



22 May 2020

Department of Planning, Industry & Environment
Energy & Resources - Planning and Assessment
GPO Box 39
Sydney NSW 2001

Attention: Mandana Mazaheri

**PACIFIC HIGHWAY (H10) - SSI 9837: NEWCASTLE POWER STATION PROJECT, LOT: 2 & 3
DP: 1023561, 1940 PACIFIC HIGHWAY TOMAGO**

Transport for NSW (TfNSW) advises that legislation to dissolve Roads and Maritime Services and transfer its assets, rights and liabilities to TfNSW came into effect on 1 December 2019. It is intended that the new structure will enable TfNSW to deliver more integrated transport services across modes and better outcomes to customers and communities across NSW.

For convenience, correspondence, advice or submissions made to or by Roads and Maritime Services prior to its dissolution, are referred to in this letter as having been made to or by 'TfNSW'.

On 2 May 2020, TfNSW accepted the referral by the Department of Planning, Industry and Environment (DPIE) through the Planning Portal for abovementioned application. DPIE referred the report to TfNSW for comment. This letter is a submission in response to that referral.

TfNSW's primary interests are in the road network, traffic and broader transport issues. In particular, the efficiency and safety of the classified road network, the security of property assets and the integration of land use and transport.

TfNSW response

TfNSW have reviewed the Environmental Impact Statement Submissions Report (the Report) prepared by AGL, dated April 2020, and relevant Appendices. While it is acknowledged the Report addresses some of the comments previously provided by TfNSW, TfNSW note still there are unresolved issues with the proposal.

TfNSW highlighted these issues and provided feedback in the Table attached to this letter.

Should you require further information please contact Kumar Kuruppu, Development Assessment Officer, on 0429 037 333 or by emailing development.hunter@rms.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Desmond', with a stylized flourish at the end.

Marc Desmond
A/Manager Land Use Assessment
Hunter Region
Attach.

	TfNSW Issue	TfNSW Previously Required Outcome in Submission	Addressed Adequately	TfNSW Submissions Report Response
1	Transport's major concern with the proposal is the impacts of NPS to the committed Critical Infrastructure Project, M1 Motorway extension to Raymond Terrace (M12RT).	Continued commitment from AGL is required to enabling the future delivery of the M12RT project.	Partial	<p><i>CU-1: AGL would continue to engage with Transport for NSW as to the collaborative design and construction processes to reduce the cumulative visual impact of the projects (the Proposal and M12RT project).</i></p> <p>This only commits to consultation, not actions and conditions of approval.</p>
2	Noting the interaction of the proposed Newcastle Gas Power Station and the M12RT project, Transport have been holding negotiations and design reviews with the proponent AGL to ensure that both projects can be delivered across the site. It is also vital that AGL continue to engage with Transport in subsequent development stages to resolve the interfacing impact between the proposed development and M12RT project.	AGL shall continually liaise with Transport on the design of both State Significant Project proposals to ensure both can be delivered in this constrained area.	Yes	<p><i>CU-1: AGL would continue to engage with Transport for NSW as to the collaborative design and construction processes to reduce the cumulative visual impact of the projects (the Proposal and M12RT project).</i></p>
3	It is noted that the EIS does not make any commitments to providing a project that adequately allows for the provision of the M12RT project in Section 9, Mitigation and Management.	The EIS needs to provide further detail ensure that the M12RT project can be constructed and that there are no future constraints to the operation of the road network, particularly Old Punt Road.	Partial	<p><i>CU-1 only commits to consultation, not actions and conditions of approval.</i></p> <p>Some of the mitigation measures listed <i>T-1 to T-8</i> address issues in part. Details referenced below against specific items.</p>

	TfNSW Issue	TfNSW Previously Required Outcome in Submission	Addressed Adequately	TfNSW Submissions Report Response
4	<p>Transport has recently tabled a key design change to AGL in the area of their proposal. This redesign would minimise the interaction between the M12RT project and the proposal across AGL land, supporting the position above. A copy of our current strategic design, which AGL indicated initial support, is attached. (Please note this design is currently being developed into a concept design level of detail for the M12RT EIS and is not finalised to date. There may be further changes required in this highly constrained location).</p> <p>The key changes that Transport has proposed include:</p> <ul style="list-style-type: none"> • Minimisation of the interchange requirements across the AGL proposal land • Relocation of the interchange to the existing intersection of Pacific Highway / Old Punt Road. • Upgrades to Old Punt Road to provide improved road conditions, including heavy vehicle access to/from Tomago. 	AGL shall liaise with Transport for NSW, and ensure the proposal enables design and construction of the M12RT project.	Partial	<p>AGL have recognised the need for continued consultation (<i>CU-1</i>) but have not made critical commitments to ensure the delivery of the M12RT project.</p> <p>There have been major changes made to address major conflicts of the two infrastructure projects and there needs to be adequate commitments / conditions applied to the proposed Power Station to ensure the long term viability of the road network.</p> <p>Refer to following comments below.</p>

