Regulatory and Assessment. PEmmett/GMansfield
Reference: SDC2022/0005.01
Phone:02 4974 2767

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Hugh Clark
Energy and Resource Assessments
Department of Planning and Environment
Locked Bay 5022
PARRAMATTA NSW 2124

Reply by portal: https://www.planningportal.nsw.gov.au/major-projects

Dear Mr Clark

HEXHAM LONG TERM TRAIN STABLING FACILITY (LTTSF) – MODIFICATION REQUEST (SSI-6090-Mod 2)

I refer to the Department's notification of 20 May 2022 advising of the submission of a Modification Report (MR) to support a modification request to the Project Approval of the LTTSF which is classified as State Significant Infrastructure. The modification proposal includes a depot, warehouse and rail wagon storage area to support the existing facility. The Department has requested City of Newcastle (CN) to provide advice on the MR.

The MR have been reviewed and the following advice is provided for your consideration:

1. Modification proposal

According to Section 3.1 of the MAR, the Modification Proposal includes the following:

- a warehouse for the storage of rail maintenance equipment
- a depot for office staff and train crew
- ancillary staff and visitor car park
- rail wagon storage area

It would appear the descriptions of the buildings as a depot and warehouse is based on rail industry parlance and is not consistent with the definitions of a *depot* and *warehouse or distribution centre,* respectively, under the Newcastle: Local Environmental Plan 2012. It is recommended the proponent is required to provide further explanation of the nexus between the above descriptions and the characterisation of the modification proposal as a depot and freight transport facility.

2. Stormwater management

2.1 Stormwater Management Plan

While it is acknowledged that the provisions of the Newcastle Development Control Plan (NDCP) 2012 do not apply State Significant Infrastructure projects they are often used by both applicants and the DPE to consider various aspect of such proposals. Given the scale of the proposed modification project it is recommended that the proponent be required to submit a Stormwater Management Plan demonstrating compliance with water quality and quantity requirements set out in the NDCP.

2.2 Coastal Wetlands Catchment Requirements

The development site is located in the 'Coastal Management SEPP Wetlands Catchment' as defined in Appendix 2 of the 'Stormwater and Water Efficiency for Development' Technical Manual (Updated 2019) (SWEDTM) of NDCP 2012. It is recommended the proponent be required to comply with the controls of the NDCP to meet the hydrological objectives of the wetland. It is noted that the requirements of the former State Environmental Planning Policy (SEPP) (Coastal Management) 2018 are now included in SEPP (Resilience and Hazards) 2021.

For large scale developments (>5000m^2), the SWEDTM recommends the following deemed-to-comply scenario to satisfy the NDCP coastal wetland catchment requirements:

1. *Provision of a rainwater tank configured such that:*
    a) *The total capacity is sized in accordance with Table 3 of Section 7.06 of the NDCP. For the proposed warehouse roof area of 643m^2 and depot roof area of 1175m^2, a total storage capacity (including airspace) of 72,720 L is required.*
    b) *All roof areas greater than 10m^2 drain to a rainwater tank.*
    c) *Rainwater tanks are connected to roof areas only.*
    d) *100% of the proposed roof area drains to a rainwater tank.*
    e) *The top 50% of the rainwater tank is proposed as air space. This top half of the rainwater tank shall drain to a small 5mm weep hole to the end-of-line infiltration basin or retention tank.*
    f) *The tank shall be connected to non-potable reuse including irrigation, outdoor taps, all toilets, laundry taps, and hot water service.*

2. *An end-of-line bioretention system is to be provided to treat runoff from the development in addition to the rainwater tank required above. Alternatively, an on-site retention tank can be used in cases where bioretention is constrained in a development.*

2.3 Pre and Post-Development Site Discharge

The NDCP and SWEDTM requires that peak post-development stormwater discharge for a given site is not greater than pre-development (natural) conditions for all major storm events up to the 1% AEP. For large-scale development, hydraulic modelling (i.e. DRAINS or equivalent software) is required to demonstrate compliance with NDCP water quantity requirements.

The submitted Modification Statement indicates modelling was undertaken to confirm the existing stormwater system has sufficient capacity to accommodate discharge from the proposed development. It is recommended the proponent be required to provide details of this modelling to confirm compliance with NDCP requirements.

The outcomes of any hydraulic modelling are to be summarised in a stormwater management report. The reported information shall include a table comparing pre and post-development peak site discharge for major storm events up to the 1% AEP.

2.4 Water Quality Modelling

Modelling shall be undertaken using the Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or similar software to demonstrate compliance with development stormwater quality targets set out in Section 7.06 of the NDCP. It is recommended that the Proponent be required to submit a copy of the MUSIC link report along with a summary of the model (including a node diagram).

3. Traffic generations

3.1 Illegal Turns

Traffic survey data obtained in 2021 as part of the Traffic Impact Assessment (TIA) prepared by SLR Consulting identified illegal right-turn movements being made at the following intersections:

a) Anderson Drive / Private Access Road (to development)
b) Anderson Drive / New England Highway Offramp (Off Eastbound)

These illegal right turn movements were included in the SIDRA modelling under the assumption that these movements would increase proportionally with any increase of traffic to the private access road. The 'With Development' 2032 modelled scenario estimates that illegal right turns made during peak hours will increase:

a) From 3 movements per hour (mph) to 22 mph at the Anderson Drive / Private Access Road intersection; and

b) From 0 mph to 4 mph at the Anderson Drive / New England Highway Offramp (off Eastbound) intersection.

