



Planning



NEW SOUTH WALES
**MAJOR DEVELOPMENT
MONITOR** 2008–09

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Director-General's foreword



I am pleased to present the Major Development Monitor 2008–09, the fourth annual report of its type to be published. It is a major resource about the work of the Department of Planning and NSW Government in the assessment of development proposals and local environmental plans.

Over the last 12 months, the NSW Government has worked to meet the economic challenges of the global financial crisis, at the same time as helping make our planning system more accountable and transparent.

For instance, during 2008–09, the overall number, capital investment value and potential job creation of determined projects in 2008–09 was the highest since the publication of the first Major Development Monitor for 2005–06. The Major Development Monitor 2005–06 reported on the first year of operation of the Part 3A system.

Furthermore, this report finds that the increase in determination activity for Part 3A projects was largely due to an increased focus by the Minister and Department to determine projects already lodged in a timely manner. This increased focus has the advantage of securing outcomes to create investment certainty, which is particularly important during a period of significant economic uncertainty.

Overall, there was an increase in the number of determinations of new Part 3A projects (excluding modifications) from 82 in 2007–08 to 129 in 2008–09 – a jump of more than 50 per cent.

There were some important initiatives to further improve the assessment process during 2008–09. For instance, independent experts at the Planning Assessment Commission (PAC) began their work during the year to review and determine many projects. In addition, in late 2008, the NSW Government implemented new political donations disclosure laws, to improve transparency in the planning system.

I should point out that this report not only lists major projects determined during 2008–09, but a range of projects from previous years that are now complete or under construction. This includes hospital projects at Auburn, Liverpool, Queanbeyan and the Macquarie University, along with infrastructure projects such as the Kurnell desalination plant, various wind farms and the Kingsgrove to Revesby rail line expansion.

In addition to assessing major projects, the Department has also been busy in the assessment of potential State significant sites and has worked closely with local councils throughout the year in the preparation of local environmental plans.

I hope you find the report of interest.

A handwritten signature in black ink that reads "SHaddad". The signature is written in a cursive style with a horizontal line underneath the name.

Sam Haddad
Director-General

Introduction



The Major Development Monitor 2008–09 outlines the work of the NSW Department of Planning and Minister for Planning in assessing and determining development proposals and Local Environmental Plans (LEPs).

It has a particular focus on the operation of the major projects assessment system. This system comprises Part 3A of the Environmental Planning and Assessment Act (EP&A Act) and the Major Development State Environmental Planning Policy (Major Development SEPP).

The major projects assessments system has some unique aspects, in comparison to the assessment system used by local councils. These unique aspects include that the system:

- Has been specifically designed to provide a thorough and detailed assessment of complex major projects of regional or State significance;
- Ensures projects are only allowed on public exhibition if they meet rigorous requirements;
- Requires developers to publicly respond to submissions lodged during the exhibition period – often leading to major amendments;
- Defines in the one location the types of projects which come to the NSW Government for decision (previously some 85 different instruments outlined the government's assessment role);
- Achieves an integrated assessment outcome, allowing the one assessment authority to consider and resolve a range of different issues.

The Department continues to assess some projects, including Sydney Harbour and alpine projects, under Part 4 of the EP&A Act.

The Major Development Monitor 2008–09 also reports on the work of the Department and Minister in vetting and approving proposed LEPs. The Department's LEP Review Panel provides upfront advice to local councils about proposed LEPs.

THE PART 3A ASSESSMENT SYSTEM IN 2008–09: HOW IT WORKED

148 projects declared to be assessed under Part 3A

219 Director-General's requirements issued for projects. Developers needed to address these requirements for a project's environmental assessment to be placed on public exhibition

162 environmental assessments declared as adequate – able to proceed to public exhibition

72 environmental assessments declared as inadequate – not able to proceed to public exhibition unless amended

148 project environmental assessments placed on public exhibition for a minimum of 30 days

9,308 submissions received to exhibited projects

169 documents received from developers responding to submissions, often amending the project after considering feedback

129 new Part 3A projects determined

106 modifications determined through Part 3A process

\$6 billion in concept plan approvals

\$10 billion in project plan approvals

Major development proposals lodged during 2008–09



NON-DISCRETIONARY PROPOSALS

The Major Development SEPP defines what projects over established thresholds automatically come to the NSW Government for assessment and determination, rather than the local council. These non-discretionary proposals typically fall into the following categories:

- agriculture, timber, food and related industries
- mining, petroleum production, quarries and associated processing industries
- chemical, manufacturing and related industries
- general manufacturing, distribution and storage facilities
- tourism and recreational facilities
- health and public service facilities
- transport, energy and water infrastructure
- resource and waste-related industries.

The Major Development SEPP sets a threshold, such as capital investment value or employment generation, above which a proposal in one of the categories listed above automatically comes to the Department as a major project. These thresholds reflect proposals which are likely to have wider regional or State significance and impacts – for instance major employment generation or potential environmental impacts.

As well, some proposals in regionally-important locations, such as the coastal zone and specified urban sites including Sydney Olympic Park and Newcastle's Honeysuckle precinct, come directly to the Department through the Major Development SEPP.

During 2008–09, a total of 126 non-discretionary proposals were declared as major projects.

As in previous years, the vast majority (85%) of proposals automatically came to the Department because they met thresholds in the Major Development SEPP, rather than being 'called-in' as discretionary projects.

148 major projects declared

22 of these projects 'called-in' by Minister

85 per cent of declared Part 3A projects were non-discretionary and automatically came to NSW Government

DISCRETIONARY PROPOSALS

While most projects are assessed by the Department because they automatically meet relevant thresholds in the Major Development SEPP, a minority of projects are 'called-in' on a discretionary basis. Further information on discretionary proposals is provided below.

Commercial, retail or residential projects over \$50 million

During 2008–09, 15 proposals were 'called in' under Clause 13 of Schedule 1 of the Major Projects SEPP (now the Major Development SEPP). Under Clause 13, as it operated in 2008–09, projects could be 'called in' if they were commercial, retail or residential proposals valued at more than \$50 million and were deemed to be of regional or State significance.

In July 2009, Clause 13 was amended and this 'call-in' provision no longer exists in the Major Development SEPP. Now, commercial, retail or residential projects that are:

- Valued over \$100 million come to the NSW Government for assessment and determination;
- Valued between \$10 million and \$100 million are assessed by the local council and determined by Joint Regional Planning Panels;
- Valued under \$10 million are assessed and determined by the local council.

Commercial, residential or retail projects that exceed the \$100 million threshold must also be permissible in the relevant zone (unless a concept plan has been authorised). The Department also reserves the right to seek amendment of proposals where it considers the application is excessive in

height, floor space or there are other significant planning issues.

This policy change has several benefits, including providing increased certainty as to who is responsible for determining projects and returning assessment powers back to local councils for projects valued under \$100 million.

Major projects declared by order

The Minister has an ongoing ability under the EP&A Act to declare any project to be subject to a Part 3A assessment. A similar power has existed since the inception of the EP&A Act in 1979.

A total of seven projects were declared Part 3A projects in this fashion in 2008–09.

State significant sites

The Minister may also agree to consider an area as a State significant site, because of its environmental planning significance to the State.

The State significant site process allows a detailed examination of the zoning and development standards for a particular area determined to be of major importance for the State. Often, this zoning examination can proceed alongside consideration of a specific development proposal under Part 3A of the EP&A Act – providing a streamlined and concurrent assessment process.

The Minister agreed to consider the following projects as potential State significant sites:

- Calderwood site, Wollongong and Shellharbour;
- Newcastle Airport expansion and adjacent business park, Port Stephens;
- Tuggerah town centre, Wyong;
- Linnwood site, Holroyd;
- Rise Estate, Bilambil Heights, Tweed

The statistics above include projects lodged under the major projects assessment system (Part 3A of the EP&A Act and the Major Development SEPP). In addition, 91 development applications were lodged under Part 4 of the EP&A Act.

CASE STUDY

TUGGERAH TOWN CENTRE

The Central Coast Regional Strategy identifies Tuggerah-Wyong as the Central Coast's major centre that will perform vital economic, employment, civic, cultural and recreation roles for the north of the region. As expressed by the regional strategy, part of the 25-year vision for Tuggerah-Wyong is to deliver 5,500 jobs and 4,000 residential dwellings over this time.

In January 2009, the Minister agreed to consider the proposed town centre as a potential site of State significance, following support for this step from Wyong Council. The State significant site study process will be led by the Department in close consultation with Wyong Council to ensure local knowledge and resources assist the outcome. The State significant site study will help to deliver a coordinated planning regime for the Tuggerah town centre that is consistent with the aims of the Central Coast Regional Strategy for the broader Wyong-Tuggerah Major Centre.

CASE STUDY

WAH WAH PIPELINE PROJECT

In February 2009, the Minister declared a proposal for the \$40 million Wah Wah stock and domestic water pipeline in the Murrumbidgee Irrigation Area a major project of State and regional significance.

Had the proposal not been declared a discretionary major project under Part 3A of the EP&A Act, the project would have needed approval from two councils, Carrathool and Hay, operating under different planning controls. Other separate approvals would have been required under the Water Management Act and National Parks and Wildlife Act.

Murrumbidgee Irrigation proposes to replace an existing 1500 kilometre open earth channel with a pressurised piped system. The project covers 70 landholdings and an area of around 240,000 hectares.

The proposal has the potential for major water savings through reduced evaporation. While the landholdings are currently entitled to 2 gegalitres per annum of stock and domestic water, it takes 10 to 12 gegalitres via the open channel to supply this entitlement. The Murrumbidgee Irrigation Area contributes over \$5 billion annually to the national economy.



An example of an open irrigation channel, similar to those to be replaced by a pipeline at Wah Wah. Image courtesy NSW Office of Water.