	TfNSW Issue	TfNSW Previously Required Outcome in Submission	Addressed Adequately	TfNSW Submissions Report Response
5	The Proposal includes major utility connections across / within the Old Punt Road corridor. There have been no mitigation measures and limited details included addressing the manner in which these proposed works will be constructed or protected to ensure that Old Punt Road can be upgraded and continued to be maintained in the future.	In this regard, AGL shall provide plans detailing how these utilities works are going to be constructed, protected and maintained in the future.	No	<p>The critical commitments include:</p> <p><i>T-6: Prior to construction of the Proposal, AGL undertakes to share designs and collaborate with Transport for NSW to ensure that there is no restriction to the development of the M12RT project and associated local or state roads.</i></p> <p>T-6: This only commits to collaboration, this does not address the issues that are specifically required to be included as commitments or conditions for approval to ensure the M12RT project and road network is not impacted.</p> <p><i>T-7: AGL will design proposed utilities to be adequately protected and/or have suitable vertical clearance so as not to limit the current operation of the road reserve. AGL undertakes to collaborate with Transport for NSW upon finalisation of the M12RT design/exhibition to ensure that there is no restriction to the development of local and state roads relevant to M12RT.</i></p> <p>T-7: This only commits to addressing the <u>current</u> operation of the road network conditions and only collaborating on the future network, which is unacceptable and against all consultation to date.</p> <p>The commitment and associated condition needs to include a requirement for all protection measures to provide for the future operation of the road network, particularly the design and construction of the M12RT.</p>

	TfNSW Issue	TfNSW Previously Required Outcome in Submission	Addressed Adequately	TfNSW Submissions Report Response
6	The Proposal includes major utility connections across / within the Old Punt Road corridor. There have been no mitigation measures and limited details included addressing the manner in which these proposed works will be constructed or protected to ensure that Old Punt Road can be upgraded and continued to be maintained in the future.	<p>The issues to consider include:</p> <p>Gas Utilities</p> <ol style="list-style-type: none"> 1. Transport is aware that there are existing gas utilities in the Old Punt Road corridor. AGL should assess whether these utilities that are being connected to are adequately protected and enable future road upgrades along Old Punt Road. 2. The future connections to the proposal should be located where they are adequately protected and / or relocated to ensure there are no conflicts with the future construction of the M12RT and associated upgrade to Old Punt Road. 3. The AGL proposal suggests directional drilling of major gas utilities across the Old Punt Road corridor at depths of only 900-1200 deep. This is very likely to impact on M12RT constructability and maintenance as well as the current assets within the Old Punt Road corridor. 	No	<p>While more information and clarification has been provided in Section 4.3 of the Submissions Report, there are still the following issues:</p> <ol style="list-style-type: none"> 1. T-7 only commits to providing protection for current road conditions and collaboration with TfNSW regarding the M12RT project is inadequate for a commitment or condition. 2. T-7 only commits to providing protection for current road conditions and collaboration with TfNSW regarding the M12RT project is inadequate for a commitment or condition. 3. AGL have provided clarification that directional drilling would be lower than 1200mm but do not define or prescribe a distance they are willing to commit to achieving. While they describe that it will be deep enough to avoid impacts to the road and existing services it is left undefined and also does not recognise the potential impacts to the future construction of the M12RT. The information provided for the M12RT design includes the alignment of Old Punt Road moving to the immediate north and there has been no recognition or commitment to cater for this change. Without adequate design and protection of this directional drilling asset it is likely to cause major construction management issue for the M12RT project and long term operational management of the road.