The propensity to make these illegal turns is likely driven by existing movement restrictions originally intended to prevent truck traffic accessing the site from Beresfield and Tarro – likely to avoid impacts to the amenity of residential areas. Below is a relevant excerpt from the TIA prepared by Better Transport Futures and submitted in support of SSI-6090:

> *'The preliminary design for the access on the Tarro interchange has been prepared by ARTC and this access allow for right movements in for heavy and light vehicles as well as light vehicles to turn left into the site off the Tarro interchange. The design does not allow for heavy vehicles to turn left into the site off the Tarro interchange and all exit movements will be a left hand turn only.*
>
> *This design will ensure that no heavy vehicles will have to access the site via Beresfield and Tarro. No right turn out will be permitted from this access to ensure road safety is maintained and to reduce the traffic impacts within Beresfield and Tarro.'*

A consequence of these restrictions is that vehicle access to and egress from the site can be difficult for certain destination/origins.

Traffic from Newcastle can access the site from the westbound New England Highway offramp at the Tarro Interchange. Return trips to Newcastle, however, must detour approximately 2km westbound on New England Highway to make a U-turn at a designated bay just northwest of John Renshaw Drive.

Vehicles from the southwest or northwest cannot access the site directly from New England Highway via the Tarro Interchange eastbound offramp and must detour off Quarter Sessions Road to Anderson Drive. Return trips egressing to the northwest and southwest are uncomplicated.

The detoured access to the site (from southwest/northwest origins) results in only a minor delay and is not a significant driver of illegal movements as compared to the detoured egress to Newcastle. The detoured egress from the development to Newcastle represents a significant trip delay and will likely continue to influence the propensity for a driver to make illegal movements to avoid the detour.

The estimated 2032 post-development frequency of 22 peak movements per hour for the illegal right turn out of the private access road is not acceptable. It is recommended that the

proponent be requested to address the issue of illegal right turns generated by the development. The following information should be requested:

a) A revised operational traffic access plan to be included in staff induction to mitigate instances of illegal turns when accessing or egressing the development via any vehicle. It is noted that the previous site access plan (Figure 3-2, Better Transport Futures 2012) is obsolete due to the conversion of the John Renshaw Drive/Weakleys Drive roundabout to a signalised intersection.

b) A breakdown of vehicle types and associated traffic volumes accessing the Hexham LTTSF site (new and existing) during its operation.

It further recommended that the proponent be requested to initiate separate discussions with CN and Transport for NSW (TfNSW) to address existing access issues to the site. The subsequent removal of the roundabout at the John Renshaw Drive and Weakleys Drive intersection has impacted on the existing access plan at the Hexham LTTSF site and legal/safe access to the site (which may require changes to existing turn restrictions) will need to be determined in consultation with TfNSW and CN.

4. Wastewater management

The site is unsewered and the existing facility operates an on-site wastewater treatment system with land application of effluent to a dedicated disposal area. This system required approval to operate from CN under Section 68 of the *Local Government Act 1993*. Section 3.1.3 – 'Operation' of the MAR indicates the Modification Proposal will *'accommodate approximately 180 employees*', although all personnel will not be on site at any one time. This will result in a potential significant increase in the volume of wastewater requiring treatment and disposal at the site. Consideration of wastewater management in the modification report is limited to: '*No change proposed. It is understood the existing waste treatment plant can accommodate the additional amenities to be located on site*'.

It is recommended the proponent be required to provide further information to address the management of wastewater for the proposed modification. A technical assessment should be provided to confirm the capacity of the system to safely treat and dispose the predicted increased wastewater loads. The assessment should refer to applicable standards and guidelines and provide a clear conclusion whether there are any modifications required to the existing wastewater treatment system (and consequently the approval required from CN) and, if so, the nature of any works necessary.

5. Bushfire

While it is acknowledged that section 100B of the *Rural Fires Act 1997* does not apply to State Significant Infrastructure, it is recommended that the proponent be required to respond to the following matter relating to the bush fire risk to the site.

The Newcastle Bush Fire Prone Land Map (2018) identifies the subject land as bush fire prone land. Subclause (b) of condition B1 of the Infrastructure Approval (Oct 2013) for the existing facility requires the Applicant to proponent to carry out the development generally in accordance with Environmental Assessment (EA) (ADW Johnson Pty Ltd Nov 2012). Appendix F of the EA is Bushfire Protection Assessment (BPA) (Ecological Australia 11 September 2012). It is recommended that the proponent be required to consider whether the BPA requires amendment having regard to the additional uses proposed under the Modification Proposal.

6. Section 7.12 Development Contributions

The existing Project Approval (PA) does not contain a condition which requires the Applicant to pay a development contribution to CN under the provisions of the former Section 94A of the *Environmental Planning and Assessment Act 1979* (EP&A).

Notwithstanding this, Aurizon generously agreed, via a Voluntary Planning Agreement in accordance with condition C39 of the PA, to pay a monetary contribution to CN for proposed upgrading works at Tuxford Park Oval, Shortland.

The provisions of CN's Section 7.12 Development Contributions Plan, which became operational on 1 January 2022, apply to the subject site. Under the plan, a contribution rate of 1% of the cost of the development applies to all non-residential developments having a cost of more than $200,000. Having regard to scale and nature of the proposed uses comprising the Modification Proposal it is recommended that in accordance with section 5.22(3) of the E&PA Act the proponent be required to address the requirements of the above Section 7.12 Plan and submit a cost summary report for the Modification Proposal.

If you have any questions in relation to the various matters raised in this letter, please contact Geof Mansfield Principal Development Officer (Planning) on 4974 2767 or by email on gmansfield@ncc.nsw.gov.au .

Yours faithfully

P. Emmett

Priscilla Emmett
DEVELOPMENT ASSESSMENT SECTION MANAGER