TABLE 1– DISCRETIONARY MAJOR PROJECTS DECLARED 2008–09

Site	Project description	Decision date	How declared
Military Rd, Port Kembla	Demolition of former Port Kembla copper smelter	10/07/2008	Specific order
Tempe Tip Site, Marrickville	Retail - IKEA	04/09/2008	Commercial, retail or residential projects over \$50 million
Rise Estate, Bilambil Heights, Tweed	Residential, education, retirement village, retail, recreation	30/09/2008	Commercial, retail or residential projects over \$50 million
Berry and Walker Street, North Sydney	Commercial and hotel	16/12/2008	Commercial, retail or residential projects over \$50 million
Old Canterbury Road, Lewisham	Mixed-use	02/01/2009	Commercial, retail or residential projects over \$50 million
Cardinal Freeman Village, Ashfield	Renewal, refurbishment and expansion of existing aged care facility	07/01/2009	Commercial, retail or residential projects over \$50 million
Arncliffe St and Princes Highway, Wolli Creek	Mixed-use	12/01/2009	Commercial, retail or residential projects over \$50 million
Newcastle Airport	Transport infrastructure - Airport expansion	12/01/2009	Specific order
Edrom Rd, Eden	Energy infrastructure - Biomass-fired power station	01/02/2009	Specific order
Route of CBD Metro	Transport infrastructure - CBD Metro	05/02/2009	Specific order
M2 Motorway	Transport infrastructure - M2 Motorway Upgrade	24/02/2009	Specific order
Pipeline across Hay and Carrathool Councils	Water infrastructure - Wah Wah Stock and Domestic Piping Project	26/02/2009	Specific order
Killalea State Park Tourist Facility	Tourism project	04/03/2009	Specific order
Mount Street, North Sydney	Commercial and retail	04/03/2009	Commercial, retail or residential projects over \$50 million
West Parade, West Ryde	Mixed use residential/ commercial	25/03/2009	Commercial, retail or residential projects over \$50 million
Proposed Tuggerah Town Centre site	Mixed-use town centre site	27/03/2009	Commercial, retail or residential projects over \$50 million
Calderwood site, Wollongong and Shellharbour City Councils	Residential, open space, neighbourhood centre and infrastructure	16/04/2009	Commercial, retail or residential projects over \$50 million
Calderwood concept application	Residential, open space, neighbourhood centre and infrastructure (as above)	16/04/2009	Commercial, retail or residential projects over \$50 million
Thomas Street car park, Chatswood	Residential, retail, commercial	24/04/2009	Commercial, retail or residential projects over \$50 million
Parramatta Rd, Auburn	Retail, commercial, warehouse -Costco	01/06/2009	Commercial, retail or residential projects over \$50 million
Lakes Way, Forster	Retail - Big W and Woolworths	30/06/2009	Commercial, retail or residential projects over \$50 million
George St, Parramatta	Commercial and retail	30/06/2009	Commercial, retail or residential projects over \$50 million

CRITICAL INFRASTRUCTURE

Some proposals which are declared major projects can also be declared by the Minister for Planning as a critical infrastructure project. Critical infrastructure projects are considered to be essential for the State because of economic, environmental or social reasons.

The environmental assessment process for critical infrastructure projects is generally the same as for any other major project. This includes ensuring members of the public can comment on proposals and requiring proponents to respond to these comments. However, as the project has been declared essential to the State, only State Environmental Planning Policies that explicitly relate to the critical infrastructure project need to be considered and legal proceedings may not be taken in relation to a critical infrastructure project except by the Minister or with the Minister's support.

During 2008–09, the following new projects were declared critical infrastructure via an order in the NSW Government Gazette:

- Tillegra dam project;
- Murrumbidgee to Googong water transfer project;
- M2 motorway upgrade from Baulkham Hills to North Ryde;
- The Hume Highway bypass of Tarcutta;
- The Hume Highway bypass of Woomargama; and
- The Hume Highway bypass of Holbrook

Last year, the Minister declared all electricity generation facilities with capacity above 250 megawatts as critical infrastructure projects. A number of projects met this criterion in 2008–09, including:

- Mount Piper power station expansion;
- Munmorah power station rehabilitation;
- Bayswater B power station;
- Sapphire wind farm, near Inverell;
- Yass wind farm, near Yass; and
- Boco Rock wind farm, near Nimmitabel

DELEGATION OF DETERMINATIONS TO LOCAL COUNCILS

During 2008–09, the Minister delegated the determination of some coastal projects to local councils. The Minister took this action in regard to some subdivisions, small-scale recreational, marina or tourist facilities and tall buildings deemed to be of local environmental planning significance.

This allowed planning powers to be returned to local councils for proposals which technically met the criteria set in the Major Development SEPP but were determined to be locally significant after an examination by the Department. The determination of 61 coastal projects was delegated to local councils in 2008–09. This is a major increase over 2007–08, when 20 coastal projects were delegated.

Significant changes were made to the Major Development SEPP in July 2009, to support the introduction of Joint Regional Planning Panels (JRPP).

These changes returned the assessment and/or determination of a range of coastal projects to local councils, which is likely to reduce the need to give project specific delegations from the Minister during 2009–10 and in future years.



TABLE 2 – PROJECTS DELEGATED TO LOCAL COUNCILS FOR DETERMINATION 2008–09

Project	Council
33 lot residential subdivision, Mullumbimby	Ballina Shire Council
Recreational vehicle park, Princes Highway, Millingandi	Bega Valley Shire Council
Two lot rural residential subdivision, Wallaga Lake Road	Bega Valley Shire Council
Two lot subdivision, Princes Highway, Greigs Flat	Bega Valley Shire Council
29 lot subdivision, Princes Highway, Greigs Flat	Bega Valley Shire Council
Three lot rural residential subdivision, Wonboyn Village	Bega Valley Shire Council
Seven lot rural residential subdivision, Millingandi	Bega Valley Shire Council
Expansion of existing tourist facility, Merimbula	Bega Valley Shire Council
Ivor Jones Drive, Wonboyn Lake	Bega Valley Shire Council
Subdivision, Millingandi Ridge Road, Millingandi	Bega Valley Shire Council
18 cabin tourist facility and convention centre, Waterfall Way, Bellingen	Bellingen Shire Council
Cabarita Marina, 142 Cabarita Road, Cabarita	Canada Bay City Council
Residential subdivision, Bellbird	Cessnock City Council
Three lot rural residential subdivision, Chatsworth	Clarence Valley Council
Opal Cove Resort, Opal Cove, Korora	Coffs Harbour City Council
Residential subdivision, North Boambee Valley	Coffs Harbour City Council
Four lot residential subdivision, Banyandah	Eurobodalla Shire Council
Nine lot rural residential subdivision, Rosedale	Eurobodalla Shire Council
Commercial building (Centrelink), Batemans Bay	Eurobodalla Shire Council
Four storey mixed use development, Terrigal Esplanade	Gosford City Council
Four storey mixed use development, 74 Terrigal Esplanade	Gosford City Council
4th floor to existing 3 storey building, Terrigal	Gosford City Council
12 lot residential subdivision, Forster	Great Lakes Council
Seven lot subdivision, Boomerang Beach	Great Lakes Council
51 lot residential subdivision, Harrington Waters	Greater Taree City Council
Six lot rural-residential subdivision, Arakoon	Kempsey Shire Council
Two lot residential subdivision, Fisherman's Reach	Kempsey Shire Council
Six lot residential subdivision, Fisherman's Reach	Kempsey Shire Council
Commercial-residential development, Gerringong	Kiama Municipal Council
Pacific Highway and Balfour St, Lindfield	Ku-ring-gai Council
90 unit retirement village, Toronto	Lake Macquarie City Council
Manufactured home estate, Redhead	Lake Macquarie City Council
Mixed use development, Toronto	Lake Macquarie City Council

Project	Council
Eco-tourist Cabins, Dunbogan	Port Macquarie-Hastings Council
Residential flat buildings, Port Macquarie	Port Macquarie-Hastings Council
Two lot subdivision, Oyster Cove	Port Stephens Council
Four lot subdivision, Bawley Point	Shoalhaven City Council
Alterations and additional sites at Holiday Haven Tourist Park, Shoalhaven Heads	Shoalhaven City Council
Alterations to existing caravan park, Fegan, Huskisson	Shoalhaven City Council
Alterations to Holiday Haven Tourist Park, Lake Conjola	Shoalhaven City Council
Alterations to Holiday Haven Tourist Park, Prince Edward Avenue	Shoalhaven City Council
Alterations to Holiday Haven Tourist Park, Lake Tabourie	Shoalhaven City Council
Alterations to Holiday Haven Tourist Park, Cambewarra	Shoalhaven City Council
Alterations to Holiday Haven Tourist Park, Waratah	Shoalhaven City Council
Redevelopment of tourist accommodation, Sussex Inlet	Shoalhaven City Council
Proposed telecommunications facility, Bendalong	Shoalhaven City Council
Tourist development, Cudmirrah	Shoalhaven City Council
12 McDonald Street, Cronulla	Sutherland Shire Council
Cronulla Sharks mixed use hotel, seniors living, retail development, Woolooware	Sutherland Shire Council
Mixed-use tall coastal building, Cronulla	Sutherland Shire Council
13 lot rural residential subdivision, Terranora	Tweed Shire Council
37 lot residential subdivision, Casuarina	Tweed Shire Council
Five lot residential subdivision, Bogangar	Tweed Shire Council
Nine lot rural residential subdivision, Cobaki	Tweed Shire Council
Rural-residential development, Bilambil Heights	Tweed Shire Council
Residential subdivision, New Tweed Coast	Tweed Shire Council
Residential subdivision, Blocks B1 & B2, Casuarina Way, New Tweed Coast	Tweed Shire Council
Retirement village, Kingscliff	Tweed Shire Council
Tourist development, Wooyung	Tweed Shire Council
Residential, 105 Ramsgate Avenue, Bondi	Waverley Council
Retail development, Corrimal	Wollongong City Council

Development decisions made during 2008–09

FAST FACTS

\$6 billion approved concept plans	27,702 potential jobs from approved concept plans	\$10 billion approved project applications	26,551 potential jobs from approved project applications	\$2.5 billion in modifications
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TABLE 3 – APPROVALS OVERALL 2008–09

	Approvals	Construction jobs	Operational jobs	Total jobs	Capital investment value
Minister					
Part 3A					
Concept	21	11,848	14,704	26,552	\$6,034,698,630
Project	98	14,000	11,708	25,708	\$10,367,594,502
<i>Total Part 3A</i>	<i>119</i>	<i>25,848</i>	<i>26,412</i>	<i>52,260</i>	<i>\$16,402,293,132</i>
Part 3A Modification	9	2,500	12,087	14,587	\$2,536,594,000
Part 4	16	1	0	1	\$3,306,760
Part 4 Modification	6	0	0	0	\$6,885,858
Total	150	28,349	38,499	66,848	\$18,949,079,750
Department					
Part 3A					
Concept	1	0	0	0	\$0
Project	5	205	28	233	\$39,814,632
<i>Total Part 3A</i>	<i>6</i>	<i>205</i>	<i>28</i>	<i>233</i>	<i>\$39,814,632</i>
Part 3A Modification	97	133	81	214	\$40,266,500
Part 4	87	119	68	187	\$24,910,354
Part 4 Modification	99	171	43	214	\$89,145,000
Total	289	628	220	848	\$194,136,486
Planning Assessment Commission					
Part 3A					
Concept	1	550	600	1,150	\$120,000,000
Project	1	110	500	610	\$72,000,000
<i>Total Part 3A</i>	<i>2</i>	<i>660</i>	<i>1,100</i>	<i>1,760</i>	<i>\$192,000,000</i>
Part 3A Modification	0	0	0	0	\$0
Total	2	660	1,100	1,760	\$192,000,000
Grand Total	441	29,637	39,819	69,456	\$19,335,216,236

	Construction jobs	Operational jobs	Total jobs	Capital investment value
Refusals				
Part 3A				
Currawong, Project Application	25	2	27	\$33,700,000
Seniors Living Development (Project Application), Moruya East Village	144	28	172	\$41,549,260

DETERMINATION ANALYSIS

Overall figures

During 2008–09, the Minister and Department approved 441 projects and modifications. Of these approvals, some 233 were assessed under Part 3A of the EP&A Act and 208 under Part 4 of the EP&A Act.