	TfNSW Issue	TfNSW Previously Required Outcome in Submission	Addressed Adequately	TfNSW Submissions Report Response
7	The Proposal includes major utility connections across / within the Old Punt Road corridor. There have been no mitigation measures and limited details included addressing the manner in which these proposed works will be constructed or protected to ensure that Old Punt Road can be upgraded and continued to be maintained in the future.	<p>Transgrid Utilities</p> <ol style="list-style-type: none"> 1. The provision of the new Transgrid connection to the facilities has been discussed during the development of the project. Clearance heights over Old Punt Road were raised as an issue that AGL would need to investigate further. It is unclear from the EIS what clearances have been provided from and over Old Punt Road. 2. The clearance heights over Old Punt Road should be consistent with over clearance over Tomago Road. Old Punt Road is a major heavy vehicle access road into the major Tomago industrial area. This road carries oversize/overmass (OSOM) vehicles regularly and this needs to be included in the design of the Transgrid utility connection. 3. Vertical clearance heights along the M12RT have been required to be at 12m. Old Punt Road is proposed as a major interchange connection to the M12RT. The vertical clearance provided over Old Punt Road should be subject to Transport and Transgrid agreement. 4. The new Transgrid towers should be located a suitable clearance from the Old Punt Road reserve to ensure Council / Transport have no horizontal clearance issue to manage in the future. 	No	<p>While more information and clarification has been provided in Section 4.3 of the Submissions Report, there are still the following issues:</p> <ol style="list-style-type: none"> 1. T-7 only commits to providing vertical clearance for current road conditions and collaboration with TfNSW regarding the M12RT project is inadequate for a commitment or condition. The M12RT design has changed design to allow the Power Station proposal to proceed across the site and relocated the Motorway interchange to Old Punt Road. The M12RT is a Motorway standard road caters for large over-size/over-mass vehicles and the proposed Transgrid connection to the Power Station must not impact upon accessibility in/out of Tomago or this Motorway access strategy. A condition is required to be imposed that the vertical clearance of Transgrid lines over Old Punt Road must be no lower than the existing Transgrid lines that cross Old Punt Road. 2. As above. 3. As above. 4. T-7 only commits to providing vertical clearance, not horizontal clearance. This is inadequate for a commitment or condition to ensure TfNSW does not have horizontal clearance issues when upgrading Old Punt Road for the M12RT project.

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8	All heavy vehicles accessing the site would do so via the intersection of the Pacific Highway / Old Punt Road. However, assessment of traffic impact at this intersection has not been provided with TIA. It is noted that a typical peak operation could see up to 120 B-Double tanker movements per day (in and out).	It is recommended to undertake traffic impact assessment on intersection of the Pacific Highway / Old Punt Road. Analysis should also be provided to demonstrate the longest B-Doubles servicing NPS site can safely complete a left hand turn to Pacific Highway.	Partial	While additional traffic impact assessment (TIA) at the intersection of the Pacific Highway and Old Punt Road was carried out by SECA solutions, TIA does not demonstrate the longest B-Doubles servicing the Proposal can safely complete a left hand turn to Pacific Highway.
9	It should also be noted that there doesn't appear to be an assessment of OSOM vehicles required to access the site during construction.	AGL should be required to identify and provide an adequate assessment of how these larger heavy vehicles would be accessing the site. Any road improvements as a result of this assessment would be the responsibility of AGL to develop and construct prior to construction of the proposal.	Partially	<i>T-3 Over Size Over Mass vehicle requirements would be addressed in Traffic Control Plans within the CTMP.</i> EIS has committed to the provision of a CHR/s turn treatment at the site access point off Old Punt Road. However, other than T-3, no other assessment has been completed or committed for any other road improvement works that may be required for large vehicles to access the site.

