

Planning Secretary's Environmental Assessment Requirements

Section 5.16 of the *Environmental Planning and Assessment Act 1979*

Application Number	SSI 18_9763
Proposal	Parramatta Light Rail Stage 2 – Corridor Concept
Location	Camellia to Carter Street precinct in Lidcombe, traversing through Ermington, Melrose Park, Wentworth Point and Sydney Olympic Park
Proponent	Transport for NSW
Date of Issue	1 May 2019

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1. Corridor Concept SEARs

Definitions:

Proposal means the proposed corridor alignment for Stage 2 of the Parramatta Light Rail Project.

Overall project means the Proposal and subsequent potential future light rail infrastructure.

Desired Performance Outcome	Requirement
1. Environmental Impact Assessment Process The process for assessment of the proposal is transparent, balanced, well focussed and legal.	- The Environmental Impact Statement (the EIS) must be prepared in accordance with Part 3 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i> (the EP&A Regulation). - The onus is on the Proponent to ensure legislative requirements relevant to the Proposal and overall project are met.
2. Environmental Impact Statement The proposal to obtain concept approval for the Proposal is described in sufficient detail to enable clear understanding that the proposal has been developed through an iterative assessment process and project refinement to avoid and minimise impacts so that the proposal, on balance, has the least adverse environmental, social and economic impact, including its cumulative impacts.	- The Environmental Impact Statement must include, but not necessarily be limited to, the following: A. General information: • executive summary; • a description of the overall project¹; • a concise description of the general biophysical and socio-economic environment that is likely to be impacted by the overall project. Elements of the environment that are not likely to be affected by the overall project do not need to be described; • statutory context of the overall project, including: ○ how the Proposal and the overall project meets the provisions of the <i>Environmental Planning and Assessment 1979</i> (the EP&A Act) and EP&A Regulation; ○ a list of any approvals that must be obtained under any other Act or law before the Proposal and the overall project may lawfully be carried out; ○ identification of the existing environmental planning instruments and other current government strategic plans and policies relevant to the land subject to the Proposal and the overall project (including local environmental plans, State environmental planning policies, land use and infrastructure strategies); - a description of the staged approach to obtaining approval for the Proposal and the overall project; - the land use outcomes that the Proposal is intended to achieve, including: ○ identifying the Proposal corridor to be reserved; ○ identifying whether the Proposal consists of land acquisition or land dedication or both; and ○ identifying the statutory and regulatory concurrence provisions under which the Proposal will operate;

¹ It is acknowledged that construction and operation of the overall project will be the subject of the subsequent planning approvals.

Desired Performance Outcome	Requirement
	- consideration of the Infrastructure Sustainability Council of Australia infrastructure sustainability rating scheme as relevant; B. Proposed corridor alignment: - provide a description of the Proposal and how it achieves overarching objectives of the overall project, with reference to how the Proposal integrates and supports strategic plans; C. The strategic justification: - the strategic need for the Proposal and overall project with regard to relevant State Government policy; - a statement of the objective(s) of the Proposal and the rationale for seeking concept approval including strategic integration between existing and planned future land uses; - how the overall project will integrate with the broader transport network (existing and proposed) in the adjoining area; - an analysis of any feasible alternatives² to the overall project that could be undertaken to address the strategic need identified above, including: - other transport scenarios (such as 'do-nothing' scenario); and - assessment of strategic costs and benefits compared to the alternative transport solutions and consequences of these solutions; D. The infrastructure components: - a high-level description of the technical requirements of the overall project which may include: - identifying the strategic locations that the potential future infrastructure needs to connect (e.g. servicing future growth areas); - width needed for the future corridor (e.g., differing infrastructure needs/design over the extent of the corridor); - strategic connections to other transport infrastructure networks; - strategic design requirements (e.g., slope or topography, design standards);

² Alternatives to a project are different projects which would achieve the same project objective(s) including the consequences of not carrying out the project. For example, alternatives to a road project may be a rail project in the same area and alternate routes for the road.