Projects approved under Part 3A generally had the highest capital investment value and potential employment generation. Concept plans with a combined total value of \$6 billion were approved and project applications valued at \$10 billion were approved. Concept plans are typically an in-principle approval, which allows a broad overview of the development to be defined. Project applications provide a more detailed analysis of the proposed development and, if approved, allow construction to begin.

The overall number, capital investment value and potential job creation of determined projects in 2008–09 was the highest since the publication of the first Major Development Monitor for 2005–06. The Major Development Monitor 2005–06 reported on the first year of operation of the Part 3A system.

There were a similar number of projects declared as Part 3A projects during 2008–09, compared to 2007–08. Consequently, the increase in determination activity for Part 3A projects was largely due to an increased focus by the Minister and Department to determine projects already lodged in a timely manner. This increased focus has the advantage of securing outcomes to create investment certainty, which is particularly important during a period of significant economic uncertainty.

Overall, there was an increase in the number of determinations of new Part 3A projects (excluding modifications) from 82 in 2007–08 to 129 in 2008–09 – a jump of more than 50 per cent.

It should be noted that the overall number of determinations was also increased due to

responsibility for many small Part 4 development applications around Sydney Harbour shifting from the Sydney Harbour Foreshore Authority to the Department. Some 58 of these projects were determined in 2008–09.

Refusals

During 2008–09, two projects were refused. These were:

- Currawong project application;
- Moruya seniors living proposal project application.

In addition, 13 additional proposals were withdrawn by the proponent prior to determination.

The Part 3A system usually has a lower number of refusals than the assessment system used by local councils. This is because inappropriate or poorly-explained proposals are regularly removed from the system, before a final refusal is made.

For instance, unlike the Part 4 assessment system it largely replaced, the Part 3A system ensures that the key issues specific to every proposal are publicly outlined early in the assessment process. These key issues are listed in a statutory document known as the Director-General's requirements. A developer when submitting a proposal must adequately address issues outlined in the requirements, before the proposal is allowed to proceed to public exhibition.

During 2008–09, the Department deemed that 72 projects had submitted inadequate environmental assessments, an increase from last year when this decision was taken for 47 projects.

Furthermore, after the public exhibition period, the developer can be required to prepare a response to submissions or to amend its project to minimise impacts on the environment through a preferred project report. During 2008–09, some 169 of these documents were lodged with the Department.

The capital investment value and job potential figures related to determinations are

approximations with some margin for error. They are based on estimates, including from proponents. Some proponents do not supply any job figures and these projects are recorded as having a nil job creation figure despite in most cases their expected employment benefits.

Additionally, the Department or Minister may choose to enforce further major amendments to the project, along with strict conditions, as part of a project approval. Case studies outlining how various projects were amended during the assessment process are included in this report.

FIGURE 1 – TYPICAL STEPS IN THE ASSESSMENT OF MAJOR PROJECTS UNDER PART 3A OF THE EP&A ACT 1979

STEP 1 – PREPARATION OF ENVIRONMENTAL ASSESSMENT

Project declared to be assessed under Part 3A.

Proponent lodges a **project or concept application**.

Director General consults other agencies and local councils on matters to be addressed in an environmental assessment of the proposal. The **Director General's requirements** for environmental assessment are issued to the proponent.

Proponent prepares and submits a draft environmental assessment. The Director General determines whether the environmental assessment is adequate and OK to exhibit.

STEP 2 – EXHIBITION AND CONSULTATION

The Director General advertises and exhibits the **environmental assessment** for at least 30 days, notifies relevant parties and receives public submissions.

Proponent prepares a **response to the issues raised in submissions** and, if required, a **preferred project report** if changes are proposed.

At any stage, the Minister may request additional expert advice from the Planning Assessment Commission in relation to any aspect of the project.

STEP 3 – ASSESSMENT AND DETERMINATION

Director General prepares an **environmental assessment report**.

Decision made by Minister or Department to approve or refuse project.

Proponent is notified of the determination. Also people who made a submission are advised and the **notice of determination** is placed on the website.

PLANNING ASSESSMENT COMMISSION

In November 2008, the NSW Government established the Planning Assessment Commission (PAC), which both reviews and determines development proposals.

In its review role, the PAC can be asked by the Minister to provide advice to the Minister on any aspect of a development proposal. This review role replaces the work previously undertaken by independent hearing and assessment panels. This review may involve holding public hearings.

In its determination role, the PAC has a standing delegation to decide on proposals where a potential or perceived conflict of interest exists – such as where reportable political donations are involved.

Under this delegation issued on November 2008, the PAC determines project applications where:

- A reportable political donation has been lodged;
- It is located in the Minister's electorate;
- The Minister has a pecuniary interest.

The PAC does not determine project applications which have been declared critical infrastructure. The Minister may also delegate the determination of projects to the PAC on a case-by-case basis.

The PAC is independent of the Government, the Minister and the Department.

While the PAC members are appointed by the Minister they are not subject to the direction or control of the Minister, except in relation to administrative procedures.

The PAC provides additional confidence in the assessment system for major projects.



Planning Assessment Commission activities

		Referred	Returned	Determination/ Recommendation
Determination	Red Cross Research Facility	20/02/2009	23/02/2009	Approve
	IKEA development proposal	15/04/2009	27/04/2009	Approve
For independent advice	Oakdale Central Concept Plan and DHL Logistic Centre	12/12/2008	18/12/2008	Approve with conditions
	CUB site concept plan modification	18/12/2008	22/01/2009	Approve with conditions
	Shoalhaven Starches Expansion Project	30/12/2008	13/01/2009	Approve with conditions
	Review of four sites in Oxford Falls Valley for urban development	13/01/2009	30/04/2009	Sites not suitable for development
	Alterations and additions to the Star City casino complex	16/01/2009	21/01/2009	Approve with conditions
	Barangaroo concept plan modification 2	23/01/2009	06/02/2009	Approve with conditions
	Draft Sydney Regional Environmental Plan 30 Amendment 2 St Marys	12/02/2009	17/02/2009	Plan be made
	Draft Fairfield LEP 1994 Amendment No 122	12/03/2009	02/04/2009	Not to make the plan
	Tinonee – Rural residential development	17/03/2009	31/03/2009	Approve with conditions
	Hunter Economic Zone	31/03/2009	14/04/2009	Approve with conditions
	Draft South Sydney LEP 1998 Amendment No 19 – Green Square Town Centre	4/05/2009	25/05/2009	Plan be made
	Precinct Acceleration South West Growth Centre	07/05/2009	27/05/2009	Director General recommendation reasonable
	Dolphin Point – Residential subdivision	22/06/2009	current	–
For expert review and public hearings	Metropolitan Coal Project	14/11/2008	25/05/2009	Approve with conditions
	Riverside development at Tea Gardens	09/03/2009	current	–



Proposed IKEA development at Tempe.

CASE STUDY
PAC DETERMINATIONS

The PAC made its first determination in February 2009, when it granted approval for a \$72 million Red Cross medical research and development project.

The development will include a four-storey laboratory and office building with warehouse and distribution facilities for the Australian Red Cross at Alexandria near Green Square railway station, which will deliver 500 ongoing jobs once complete.

Due to the prominent location of the building, the approval included conditions requiring further approvals in relation to signage. Other conditions were also imposed in relation to water and energy efficiency, soil contamination and noise.

The Red Cross project was determined by the PAC because it lies within the Planning Minister's electorate. This circumstance also applied to a new IKEA showroom and warehouse proposed for the former Tempe Tip site. In this instance, delegation to

the PAC was also triggered because the proponent had made a declarable political donation.

The IKEA project, which the PAC approved in May 2009, will accommodate IKEA's Australian headquarters along with the country's largest IKEA store. The project represents a capital investment of \$120 million and will generate 600 ongoing jobs.

The heritage-listed ATECO building and clock tower will be retained, ensuring the local character and visual amenity of the area is conserved. The PAC also responded to community concerns about traffic arrangements by imposing a number of conditions on the approval. This included retaining the number of lanes available on the Princes Highway and removing a proposed right-hand turning bay to discourage customers from using residential streets.

The delegation of the Minister's approval authority to the PAC on these projects removed any potential perceived conflict of interest that may have arisen, delivering certainty in regard to the public's and the proponent's expectation that the assessment process be a fair and transparent one.



Proposed Red Cross development at Alexandria. Image Courtesy BVNArchitecture.