10	<p>The proposed access from Old Punt Road would need to be adapted to the proposed Transport upgrade to Old Punt Road. The NPS proposal shall include the upgrade of Old Punt Road to accommodate the largest service vehicles accessing the AGL site as part of the AGL project. Further design will be required from AGL and will need to be adapted to fit to the upgrades required on Old Punt Road. In order to allow for right turns into the site access to occur in a safe, a channelised right turn treatment (CHR(S)) on Old Punt Road southbound has been proposed.</p>	<p>The road and intersection upgrade would be the responsibility of AGL. The upgrade work should comply with relevant standards appropriate for major heavy vehicle access.</p>	Partial	<p><i>T-5: A CHR turn treatment on Old Punt Road is required to allow for the safe movement of construction traffic turning right into the site and to prevent queuing of vehicles along Old Punt Road. This must be designed in accordance with the Austroads Guidelines and to the satisfaction of PSC and Transport for NSW.</i></p> <p>The above condition is suitable with the additional comments included:</p> <ul style="list-style-type: none"> • This would include full pavement reconstruction across the full road width that adapts to the M12RT design. • The trenching of the gas utilities is in the location of the proposed intersection. The conditions would include full protection of the gas utility and pavement reconstruction within the scope of the intersection upgrade. • Upgrade to the intersection prior to substantial works commence on site. <p><i>T-8: AGL would design the access from Old Punt Road to integrate appropriately with any development proposal designs for the upgrade of Old Punt Road that are exhibited prior to commencement of the construction of the Proposal.</i></p> <p>T-8 is inadequate as AGL could start construction immediately after EIS approval and the commitment is negated. TfNSW is targeting display of the EIS in 2021 but is in a position to provide more than adequate information to enable the AGL proposal to progress.</p> <p>Proposed changed wording: <i>T-8: AGL would design the access from Old Punt Road to integrate appropriately with any</i></p>
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				development proposal designs for the upgrade of Old Punt Road as part of the M12RT.
11	No potential hold area / point is proposed along the access road for at least 100m for allowing free flow into the site, noting that up to 66 truck movements and 270 staff movements are estimated for the AM peak hour construction traffic.	The access road shall be designed to ensure no queuing onto Old Punt Road at the site access. Design of internal roads and service area would only be confirmed as part of the detailed design for the site. As the application seeks approval for construction and operation of the power station, it is requested that a layout of the internal roads and service area be included (as stipulated in the SEARs - site plans and maps at an adequate scale showing the location and dimensions of all project components) and provide analysis that demonstrates adequacy of accommodating OSOM vehicles to access the site.	Partial	<p><i>T-5: A CHR turn treatment on Old Punt Road is required to allow for the safe movement of construction traffic turning right into the site and to prevent queuing of vehicles along Old Punt Road. This must be designed in accordance with the Austroads Guidelines and to the satisfaction of PSC and Transport for NSW.</i></p> <p>The above condition is suitable with the additional comments included:</p> <ul style="list-style-type: none"> • This would include full pavement reconstruction across the full road width that adapts to the M12RT design • The trenching of the gas utilities is in the location of the proposed intersection. The conditions would include full protection and pavement reconstruction within the scope of the intersection upgrade • Upgrade to the intersection prior to substantial works commence on site.
12	It is optimal for Old Punt Road upgrade and / or utility works (e.g. gas transmission and storage pipelines, and overhead electrical) to be completed as early stage in the AGL program (prior to power plant) to minimise the impact on existing road impacts and enable delivery of the M12RT project. It is noted that through discussions with AGL that the proposal construction works are intended prior to the likely timing for construction of the M12RT project.	<ol style="list-style-type: none"> 1. All road works required to cater for the proposal shall be constructed prior to substantial commencement of the NPS project. 2. AGL shall install the assets in a manner that creates no limitations on the construction and /or operation of the road reserve (e.g. full protection of underground assets that facilitates road construction / operation, and design and construction of above ground assets that has suitable clearances in the road reserve that does not create constraint for Transport construction and operation in the road reserve). 	No	<ol style="list-style-type: none"> 1. No commitment to completing road works prior to substantial construction on site. See previous comments. 2. See all TfNSW issue responses which includes proposed additional conditions relating to completion of road works.

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13	The proposed emergency access point in north east corner of NPS site will likely interfere with proposed M12RT and it is not suitable to put vehicles on to the Pacific Highway or proposed motorway.	The EIS needs to provide further details, and undertake further consultation on this emergency access point prior to Transport accepting the location of the emergency access connection. Its location and design will need to adapt to the M12RT design through this area.	No	DPIE should consider the critical nature of this issue and advise whether it needs to be resolved now. The western side of the proposal is bound by the Motorway and the Pacific Highway. TfNSW have stated the unsuitable nature of access along this boundary. AGL needs to identify the emergency access location and design prior to approval if they wish to access these roads for this purpose.
14	The report identified the use of OSOM vehicles.	It is recommended that management of OSOM vehicle movements be included in the construction traffic management plan (CTMP).	Yes	T-3
15	The aboriginal heritage report highlights that Roads and Maritime Services will complete salvage on part of the AGL site, however as AGL will impact the heritage sites prior to Transport works, the cultural heritage salvage must be more comprehensively addressed in the AGL EIS.	Noting the timing of construction, if approval is being sought across the entire AGL site, there shall not be a reliance on Transport to address these issues as our actions can only be carried out after M12RT project approval is granted.	Yes	Clarification included removing any responsibility from TfNSW as part of this proposal.
16	There has been inadequate monitoring and modelling complete to demonstrate what the impacts of both construction and operational surface water discharges to the area affected by the M12RT project. Aquatic species protection thresholds do not appear to align with ANZECC and/or NSW SWQ objectives.	Appropriate and consistent criteria thresholds should be applied to the operation of the site. Any potential discharges to surface water or ground water should be confirmed by the appropriate regulatory authority to enable cumulative impact assessments to be made by both projects. Further monitoring and modelling needs to be completed prior to approval to understand direct and cumulative impacts of the proposed discharges with regards to M12RT.	Yes	TfNSW would appreciate drainage design plans and assessment to enable simple integration into the M12RT project in future. This can be managed through CU-1.