Desired Performance Outcome	Requirement
	E. Corridor alignment constraints analysis: • strategic environmental opportunities and constraints within the corridor investigation area; • existing land uses within the corridor investigation area; • outline the process by which the preferred corridor alignment constraints were identified and corridor options assessed. Include: ○ identifying feasible corridor alignment options within the Proposal³; ○ describing the process of how the corridor alignment options were derived and assessed (e.g., corridor investigation area, constraints analysis); ○ a summary of the evaluation of corridor alignment options (being a description of how alternatives to and options within the proposal were analysed to inform the selection of the preferred option with sufficient detail to enable an understanding of why the preferred alternative to and options(s) within the Proposal were selected); and ○ relevant summary of how corridor alignment options have considered the key issues in Section 3 below. 2. The EIS must only include data and analysis that is reasonably needed to make a decision on the proposal. Relevant information must be succinctly summarised in the EIS and included in full in appendices. Irrelevant, conflicting or duplicated information must be avoided.
3. Assessment of Key Issues* Key issue impacts are assessed objectively to provide confidence that the potential future infrastructure can be constructed and operated within acceptable levels of impact. * Key issues are nominated by the Proponent in the SSI project application and by the Department in the SEARs. Key issues need to be reviewed throughout the preparation of the EIS to ensure any new key issues that emerge	1. The EIS relates to the Proposal. The assessment of impacts should be based on an appropriate level of environmental assessment and indicative design requirements/standards for the concept stage, noting that subsequent applications will provide detailed assessment of construction and operational impacts. 2. The level of assessment of likely impacts must be proportionate to the significance of, or degree of impact on, the issue, within the context of the Proposal and the surrounding environment. The level of assessment must be commensurate to the nature of the concept Proposal and the degree of impact and sufficient to enable the understanding and assessment of potential impacts of the overall project. 3. For each key issue, to the extent it relates to the nature of the concept Proposal, the Proponent must: (a) describe the biophysical and socio-economic environment, as far as it is relevant to that issue; (b) describe the legislative and policy context, as far as it is relevant to the issue; (c) identify and describe the potential impacts associated with the issue, including the likelihood and consequence (including worst case scenario) of the impact (comprehensive risk assessment), and the cumulative impacts;

³ Options within the proposal are variations of the same proposal. For example, options within the proposal could be addressing the selection of South Street or Waratah Street.

Desired Performance Outcome	Requirement
are captured.	(d) demonstrate how potential impacts have been avoided through strategic corridor alignment selection; (e) identify how potential impacts that have not been avoided through strategic corridor alignment selection will be minimised or managed, and the predicted effectiveness of these measures (against performance criteria where relevant); and (f) outline further detailed assessment required in subsequent stages. 4. Where multiple reasonable and feasible options to avoid or minimise impacts are available, they must be identified and considered, and the proposed measure justified taking into account the public interest. 5. The assessment of each key issue must have consideration (as relevant) to the listed guidelines.
4. Consultation The Proposal is developed with meaningful and effective engagement.	1. The Proposal must be informed by consultation, including with relevant government agencies, infrastructure and service providers, special interest groups, affected landowners, businesses and the community. The consultation process must be undertaken in accordance with the current guidelines. 2. The Proponent must document the consultation process and demonstrate how the Proposal has responded to the inputs received. Where amendments have not been made to address an issue, a brief explanation should be provided. 3. The Proponent must describe the timing and type of community consultation proposed during various stages of the Proposal's development and refinement, the mechanisms for community feedback and the mechanisms for keeping the community informed.

2. Key Issue SEARs

Key Issue and Desired Performance Outcome	Requirement (specific assessment requirements in addition to the general requirement above)	Guidelines
1. Transport and Traffic The potential transport and traffic impacts of the Proposal and potential future infrastructure on the surrounding area are minimised.	- The Proponent must describe how the Proposal will meet the transport related objectives of the overall project: - sensitive land uses; - future growth areas; - existing and proposed strategic plans. - The Proponent must consider the potential transport and traffic impacts of the Proposal including: - impacts on the regional and local road network and existing and proposed public transport routes; and - how the overall project could integrate with and encourage active transport including pedestrian and cyclist connectivity.	
2. Land Use and Property The Proposal minimises impacts on and achieves appropriate integration with adjoining land uses.	- The Proponent must consider the potential impacts to land uses, including: - identifying current land uses and describing the potential impacts of the Proposal and the overall project on: - residential, commercial and industrial land uses; - land and water users (for example, recreational and commercial fishers); - open space/recreational/national parks; - special events, such as the Royal Easter Show; and - major transport infrastructure, including property acquisitions/adjustments, access, amenity and relevant statutory rights; - identifying major development applications and planning proposals within the corridor investigation area: - under assessment by a planning authority at the time the EIS is prepared; - approved by a planning authority; or - with respect to planning proposals, lodged and with the Department for finalisation;	