TABLE 4 – DETERMINATIONS BY SECTOR AND SUB-SECTOR 2008–09

Project sector and subsector	Assessment type					Employment generation		Capital investment value (\$)
	Part 3A	Part 3A Modifications	Part 4	Part 4 Modifications	Total	Construction jobs	Operational jobs	
Industry								
Aquaculture	1	–	–	1	2	1	0	150,000
Intensive livestock industries	–	–	–	1	1	0	0	0
Produce and food processing	4	–	–	2	6	395	458	398,427,248
Timber and paper plants	–	1	–	1	2	0	0	520,000
Chemical manufacturing	2	–	–	–	2	800	314	241,800,000
Distribution and storage	11	6	–	3	20	1,222	5,171	1,326,130,000
Other manufacturing	3	–	–	3	6	260	940	205,000,000
Extractive industries	8	3	0	5	16	25	124	23,807,000
Metal, mineral and extractive processing	2	1	–	2	5	333	155	784,000,000
Coal mining	9	12	–	16	37	692	904	564,494,500
Mineral mining	–	1	–	2	3	0	0	0
Petroleum extraction	2	–	–	4	6	70	6	70,000,000
Remediation	1	1	–	3	5	1	0	50,000
Resource recovery or waste	–	1	–	3	4	0	8	5,750,000
Tourism and Recreation								
Major sporting facilities	2	–	–	1	3	50	0	100,600,000
Tourist, convention and entertainment facilities	5	3	–	2	10	1,506	1,108	528,215,759
Infrastructure								
Electricity generation projects	9	3	–	2	14	1,692	188	3,160,500,000
Electricity infrastructure	–	1	–	–	1	10	–	2,800,000
Pipelines	1	–	–	–	1	600	25	600,000,000
Port and wharf facilities	–	2	2	9	13	1	0	1,950,000
Rail and related transport	1	–	–	1	2	150	0	100,000,000
Roads	4	7	–	1	12	1,300	30	1,539,000,000
Sewage and wastewater plants	1	7	–	–	8	120	15	100,000,000

Project sector and subsector	Assessment type					Employment generation		Capital investment value (\$)
	Part 3A	Part 3A Modifications	Part 4	Part 4 Modifications	Total	Construction jobs	Operational jobs	
Waterways and water supply works	3	5	–	–	8	177	2	404,000,000
Education	3	5	–	–	8	80	1,300	127,088,000
Hospitals and health-related	16	10	–	–	26	1,956	1,998	1,403,734,345
Coastal Projects								
Coastal area subdivision	15	1	1	8	25	3,185	331	475,165,198
Coastal tall buildings	1	1	–	–	2	100	20	14,974,922
Coastal area tourist development	2	1	–	3	6	150	200	55,023,232
Marinas	1	–	–	1	2	35	30	8,000,000
Sydney Harbour Foreshore projects*	–	–	47	11	58	111	70	14,176,193
Residential, Commercial and Retail								
Residential, commercial and retail	22	33	–	10	65	14,605	26,418	7,065,058,918
Other								
Advertising signage	–	–	12	–	12	0	0	1,195,000
Alpine projects	–	1	41	10	52	10	4	13,605,921
Total	129	106	103	105	443	29,637	39,819	19,385,886,236

* The above table includes two refusals for which the jobs and capital investment value are not counted

TABLE 5 – CONCEPT PLANS DETERMINED 2008–09 WITH BIGGEST CAPITAL INVESTMENT VALUE

Project site	Construction jobs	Operational jobs	Capital investment value (\$)	Date determined
Huntlee New Town, Branxton	N/A	2,000	1,600,000,000	09/02/2009
Bonnyrigg Living Centres project	265	111	700,000,000	12/01/2009
North Cooranbong residential precinct	4,880	N/A	587,472,000	15/12/2008
North Eveleigh precinct	600	3,450	550,000,000	16/12/2008
Freeway North business park, Beresfield	N/A	1,400	430,000,000	29/09/2008
Illawarra Regional Business Park	N/A	1,650	365,000,000	02/01/2009
Potts Hill Reservoir redevelopment	120	900	287,600,000	27/04/2009
Darling Walk project, Darling Harbour	3,000	3,300	280,000,000	09/07/2008
Pitt Town residential precinct	1,430	N/A	210,000,000	10/07/2008
Oakdale Central employment hub, Horsley Park	N/A	1,200	194,000,000	02/01/2009

TABLE 6 – PROJECT APPLICATIONS AND MODIFICATIONS DETERMINED 2008–09 WITH BIGGEST CAPITAL INVESTMENT VALUE

Project site	Construction jobs	Operational jobs	Capital investment value (\$)	Date determined
Silverton wind farm	700	120	2,000,000,000	24/05/2009
Carlton United Breweries Site modification	1,200	5,457	1,286,414,000	05/02/2009
Bluescope Cogeneration Plant project, Port Kembla steelworks	300	30	750,000,000	15/12/2008
Pacific Highway Upgrade, Kempsey to Eungai	500	10	727,000,000	10/07/2008
Acute Hospital and Community Health Facility, Royal North Shore Hospital	500	N/A	700,000,000	17/06/2009
Queensland-Hunter Gas Pipeline	600	25	600,000,000	11/02/2009
Barangaroo modification	1,000	6,600	500,000,000	16/02/2009
Pacific Highway Upgrade, Sapphire to Woolgoolga	500	10	465,000,000	13/01/2009
Wellington Gas-Fired Power Station	300	10	350,000,000	11/03/2009
Star City Casino redevelopment	750	1,000	349,209,000	27/01/2009

DETERMINATION CASE STUDIES



CASE STUDY BARANGAROO

In February 2009, the Minister approved a \$500 million modification to the Barangaroo concept plan to tackle the demand for new office space in the Sydney CBD and contribute to Sydney's future employment needs. The changes will generate around 6,600 new jobs in the precinct, bringing the total number of new jobs for Barangaroo to around 26,600, through an increase in gross floor area.

The approval was given following a review of the Department of Planning's recommendation by the Planning Assessment Commission (PAC). The PAC found the proposed increase in floor space 'an appropriate response to the strategic importance of the Barangaroo development to the future of Sydney'.

Following the assessment by the Department, a number of key changes were made through the introduction of additional built form controls that:

- Ensure sustainable urban design outcomes, an enhanced interface with the public domain and viable and useable commercial floorspace;
- Ensure an improved pedestrian streetscape in the southern portion of the site along Hickson Road and Globe Street, through minimum setback distances for the towers and specific, consistent podium heights.
- Control the size of the floorplates and tower elements by ensuring the expanses of walls of the office towers will be broken up to allow for views, daylight penetration, view sharing, ventilation, wind mitigation, privacy and an appropriate scale to the street and public domain areas.

- Ensure the new Globe Street frontage to the public domain will be activated by ground floor retail uses.
- Ensure the tallest of the eight buildings will be located in the south, stepping down towards the north of the site, with no change to approved maximum heights.

Sydney remains Australia's only global city, with 20 per cent of the nation's financial and business services jobs, and is also home to half of Australia and New Zealand's top 500 companies.

CASE STUDY

INTEGRATED ASSESSMENT PROCESS AT METROPOLITAN COAL PROJECT AND SHOALHAVEN STARCHES

When the major projects assessment system was introduced in 2005, a key benefit was the streamlining of the assessment process. The previous system required certain development applications be referred to other State agencies for approval under separate legislation.

For many projects, this increased processing times and costs and caused conflicting and competing conditions. It also meant the project as a whole was not properly assessed. The new system takes an integrated approach to the assessment of major projects and sees a variety of potential environmental impacts evaluated in a single assessment process.

Two projects determined during 2008–09 assist in understanding this comprehensive, whole-of-government approach to the assessment of major developments: the Metropolitan Coal Project and the Shoalhaven Starches Plant.

Metropolitan Coal Project

In June 2009, the Minister approved a \$50 million extension to the Metropolitan Coal Project near Helensburgh, about 30 km north of Wollongong. This approval will extend the life of the mine by up to 23 years, securing 1,950 jobs or around \$154 million in wages for NSW families.

The integrated approach to the assessment of this project delivered an appropriate balance between environmental and economic outcomes through a thorough, transparent and efficient process.

Of significant concern was the potential for subsidence impacts on the Waratah Rivulet and other waterways forming part of southern Sydney's drinking water catchment. The Minister referred the project to the Planning Assessment Commission (PAC) for expert review of these potential impacts and to advise on appropriate measures to avoid, minimise or offset the impacts.



Waratah Rivulet which will be protected through approval.

As a result, the proposal was amended to consist of two separate smaller mining areas. The overall extent of mining was reduced, leaving a significant area of unmined land between the two mined areas. This unmined barrier will see 8.6 million tonnes of coal left in the ground in the interests of protecting the catchment from the significant subsidence impacts that would have resulted under the original proposal.

Another key feature of the approval is that reject waste will be disposed of underground rather than being placed above ground. This will protect waterways and conservation areas from detrimental runoff.

The breadth of issues considered by the integrated assessment process is further illustrated by the range of other approval conditions imposed to protect upland swamps, nearby cliff lines, Aboriginal heritage features, flora and fauna and surface infrastructure.

The Metropolitan Coal Project also represents a streamlining of the monitoring and management of mining-related subsidence. Subsidence management plans will now be overseen by the Department of Planning under the conditions of the project approval, rather than being referred to the Department of Primary Industries for separate approval. This new approach also involves greater transparency as it requires monitoring results to be published on the company's website.

Shoalhaven Starches Plant

In January, the Minister approved a \$200 million expansion to the ethanol production facilities at the Shoalhaven Starches plant near Nowra, which will allow an increase in ethanol production from 126 megalitres to 300 megalitres per year. Once operational, the project will provide an additional 25 jobs.

The expanded Shoalhaven Starches plant was approved after a rigorous and public assessment process and the imposition of stringent conditions.

This process included a review by the Planning Assessment Commission of the Department's proposed project approval.

The PAC found that that the Department's report was "a comprehensive and thorough assessment of the proposal" and that the proposed conditions were reasonable.

Odour has been a major issue with this facility for a number of years. The Minister's approval for the increase in ethanol production is contingent upon the plant cutting its odour impacts by a massive 90 per cent, prior to increasing production.

The expansion of wastewater treatment facilities at the site will be crucial to achieving this odour reduction target and will also ensure a reduction in wastewater pollutants. All wastewater is dealt with on site, with some being used for irrigation and some recycled for re-use within the plant. No wastewater is discharged into the surrounding waterways, a condition that will be maintained even with the plant's significantly increased production.

Odour reduction is just one of a number of stringent conditions placed upon the approval to manage the environmental performance of the facility.

The natural environment surrounding the facility will benefit from the proponent's commitment to maintain a 20 metre riparian corridor. The company will also be required to implement a vegetation management plan for the rehabilitation and maintenance of the riparian zone.

The Department worked closely with the Department of Environment, Climate Change and Water on this project.



Shoalhaven Starches plant.

