for rail activities and coal storage, preparation, loading and unloading. The southern vicinity of the Hexham LTTSF contains approximately 1.5 million tonnes of coal reject material, including coal tailings and chitter. Some structures remain on the Hexham LTTSF from previous uses, including concrete footings, a former dilapidated bath house and a control box / lunchroom.

The development site originally formed part of the Hexham Swamp Estuarine Wetlands. However, over the past 150 years the development site has been disturbed by human activities such as coal stockpiling and washing, infilling of wetlands, construction of tailings ponds, and irrigation of wastewater, and as a result the drainage patterns have been significantly altered.

The entire development site has been completely modified from its original state and now exists as a highly disturbed area, with a notable absence of trees, shrubs and native ground layer vegetation. The development site has been historically cleared of any native vegetation and in parts areas have been sown with *Cenchrus clandestinus* (Kikuyu Grass) to stabilise soil material and prevent erosion. There is some native vegetation (according NSW PlantNET) that has naturally established in the development site, namely *Cynodon dactylon* (Common Couch – a cosmopolitan species that includes the sown non-native variety), and a few individuals of *Juncus usitatus* (Common Rush) and *Eleocharis acutus* where standing water sits in depressions. However, this native vegetation cannot be assigned to a PCT as

identified in the DPIE BioNet Vegetation Classification and is therefore not considered to represent 'native vegetation' as defined by the *Local Land Services Act 2013* and under the BAM. BCD concurs that the vegetation on-site is highly disturbed, is likely to offer no or very limited habitat value and is unable to be assessed under the BAM due to inability to assign a PCT (and determine vegetation integrity scores). BCD also notes that the current description of the site is consistent with the ecological assessment in 2012 for the original approved project (as per QR National – *Train Support Facility, Hexham, Ecological Investigations* [Eco Logical Australia, 2012]).