Key Issue and Desired Performance Outcome	Requirement (specific assessment requirements in addition to the general requirement above)	Guidelines
	(c) commentary on the potential impacts of the Proposal, including expected land use change known in the public domain, such as: ○ commentary on areas of change (such as interchanges or major connections with other infrastructure projects), housing growth, areas of urban renewal and potential additions to Sydney's Green Grid; ○ consideration of the impact on metropolitan Sydney, Greater Parramatta and the Western Sydney area; and ○ district and strategic centres or key employment locations or whether the potential future infrastructure may generate opportunities for new employment locations or centres.	
3. Urban Design The Proposal complements the visual amenity, character and quality of the surrounding environment. The Proposal contributes to the accessibility and connectivity of communities.	1. The Proponent must consider how the overall project will impact on the surrounding urban and natural fabric, including potential visual impacts of new roadway crossings and elevated structures (such as bridges and viaducts) on: (a) views and vistas; (b) the accessibility and connectivity of local communities, streetscapes, key sites and buildings; (c) heritage items including Aboriginal places and environmental heritage; (d) demonstrate how the potential future infrastructure can be integrated with the existing and planned future urban realm; (e) identify urban design strategies and opportunities to enhance healthy, cohesive and inclusive communities; and (f) outline urban design principles and objectives to guide further design and assist in minimising the impacts of the potential future infrastructure on surrounding visual or urban form.	Better Placed (NSW Government Architect, 2017) Draft Greener Places (NSW Government Architect, 2017)

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4. Biodiversity The Proposal considers all feasible measures to avoid and minimise impacts on terrestrial and aquatic biodiversity.	1. The Proponent must consider the ecological values within the study area and identify potential impacts on those ecological values as a result of the potential future infrastructure, including whether the overall project could potentially result in a Key Threatening Process. 2. A Biodiversity Assessment Report (BAR) must be prepared with reference to the Biodiversity Assessment Method, including consideration of the requirements for the preparation of a Biodiversity Development Assessment Report for a future project approval.	Biodiversity Assessment Method (OEH, 2017) <u>Policy and Guidelines for Fish Habitat Conservation and Management – Update 2013</u> (DPI, 2013) Aquatic Ecology in Environmental Impact Assessment – EIA Guideline (Marcus Lincoln Smith 2003)
5. Hazards and Risks The Proposal considers measures to avoid hazards and minimise risks associated with dangerous goods routes and existing major utility infrastructure located within or in the vicinity of the proposed corridor alignment.	1. The Proponent must identify and consider potential impacts of the Proposal on major utility infrastructure, including high pressure fuel pipelines and trunk water mains, located within and in the vicinity of the Proposal, including: (a) a description of existing dangerous goods routes and major utility infrastructure (including high pressure fuel pipelines and trunk water mains); (b) report on the consultation outcomes with all relevant utility providers/operators and dangerous goods transporters; (c) demonstrate that the overall project could be designed and constructed so as to not lead to non-compliance with relevant regulations, standards and policies associated with that major utility infrastructure; (d) an outline of further detailed assessment required in a subsequent application. 2. For the avoidance of doubt, existing major utility infrastructure include, but are not limited to, the Gore Bay high pressure fuel pipeline and trunk water mains between Camellia and Melrose Park (the TWM). 3. For the TWM, this section must include definition of a minimum clearance required between the TWM and the potential future infrastructure.	Australian Standard AS 2885 Pipelines – Gas and liquid petroleum State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33 (DoP, 2011) Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis (DoP, 2011) and Multi-Level Risk Assessment (DoP, 2011)