CASE STUDY **EVELEIGH NORTH**

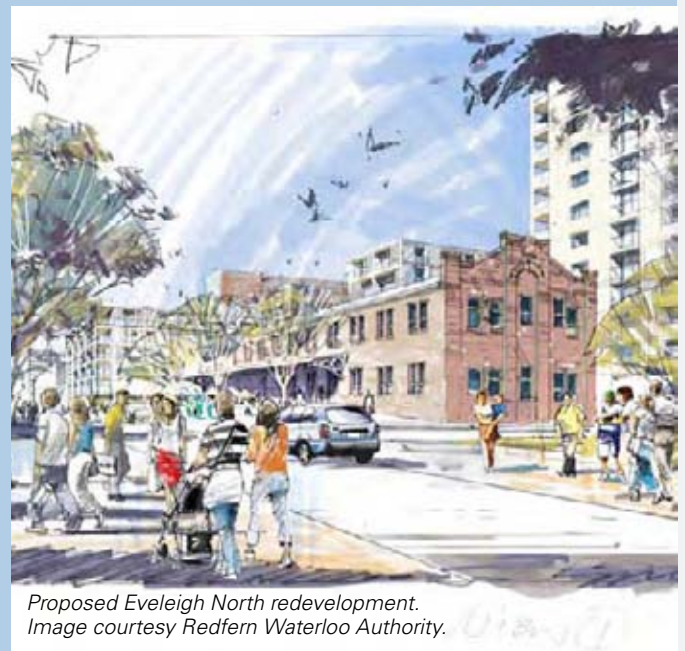
More than 6,500 jobs, 1,200 homes including affordable housing, and five new parks are proposed to be delivered under a \$550 million redevelopment of the former Eveleigh Railway Yards. The redevelopment would also help fund an upgrade to Redfern Railway Station, promoting public transport usage for existing and future residents and workers.

Previously known as Eveleigh Carriage Workshops, the 10.7 hectare site was closed as a construction and maintenance centre for rail stock in 1988.

Consultation on the original plan resulted in significant changes. These included:

- Providing more open space including pocket parks and a large park at the site's western end;
- Deletion of two of the proposed buildings;
- Redistribution of building heights across the site;
- Reduction of on-site car parking;
- Reduction of the proposed floor space;
- Introduction of sustainability and affordable housing targets, and
- Increased provision of childcare places.

Buildings fronting Wilson Street have been limited to three storeys above street level to complement surrounding residential buildings. The historic Fan of Tracks has been incorporated as a feature of one of the parks, which adds to the interpretation of the site's historical significance.



*Proposed Eveleigh North redevelopment.
Image courtesy Redfern Waterloo Authority.*

CASE STUDY PEMULWUY

In June 2009, the Minister approved the Pemulwuy project concept plan for The Block. The project can deliver 300 jobs, 62 homes and over 9,000 square metres of commercial uses, shops and community and cultural space.

This \$60 million project will deliver a boost to employment in the Redfern area through the creation of around 200 construction jobs and 100 ongoing positions once complete.



Federal Minister for Housing Tanya Plibersek, NSW Minister for Planning Kristina Keneally and NSW Deputy Premier Carmel Tebbutt flank Mick Mundine, CEO of the Aboriginal Housing Company at the Pemulwuy concept plan approval announcement.

Following the public exhibition, a number of amendments were made to the proposal to address public and agency feedback, including the requirements on the Aboriginal Housing Company to:

- Comply with Railcorp's requirements with regard to protecting the rail corridor, assessing derailment risks and protection, stormwater drainage, noise and fencing/landscaping;
- Demonstrate sustainable design, including meeting a minimum 4.5 star Australian Building Greenhouse Rating or equivalent in all new retail and commercial buildings;
- Demonstrate design excellence in accordance with the State environmental planning policy covering the Redfern Waterloo Authority sites; and
- Prepare landscape plans for any new public domain areas.

The proponent, the Aboriginal Housing Company, has also committed to consulting with the local community and stakeholders throughout the rejuvenation of the precinct and will ensure all future applications are consistent with the concept plan. It will also deliver part of the commercial and retail components in the first of the three stages of development, generating economic activity.



Proposed Silverton wind farm.

CASE STUDY WIND FARMS

In 2008–09, the Minister approved three new wind farm projects including the first stage of the \$2.2 billion Silverton wind farm, located near Broken Hill. The first stage of the project alone will have the ability to power some 200,000 households.

Wind farms are important to Australia's future, helping to meet the Commonwealth's mandatory renewable energy target of 20% per cent of the nation's energy generated by renewables by 2020.

The wind farm site is to be built on Crown Land in the Barrier Ranges, 25 kilometres northwest of Broken Hill and three kilometres north of Silverton. As part of the conditions of approval, the proponent must:

- at the request of any owners of residential dwellings or businesses with views of a turbine(s) located within six kilometres of their dwellings, provide and bear the full cost of reasonable landscaping treatments to visually screen these dwellings;
- limit the construction and blasting hours of the project to protect local acoustic amenity;
- adhere to the South Australian Noise Guidelines for wind farms. The Proponent is required to submit a revised noise assessment that demonstrates the final turbine model and layout selected shall meet the criteria in the guidelines; and
- limit the area of vegetation that is to be cleared for construction and carry out revegetation using native plants and seed, sourced locally.

Two other wind farm projects were approved in 2008–09, the 73-turbine, 240 MW Gullen Range wind farm located in the Goulburn-Crookwell-Yass region and the nine-turbine, 18.1 MW Black Springs wind farm located near Oberon.

Collectively, these two wind farms will have be able to power about 68,000 homes.

The Department of Planning applies strict criteria to the assessment of all wind farm projects. For example, the Gullen Range project was reduced in size and scope, from an initial 84-turbine proposal

down to the final 73 turbines, due to potential interference with the Crookwell aerodrome.

A further seven turbines are to be located close to a proposed residential subdivision and thus the Department recommended that the proponent acquire the land to avoid adverse interaction with future residential tenants.

The Department also required an ongoing assessment of the project's impact on the dispersion of the juvenile Powerful Owl species which nests in the region.

CASE STUDY STAR CITY

The Minister approved a \$575 million redevelopment of Star City Casino, subject to strict conditions. The rebuilding includes the first major new hotel in Sydney's CBD since the 2000 Olympics and a significant upgrade of the existing facility. The project will create up to 1,000 jobs in the construction phase and over 700 jobs in the casino and related service industries when completed.

As part of the approval, the casino agreed to a requirement to cut back the height of a proposed new hotel block by three storeys, from 13 storeys to 10. This ensured it complied with the Minister's desire to ensure the new hotel tower was not higher than the parapet height of the existing casino building.

The front of the casino has been re-designed to face the harbour, a move which will minimise noise disruption for local residents. Nevertheless, the Minister has imposed a curfew and noise restrictions on new outdoor balcony areas.

The Department has also asked the casino operator to commission an artist to develop appropriate lighting displays at the front of the complex.

The Planning Assessment Commission reviewed the Department of Planning's recommendation to approve the casino project. The PAC recommended that:

- The casino's noise management plan be prepared in consultation with the City of Sydney; and
- The trial period for the hours of operation of the outdoor terraces should only go ahead if the Department of Planning is satisfied that implementation of the noise plan will achieve compliance with the limits set for the extended hours.



Proposed Star City expansion. Image courtesy Tabcorp, Architect: The Buchan Group.

CASE STUDY
CURRAWONG

A long-running proposal for a major residential development on the site of a historic WW2-era workers holiday camp was refused by the Minister in April 2009.

A Department of Planning assessment of the proposal, including significant public consultation, had identified a number of issues with the proposal.

While the site was recognised as having some development potential, the sustainability of the proposal was identified as raising questions, in particular the vulnerability of the proposed development in the lower lying section of the site to inundation.

The site lies below the one in 100 year flood level and is subject to inundation from the adjacent creek and shoreline recession from Pittwater itself. Despite proposals to 'infill' the site to deal with these risks this response was not considered acceptable.

A number of other aspects of the proposal were also felt to be inadequate, including:

- Unacceptable visual amenity;
- Impact on indigenous and european heritage;
- Mainland parking and site access not adequate to support the development; and

- The proposed method of wastewater disposal via reclamation was not considered viable in the face of changes to the water table and period flooding

Following the Department's assessment and reviews by an Independent Hearing and Assessment Panel and a Ministerial Review Panel, it was recommended that the Minister refuse the proposal.

The Minister has also directed that the site be State Heritage listed and any future proposals for development on the site be evaluated by Pittwater Council.



Bushland at the Currawong site.

DETERMINATIONS BY REGION

SYDNEY

TABLE 7 – DETERMINATIONS IN THE SYDNEY REGION

Application type	Projects	Jobs	Capital investment value (\$)
Part 3A concept plan	13	16,214	2,672,940,000
Part 3A project application	41	15,091	3,430,070,003
Other projects	168	14,759	1,835,775,193
Total*	222	46,064	7,938,785,196

* Includes 3 projects that cross boundaries

TABLE 8 – HIGHEST CAPITAL INVESTMENT VALUE PROJECTS IN SYDNEY REGION

Project name	Capital investment value (\$)
Carlton United Breweries site concept plan	1,286,414,000
Bonnyrigg Living Centres project concept plan	700,000,000
Royal North Shore Hospital acute services facility project application	700,000,000
North Eveleigh precinct concept plan	550,000,000
Barangaroo modification	500,000,000

HUNTER

TABLE 9 – DETERMINATIONS IN THE HUNTER REGION

Application type	Projects	Jobs	Capital investment value (\$)
Part 3A concept plan	5	8,517	2,766,812,000
Part 3A project application	16	3,449	1,185,075,768
Other projects	28	94	42,604,500
Total*	49	12,059	3,994,492,268

* Includes 4 projects that cross boundaries

TABLE 10 – HIGHEST CAPITAL INVESTMENT VALUE PROJECTS IN HUNTER REGION

Project name	Capital investment value (\$)
Huntlee New Town concept plan *	1,600,000,000
North Cooranbong concept plan	587,472,000
Freeway North business park	430,000,000
Mount Arthur coal mine project application	300,000,000
Eco-residential subdivision, Seven Mile Beach, Great Lakes	161,637,500

* Approval since invalidated by court decision

ILLAWARRA-SHOALHAVEN

TABLE 11 – DETERMINATIONS IN THE ILLAWARRA-SHOALHAVEN REGION

Application type	Projects	Jobs	Capital investment value (\$)
Part 3A concept plan	2	2,156	472,934,630
Part 3A project application	12	1,771	797,932,743
Other projects	15	330	750,000,000
Total	29	4,257	2,020,867,373

TABLE 12 – HIGHEST CAPITAL INVESTMENT VALUE PROJECTS IN THE ILLAWARRA-SHOALHAVEN REGION

Project name	Capital investment value (\$)
Bluescope cogeneration plant project application	750,000,000
Illawarra regional business park concept plan	365,000,000
Bamarang gas-fired power station	245,200,000
Shoalhaven Starches plant	200,000,000
Port Kembla Biodiesel plant	166,800,000

RICHMOND-TWEED

TABLE 13 – DETERMINATIONS IN THE RICHMOND-TWEED REGION

Application type	Projects	Jobs	Capital investment value (\$)
Part 3A concept plan	1	110	36,000,000
Part 3A project application	9	397	291,990,000
Other projects	11	2	6,885,858
Total	21	509	334,875,858

TABLE 14 – HIGHEST CAPITAL INVESTMENT VALUE PROJECTS IN THE RICHMOND-TWEED REGION

Project name	Capital investment value (\$)
Banora Point Pacific Highway upgrade project application	191,000,000
Riveroaks Estate residential subdivision Pacific Highway, Ballina project application	40,000,000
Residential community (concept plan) Pacific Pines Estate, Lennox Head concept plan	36,000,000
Stage 2 Integrated Cancer Care Centre Lismore Base Hospital	26,990,000
Residential subdivision Fraser Drive, South Tweed project application	16,000,000

MID-NORTH COAST

TABLE 15 – DETERMINATIONS IN THE RICHMOND-TWEED REGION

Application type	Projects	Jobs	Capital investment value (\$)
Part 3A concept plan	0	-	-
Part 3A project application	5	2,560	1,240,627,698
Other projects	5	-	-
Total	10	2,560	1,240,627,698

TABLE 16 – HIGHEST CAPITAL INVESTMENT VALUE PROJECTS IN THE MID NORTH COAST REGION

Project name	Capital investment value (\$)
Kempsey to Eungai Pacific Highway upgrade project application	727,000,000
Sapphire to Woolgoolga Pacific Highway upgrade project application	465,000,000
Residential subdivision into 524 lots Glades Estate, Pacific Hwy, Moonee Beach project application	34,925,700
143 lot rural residential subdivision The Bucketts Way, Tinonee project application	10,014,998
Residential subdivision precinct. Banyula Drive, Old Bar project application	3,687,000

NORTHERN

TABLE 17 – DETERMINATIONS IN THE NORTHERN REGION

Application type	Projects	Jobs	Capital investment value (\$)
Part 3A concept plan	0	-	-
Part 3A project application	6	813	504,030,000
Other projects	7	-	4,835,000
Total*	13	813	508,865,000

* Includes 3 projects that cross boundaries

TABLE 18 – HIGHEST CAPITAL INVESTMENT VALUE PROJECTS IN THE NORTHERN REGION

Project name	Capital investment value (\$)
Queensland-Hunter gas pipeline project application	600,000,000*
Keepit Dam Upgrade concept plan application	116,000,000
Narrabri coal seam gas utilisation project application	46,000,000
Narrabri Hospital project application	27,000,000
Sunnyside coal mine (Gunnedah) project plan application	15,000,000

* Capital investment value shared with other regions

NORTH-WESTERN

TABLE 19 – DETERMINATIONS IN THE NORTH-WESTERN REGION

Application type	Projects	Jobs	Capital investment value (\$)
Part 3A concept plan	0	-	-
Part 3A project application	1	310	350,000,000
Other projects	5	-	4,250,000
Total*	6	310	354,250,000

* Includes 2 projects that cross boundaries

TABLE 20 – HIGHEST CAPITAL INVESTMENT VALUE PROJECTS IN THE NORTH-WESTERN REGION

Project name	Capital investment value (\$)
Wellington gas fired power station project application	350,000,000
Link conveyor and increase run of mine hub stockpile capacity – Ulan coal mine	5,000,000
Reverse osmosis plant – Ulan coal mine	3,500,000

CENTRAL WEST

TABLE 21 – DETERMINATIONS IN THE CENTRAL WEST REGION

Application type	Projects	Jobs	Capital investment value (\$)
Part 3A concept plan	1	120	50,670,000
Part 3A project application	8	222	266,850,000
Other projects	5	-	-
Total	14	342	317,520,000

TABLE 22 – HIGHEST CAPITAL INVESTMENT VALUE PROJECTS IN THE CENTRAL-WEST REGION

Project name	Capital investment value (\$)
North-west Parkes gas fired power station project application	130,000,000
Western rail coal unloader Mount Piper Power Station – project application	80,000,000
Black Springs wind farm project application	32,600,000
Orange Private Hospital (Precinct 1)	24,000,000

SOUTH EASTERN

TABLE 23 – DETERMINATIONS IN THE SOUTH EASTERN REGION

Application type	Projects	Jobs	Capital investment value (\$)
Part 3A concept plan	2	585	155,342,000
Part 3A project application	6	720	337,832,922
Other projects	63	14	57,757,921
Total	71	1,319	545,932,843

TABLE 24 – HIGHEST CAPITAL INVESTMENT VALUE PROJECTS IN THE SOUTH-EASTERN REGION

Project name	Capital investment value (\$)
Gullen Range wind farm project application	250,000,000
Moruya East Village seniors living development concept plan	113,842,000
Hotel, tourist units, serviced apartments, conference facilities, and residential development project application	55,000,000
George Bass Drive, Rosedale residential subdivision concept plan	41,500,000
Crookwell II wind farm North-west of Goulburn	38,500,000

MURRUMBIDGEE

TABLE 25 – DETERMINATIONS IN THE MURRUMBIDGEE REGION

Application type	Projects	Jobs	Capital investment value (\$)
Part 3A concept plan	0	-	-
Part 3A project application	1	379	75,000,000
Other projects	2	6	4,000,000
Total	3	385	79,000,000

TABLE 26 – HIGHEST CAPITAL INVESTMENT VALUE PROJECTS IN THE MURRUMBIDGEE REGION

Project name	Capital investment value (\$)
Riverina Oils and Biodiesel integrated biodiesel and oil plant Wagga Wagga	75,000,000
Cargill Beef Abattoir's wastewater treatment ponds upgrade	4,000,000

MURRAY

TABLE 27 – DETERMINATIONS IN THE MURRAY REGION

Application type	Projects	Jobs	Capital investment value (\$)
Part 3A concept plan	-	-	-
Part 3A project application	1	410	1,000,000,000
Other projects	8	-	-
Total*	9	410	1,000,000,000

* Includes 3 projects that cross boundaries

TABLE 28 – HIGHEST CAPITAL INVESTMENT VALUE PROJECTS IN THE MURRAY REGION

Project name	Capital investment value (\$)
Silverton wind farm west of Broken Hill project application (applies across both Murray and Far West regions)	2,000,000,000*

* Capital investment value shared with Far West region

FAR WEST

TABLE 29 – DETERMINATIONS IN THE FAR WEST REGION

Application type	Projects	Jobs	Capital investment value (\$)
Part 3A concept plan	-	-	-
Part 3A project application	1	410	1,000,000,000
Other projects	2	-	-
Total*	3	410	1,000,000,000

* Includes 3 projects that cross boundaries

TABLE 30 – HIGHEST CAPITAL INVESTMENT VALUE PROJECTS IN THE FAR WEST REGION

Project name	Capital investment value (\$)
Silverton wind farm west of Broken Hill project application (applies across both Murray and Far West regions)	2,000,000,000*

* Capital investment value shared with Murray region

STATE SIGNIFICANT SITES

The Minister can choose to declare some places as State significant sites. State significant sites are typically sites that the Minister for Planning considers may have a wider social, economic or environmental significance for the community, for example, universities, hospitals, employment precincts and major residential developments in strategically-important locations. The site may also have redevelopment significance important to implementing the State's planning objectives.

When establishing a State significant site, the Minister may outline new land-use zones,

development standards such as height and density and clarify who will be the consent authority for future development proposals on the site. State significant site provisions in the Major Development SEPP carry over the Minister's long-standing ability to create new planning regimes for sites deemed to be of State or regional significance. They provide an effective and timely way to create planning certainty in regard to sites which the NSW Government regards as important for the State as a whole.

During 2008–09, a total of 14 State significant sites were gazetted.



CASE STUDY

EMPLOYMENT STATE SIGNIFICANT SITES

During 2008–09, a number of major new employment areas were supported through the State significant site process.

For example, in November 2008, the NSW Government approved the State significant site rezoning of the **Warnervale Town Centre** and **Wyong Employment Zone** (WEZ) to satisfy the growing need for employment closer to home by creating capacity for approximately 7,000 new local jobs.

The Wyong Employment Zone will attract a mix of warehousing, distribution and manufacturing companies, including a state-of-the-art brewery, due to its proximity to the F3. Consistent with the regional strategy, the WEZ will assist in the long-term growth of the local economy by providing up to \$1.9 billion in new investment. At the same time as the rezoning, the Minister approved the \$90 million Bluetongue Brewery at the WEZ site, with a production capacity of up to 100 million litres of beer a year and the potential to employ 140 people. The brewery is expected to operational in 2010.

The Warnervale Town Centre comprises 119 hectares of land which will allow a variety of uses, including the development of up to 2,200 new dwellings, a new railway station, retail and commercial space and a variety of community facilities. The Town Centre will have the capacity to service the 40,000 people who live in the area.

In October 2008, a State significant site rezoning was finalised for the **Freeway North business park** at Beresfield, following a concept plan approval in September 2008. This site has the potential to deliver up to 2,100 jobs to the Hunter region. Located on Weakley's Drive, the Freeway North Industrial Business Park will be adjacent to the F3 freeway and New England Highway traffic corridors.

In July 2008, the NSW Government gazetted the State significant site rezoning for the **Illawarra regional business park** site at Albion Park. This action rezoned the site to permit light industrial uses, protect environmentally-important areas and allow a future expansion of the neighbouring airport. The rezoning was followed by a concept plan approval in January 2009, which outlined the proposed subdivision and development stages. The Department was able to streamline the assessment process by considering the rezoning and the concept plan concurrently.