Key Issue and Desired Performance Outcome	Requirement (specific assessment requirements in addition to the general requirement above)	Guidelines
6. Heritage The Proposal avoids or minimises impacts, to the greatest extent possible, on the heritage significance of environmental heritage and Aboriginal objects and places.	1. The Proponent must identify and consider potential direct and/or indirect impacts to the heritage significance of: (a) Aboriginal places and objects, as defined under the <i>National Parks and Wildlife Act 1974</i> and in accordance with the principles and methods of assessment identified in the current guidelines; (b) Aboriginal places of heritage significance, as defined in the Standard Instrument – Principal Local Environmental Plan; (c) environmental heritage, as defined under the <i>Heritage Act 1977</i>, including historical and maritime archaeology; and (d) items listed on the National and World Heritage lists. 2. Where potential impacts to State or locally significant heritage items are identified, consideration must be given to: (a) their heritage significance; (b) the potential impacts to the heritage item caused by the overall project; (c) where applicable, how the selection of the proposed corridor has avoided or minimised impacts on heritage items identified in (b); and (d) potential mitigation measures and strategies (e.g., future design considerations or construction constraints).	Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) NSW Heritage Manual (Heritage Office and Department of Urban Affairs and Planning, 1994) Assessing Heritage Significance (NSW Heritage Office, 2001)

Key Issue and Desired Performance Outcome	Requirement (specific assessment requirements in addition to the general requirement above)	Guidelines
7. Noise and Vibration Potential noise and vibration can be effectively managed to minimise adverse impacts on acoustic amenity.	- The Proponent must consider the potential noise and vibration impacts of the construction and operation of the overall project. - Consideration must be given to sensitive existing and future known land uses.	Assessing Vibration: a technical guideline (DEC, 2006) Interim Construction Noise Guideline (DECCW, 2009) Noise Policy for Industry (2017) Rail Infrastructure Noise Guideline (EPA, 2013)
8. Protected and Sensitive Lands The Proposal has been selected to avoid or minimise impacts on protected and sensitive lands.	- The Proponent must identify how the constraints associated with environmentally sensitive land and processes have been considered in the selection of the corridor including, but not limited to: - land to which State Environmental Planning Policy (Coastal Management) 2018 applies; - coastal hazards identified in studies completed by local councils or state agencies (including risk mitigation strategies that reduce coastal hazards exposure and funding of such strategies); - coastal processes (including disruptions to wave direction, dune stability, sediment movement etc.) associated with adopted risk mitigation actions; - safe public access to coastal areas, beaches, headlands and foreshores; - protected areas (including land and water) managed by OEH and/or DPI Fisheries under the <i>National Parks and Wildlife Act 1974</i> and the <i>Marine Estate Management Act 2014</i>; - Key Fish Habitat as mapped and defined in accordance with the <i>Fisheries Management Act 1994</i> (FM Act); - waterfront land as defined in the <i>Water Management Act 2000</i>; - land or waters identified as Critical Habitat under the FM Act or EPBC Act or areas of outstanding biodiversity value under the BC Act; and - biodiversity stewardship sites, private conservation lands and other lands identified as offsets.	Planning Circular PS14-003: Coastal hazard notations on section 149 planning certificates (DPE, 2014) Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water (DECCW, 2010) Revocation, Re-categorisation and Road Adjustment Policy (OEH, 2012) Guidelines for controlled activities on waterfront land (DPI 2012)

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9. Land Contamination Risks arising from the disturbance and excavation of land are identified.	1. The Proponent must consider whether the proposed corridor alignment is likely to be contaminated and identify if remediation of the land would be required at future stages, having regard to the ecological and human health risks posed by the contamination in the context of past, existing and future land uses, including: - identifying Areas of Environmental Concern (AEC); - where applicable, how the selection of the proposed corridor has avoided or minimised impacts on each AEC; and - potential mitigation measures and strategies (e.g., future design considerations or construction constraints) to ensure that each AEC can be remediated, or the contaminated land can be effectively managed.	Managing Land Contamination: Planning Guidelines SEPP 55 –Remediation of Land, (DUAP & EPA, 1998) Soil and Landscape Issues in Environmental Impact Assessment (DLWC 2000) Other guidelines made or approved under section 105 of the <i>Contaminated Land Management Act 1997</i>
10. Water – Hydrology and Flooding Long term impacts on flooding are considered.	1. The Proponent must provide an understanding of the current flood regimes and provide strategies to ensure flood levels are maintained or improved as a result of the overall project.	
11. Social The Proposal considers social impacts and capitalises on opportunities potentially available to affected communities.	1. The Proponent must undertake a social impact assessment on the directly affected community and its facilities and/or services.	Social Impact Assessment Guideline (DPE, 2017)