WYONG EMPLOYMENT ZONE

- Wyong Employment Zone
- IN1 General Industrial
- SP2 Infrastructure
- E2 Environmental Conservation



CASE STUDY

RESIDENTIAL AND COMMERCIAL STATE SIGNIFICANT SITES

During 2008–09, a number of major residential and commercial precincts were created through the State significant site process.

For instance, in December 2008, the Minister rezoned the **North Cooranbong** residential precinct in the Lower Hunter for residential development and also approved a concept plan for the site. The decision allows for the future development of the land to provide up to 2,500 new homes and a commercial and retail centre to be built at North Cooranbong.

The development has the potential to generate almost \$2 billion in economic activity and create close to 5,000 jobs over the 20 year lifespan of the project. The rezoning is in line with the NSW Government's regional strategy for the Lower Hunter region. In April, Lake Macquarie City Council approved the first subdivision on the site, following the council signing a voluntary planning agreement with the developer.

The North Cooranbong zones include a mix of 182 hectares of low density housing, 19.25 hectares of medium and high density housing and an urban centre with commercial, retail and recreational zoning. The precinct also includes three hectares of land for a primary school and 14.7 hectares of open space zoning, comprising five separate areas dedicated to recreation needs. Meanwhile, over 120 hectares – more than a third – of the land will be zoned a primary conservation zone, the highest level of conservation zoning under the Lake Macquarie Local Environmental Plan 2004.

The **Bungarribee Precinct** in the Western Sydney Parklands at Doonside was gazetted as a State significant site in December 2008. The Minister approved the concept plan for the development in March 2009. The proposal involves the redevelopment of 75 hectares of land to create up to 730 residential lots.

The development will provide significant new housing within the Blacktown area, close to established and emerging residential and employment areas, and is thus consistent with the aims of the Sydney Metropolitan Strategy and the NSW State Plan. Additionally, the development will fund the protection and enhancement of 27.88 hectares of habitat within the Bungarribee Precinct of the Western Sydney Parklands.

Another western Sydney location to benefit from listing as State significant was the **Potts Hill Reservoir** site. Here, 40 hectares of land that was surplus to Sydney Water's requirements was the subject of a redevelopment proposal to deliver more than 400 new dwellings, a new business park and three separate open spaces. The Minister approved the \$287 million concept plan in April 2009. The proposal will create around 1,000 jobs close to the residents of western Sydney.

The development will also deliver a range of dwelling types meaning greater housing choice in the local area and will lead to a boost in local infrastructure such as pedestrian and cycle paths, intersection improvements and public open space.

More than five hectares of land containing endangered ecological communities will also be protected and any loss of vegetation on the site as a result of the development will be offset under an agreement entered into with the Department of Environment and Climate Change.



Proposed Potts Hill Reservoir Development. Image courtesy Landcom.

TABLE 31 – STATE SIGNIFICANT SITES GAZETTED 2008–09

Site	Council	Published
University of Technology Sydney (UTS) Ku-ring-gai Campus	Ku-ring-gai Council	11/07/2008
Illawarra Regional Business Park	Shellharbour City Council	11/07/2008
Catherine Hill Bay and Gwandalan Residential Development	Lake Macquarie City Council and Wyong Shire Council	02/09/2008
Freeway North Business Park, Beresfield	Newcastle City Council	10/10/2008
Southern Highlands Regional Shooting Complex, Hill Top	Wingecarribee Shire Council	17/10/2008
Warnervale Town Centre	Wyong Shire Council	07/11/2008
Wyong Employment Zone	Wyong Shire Council	07/11/2008
Vincentia Coastal Village	Shoalhaven City Council	14/11/2008
North Cooranbong Residential Precinct	Lake Macquarie City Council	05/12/2008
Greystanes Southern Employment Lands	Blacktown, Fairfield, Holroyd City Council	05/12/2008
Bungarribee Precinct (Doonside), Western Sydney Parklands	Blacktown City Council	19/12/2008
Huntlee New Town, Branxton	Cessnock City Council; Singleton Shire Council	09/01/2009
DPI Land at Bloomfield, Orange	Orange City Council	09/04/2009
Potts Hill Reservoirs Redevelopment	Bankstown City Council	01/05/2009



Proposed Bungarribee precinct. Image courtesy Landcom.

How proposals were determined



DEPARTMENT'S ASSESSMENT ROLE

The Department of Planning assesses proposals of State and regional planning significance. These proposals have implications for the broader community and are often highly complex requiring specialist assessment skills and resources available within the Department.

The Department has established assessment units skilled in particular development areas. These are as follows (in alphabetical order):

Regional Assessments, which deals with regional coastal developments such as residential subdivisions and marinas along the coastline north of Newcastle to the Queensland border and south of Wollongong to the Victorian border. It also covers coastal developments in Lake Macquarie.

Government Land and Social Projects Assessments, which deals with proposals on government lands including Sydney Harbour sites, Sydney Olympic Park, Newcastle's Honeysuckle, Redfern-Waterloo, Western Sydney Parklands and the Moore Park precinct. It also deals with public and private social infrastructure project applications - for instance social housing, health, education and corrective services proposals.

Major Development Assessments, which deals with major industrial, agricultural, mining, extractive industry and waste developments.

Major Infrastructure Assessments, which deals with infrastructure projects such as road, rail and other transport facilities, energy generation (including wind power) and transmission and water and sewerage supply.

Metropolitan Projects, which deals with major projects (other than proposed State significant sites) in the greater metropolitan area including Sydney, Newcastle, Gosford, Wyong and Wollongong. These are typically retail, commercial and residential projects. It also oversees alpine assessments.

Strategic Assessments, which deals with proposed State significant sites and concept plans.

ASSESSMENT TIMES

The Department began monitoring the time it takes to assess major projects in February 2009.

The benchmarks require 85% of major projects to be finalised within three months, a further 10% within five months and a further 5% within eight months, with no assessment to exceed eight months.

Preliminary data from February 2009 to the end of January 2010 has seen 72% of projects finalised within three months, a further 16% finalised within five months and a further 12% finalised within eight months. No assessments took longer than eight months.

The above figures are recorded in regard to preferred project reports lodged from February 2009. The assessment time is calculated from the time the preferred project report is received from the developer to a final recommendation being made by the Department. A 30 day exhibition period is also included in the assessment time.

The Department is putting in place processes to help meet the set benchmarks over the next 12 months, including the employment of project delivery managers. The role of the project delivery managers is explained on page 42 of this report.

MAJOR PROJECTS AUDIT

The NSW Jobs Summit was held in February 2009 with the aim of identifying ways to protect and generate jobs during the global economic downturn. An outcome of the Jobs Summit was that the Department prepare an audit of all major projects it was currently assessing (as at 19 March 2009).

The key findings of the audit were that:

Of the 51 projects that were being assessed at 19 March 2009, by 26 June:

- 26 (51%) had been determined by the Department
- 4 (8%) were ready for determination
- 1 (2%) were awaiting a new Preferred Project Report (PPR), and
- 20 (39%) were still being assessed.

Of the 44 projects which were awaiting the proponent's response to submissions at 19 March 2009, by 26 June:

- 11 (25%) had been determined by the Department
- 19 (43%) were being assessed, and
- 14 (32%) were still awaiting the proponent's response to submissions.
- Of the 12 projects that were on exhibition at 19 March 2009, by 26 June:
 - 7 (58%) were under assessment, and
 - 5 (42%) were awaiting the proponent's response to submissions.

Of the 39 projects that were having an environmental assessment (EA) assessed for adequacy at 19 March 2009, by 26 June:

- 3 (8%) were under final assessment
- 8 (21%) were awaiting the proponent's response to submission
- 5 (13%) were on exhibition
- 9 (23%) had the Director-General's requirements (DGRs) re-issued, and
- 13 (33%) were still having the EA assessed for adequacy.

STATE PLAN

The Department is the responsible agency for the State Plan priority E5 (Jobs closer to home) and E6 (Housing affordability). The Department is also a partner agency with responsibilities under:

- E3 (Cleaner air and progress on greenhouse gas emissions)
- E4 (Better environmental outcomes for native vegetation, biodiversity, land, rivers and coastal waterways)
- E8 (More people using parks, sporting and recreational facilities and participating in the arts and cultural activity)
- P1 (Increased business investment)
- P6 (Increased business investment in rural and regional NSW)
- S3 (Improved health through reduced obesity)

The Department's development assessment role plays an important part in achieving these priorities.

ASSESSMENT DELEGATIONS TO COUNCILS

The Department will from time-to-time delegate its assessment functions to local councils. This trend to utilise council's functions and work collaboratively with local government is expected to continue. In 2008–09 this happened for the following projects:

TABLE 32 – ASSESSMENT DELEGATIONS TO COUNCILS 2008–09

Job	Council
Retail Centre & Club, Park and Bay Sts, Port Macquarie	Port Macquarie-Hastings Council
Marina extension, Soldiers Point	Port Stephens Council
73 lot residential subdivision, Karuah	Great Lakes Council
University of NSW Medical Sciences Building	Randwick City Council
89 George Street, Parramatta concept plan	Parramatta City Council
IPMG printing facility, Warwick Farm	Liverpool City Council

CASE STUDY

WARWICK FARM PRINTING FACILITY

In March 2009, a project was approved to turn an existing industrial building in Warwick Farm into a state-of-the-art 24 hour printing facility. The approval followed an assessment by Liverpool City Council on behalf of the Department of Planning.

The \$100 million redevelopment will generate 140 full-time jobs and will see the introduction of a new printing technology into Australia with significant environmental advantages over current methods through reductions in energy use and paper wastage.

In response to concerns raised by the local community, the Council recommended a number of conditions be imposed to mitigate the potential impact on residents and horse training activities in and around the nearby Warwick Farm Racecourse.

In particular, use of the loading dock closest to residential properties will be restricted to the hours of 7 am to 9 pm to limit the potential for night-time disturbance of nearby residents. Forklifts on site will be fitted with white noise reversing alarms to further reduce the potential for noise disturbance.

The new development will see an overall reduction in the number of heavy vehicle movements in and out of the site. To further reduce the impact of heavy vehicles on pedestrians and horses using surrounding roads, the proponent, IPMG, will be required to develop and implement a traffic management plan. IPMG has also committed to developing a set of protocols for its drivers requiring safe and considerate driving.

Conditions have also been imposed to ensure emissions from chemicals used in the printing process comply with clean air regulations.



Proposed printing facility at Warwick Farm assessed by Liverpool City Council. Image courtesy IPMG Architects Vaughn Lane.

APPEALS AGAINST DEVELOPMENT DECISIONS

TABLE 33 – LEGAL RESULTS OF APPEALS AGAINST DEVELOPMENT DECISIONS 2008–09

Appeal type	Won	Lost	Withdrawn/settled/ discontinued/consent orders	Appeals Pending as at 1 July 2009	Summary 2008–09
Consent authority (merit)	2	nil	4	nil	6
Procedural	4	1	4	1	9
Other	1*			nil	1
Total	7	1	8		16

*Section 96 modification application to the Land and Environment Court approved in accordance with the Minister’s draft conditions.

A proponent or in some cases an objector can appeal to the Land and Environment Court against a development decision by the Department or Minister. This could include an appeal against the validity of the procedures followed in the making of the decision or the merits of the decision.

The Department’s Legal Services Branch manages appeals against decisions of the Department and Minister. During 2008–09, the Department and Minister won approximately 87 percent of appeals that progressed to a hearing. External legal costs associated with these cases during 2008–09 amounted to approximately \$258,274. It should be noted that the results include one matter which, at the end of the financial year, is still subject to appeal to a higher court.

Appeal types definitions used in the table:

A **Consent Authority (Merit)** case refers to a case where the Minister or the Department is the approval authority and a proponent or objector takes issue with the merits of the decision.

A **Procedural** case refers to a case where any person takes issue with the procedures followed in the making of a decision.

BILATERAL AGREEMENT WITH THE COMMONWEALTH

The Commonwealth Government has a role approving some development and other activities under its Environment Protection and Biodiversity Conservation Act (EPBC Act). Any development which needs Commonwealth approval is called a "controlled action". Developments which need Commonwealth approval include those that the Commonwealth determines are likely to have a significant impact on matters of national environmental significance, such as World Heritage properties, wetlands of international importance, migratory species and threatened species and communities listed under the EPBC Act. It may also include some development by the Commonwealth, or which is on or affects Commonwealth land.

In January 2007, the Commonwealth and NSW governments signed a bilateral agreement. Under this agreement, the NSW Government's assessment processes – covering Parts 3A, 4 and 5 of the EPA Act – are accredited to fulfill the Commonwealth's assessment requirements under the EPBC Act. This means that the Commonwealth can use the Department's or a council's assessment to make its determination on "controlled actions".

During 2009, the heads of the NSW and Commonwealth agencies responsible for administering planning and environmental legislation commissioned an operational review of the way those agencies interact in the assessment and approval process, to streamline assessment and decision making while ensuring strong environmental outcomes. A working group was chaired by Brian Gilligan, former Director-General of the National Parks and Wildlife Service, to undertake this review. The working group also included officers of the Department, the NSW Department of Environment, Climate Change and Water and the Commonwealth Department of Environment, Water, Heritage and the Arts. An operational review report was produced as a result of this work.

Following this review, the Department has worked to provide early notification to the Commonwealth of development proposals which are being assessed by the Department and likely to also require Commonwealth approval. It has also improved internal procedures to ensure the developer is aware when preparing reports for exhibition what information is likely to be needed by the Commonwealth to assist its decision-making. These two steps are helping to streamline the planning system and avoid unnecessary duplication and delay. Further co-ordination work is taking place between agencies on other issues including environmental offsets.

TABLE 34 – PROJECTS UNDER ASSESSMENT BY THE DEPARTMENT ALSO SUBJECT TO COMMONWEALTH APPROVAL

Project name	Location	Proponent	Assessment section of EP&A Act
Gloucester Coal Seam Methane Gas Projects	Gloucester	ENSR Australia	Part 3A
Moolarben Coal Project – Stage 2	Ulan	Moolarben Coal Mines	Part 3A
Wahroonga Estate Redevelopment	Wahroonga	Australasian Conference Association	Part 3A
Construction of Tillegra Dam	Tillegra	Hunter Water Corporation	Part 3A

PUBLIC PARTICIPATION

The major projects assessment system increases community consultation and transparency. Table 35 shows the increased number of documents which are required to be publicly available under Part 3A, compared to the Part 4 assessment system which it has largely replaced. In addition, community submissions are given a much higher status, with the proponents asked to respond to issues raised and if appropriate amend the project to address issues.

TABLE 35 – COMPARISON OF PUBLICATION REQUIREMENTS BETWEEN PART 3A AND PART 4

Documents	Part 3A (major projects assessment system)	Part 4 (assessment system replaced by Part 3A for major projects but still used by local councils)
Director General requirements for environmental assessment for each project	Available on website	Not in Part 4 system
Detailed environmental assessment for public exhibition	Available on website and exhibited	Environmental impact statement for 'designated development' and development application for 'advertised development' exhibited Notification of other applications depends on council policy
Assessment of proposal by Department	Available on website after determination	No publication requirement, depends on council policy
Determination	Available on website	Notification depends on type of application and council policy

During 2008–09, the Department received nearly 10,000 submissions in regard to development proposals placed on public exhibition. The table below provides information on the breakdown of submissions in regard to exhibition periods for a variety of projects.

Website

From November 2008, the Department activated a specific major projects tracking system website. This website allows members of the public to track progress on Part 3A development proposals, including the ability to search for projects via local government area or by sector.

The website is powered by a content management system which makes it easier to upload project documentation and also to obtain statistics about proposals and the Department's assessment of them.

TABLE 36 – SUBMISSIONS BREAKDOWN FOR EXHIBITIONS CONCLUDING IN 2008–09

Project type	Total exhibitions	Exhibitions > 40 days	Number of submissions
Part 3A	121	24	8,543
Part 3A Modification	18	1	765
Part 4	20	1	45
Part 4 Modification	16	1	98
State significant site	9	1	430
Voluntary planning agreement	2	0	1
Total	186	28	9,882

Independent Hearing and Assessment Panels (IHAPS)

Independent hearing and assessment panels (IHAPs) have traditionally been convened by the Minister at any stage in the assessment of a project. The panel may be called on to provide independent technical advice on important issues of concern and related planning matters before the Minister makes a decision whether or not to approve a project.

Amendments to the EP&A Act during 2008–09 removed the statutory role of independent hearing and assessment panels. The Planning Assessment Commission or joint regional planning panels will generally now undertake this review role.

Panels formed in previous years completed reports on the following proposed developments:

- Currawong site (the expert review panel on part 3A project application and the Ministerial advice panel on the proposed heritage listing of the site completed their reports to the Minister in March 2009)
- Proposed Somersby sand quarry
- Southern Highlands shooting complex
- Elsie and George Sts, Burwood residential development

AUDIT AND COMPLIANCE ACTIVITY

TABLE 37 – COMPLIANCE AND MONITORING ACTIVITY 2008–09

Sector	Compliance inspections and audits	Enforcement actions
Coal Mines	8	5
Quarries/extractive	4	10
Manufacturing/rural	15	43
Infrastructure	4	14
Commercial/residential	7	11
Totals	38	83

Definition of terms:

Compliance inspections and audits are evaluations of compliance with approval conditions through desk-top analyses and site visits. Potential breaches are investigated to confirm whether a breach has occurred and the nature and significance of identified breaches.

Enforcement actions are taken in response to breaches, with the nature of the action proportional to the significance of the breach. Enforcement actions range from warning letters, Orders and penalty notices through to criminal prosecution for the most significant and serious offences.

Proponents have a legal obligation to comply with conditions of approval. The Department monitors compliance of projects with their approval conditions and takes enforcement action where breaches are found.

The Department's primary compliance monitoring tool is compliance inspections and audits of approved projects. In 2008–09, the Department conducted 38 inspections and audits across a wide range of industry sectors.

For more significant projects such as major industries, mines and infrastructure projects, proponents are required to conduct extensive environmental monitoring and commission independent environmental auditors to audit

compliance and environmental performance. The Department reviews these environmental monitoring reports and independent environmental audits required to be submitted by proponents.

Further, the Department responds to reports and allegations concerning non-compliant activity, received from other agencies, councils and members of the public.

Potential breaches are investigated by the Department to establish whether a breach has occurred and the facts surrounding confirmed breaches.

The range of enforcement responses available to the Department is shown in Table 38. The level of

enforcement response will reflect the seriousness of the particular breach.

The Department's compliance action in 2008–09 has resulted in improved environment outcomes from over 24 development projects.

TABLE 38 – ENFORCEMENT OPTIONS

Enforcement action	Significance of breach
Prosecution	highest
Court Order	
Penalty Notice	
Order	
Letter requesting undertaking	
Negotiated outcome	
Warning letter	
Record breach	

Definition of terms in Table 38

Prosecutions are criminal proceedings brought in the Land and Environment Court or Local Court for significant breaches

Court Orders result from civil proceedings brought in the Land and Environment Court to restrain or remedy breaches

Penalty Notices are fines issued directly by the Department for moderately significant breaches

Orders are issued by the Department to do such things as fixing up non-compliant development

Letters requesting undertakings are letters warning that immediate court action will be taken unless the person undertakes to do something such as suspending non-compliant activities

Negotiated outcomes are where negotiations with alleged offenders result in compliance

Warning letters are letters warning that further breaches would result in more severe enforcement action

Recording breaches are for very minor breaches that don't warrant further enforcement

The Department continues to increase its use of its enforcement powers. In 2008–09, the Department undertook a total of 83 enforcement actions, up 17 per cent from 2007–08. In particular a total of 44 warning letters were issued in response to breaches of a minor nature, seven notices were issued, a further 12 cases were dealt with by the issuing of draft orders to rectify non-compliant development and nine cases were dealt with through the issuing of orders. Penalty notices were issued in response to 11 offences. Whilst no court proceedings were commenced in 2008–09, in September 2008 a coal mining company was fined \$200,000 in the Land and Environment Court, from an action brought by the Department on behalf of the Minister in 2007–08.

The Department's compliance action in 2008–09 has resulted in improved environment outcomes from over 24 development projects. Examples of the Department's compliance actions are provided in the case studies following.

CASE STUDIES COMPLIANCE ACTIONS

A compliance inspection of a Sydney marina found additional, unapproved berths and a non-compliant pontoon arrangement extending beyond the lease boundary. The Department advised the lessor of the inconsistency, served a penalty notice on the marina and negotiated with the marina to propose regularisation of the breaches in a forthcoming application to expand the facility. It also advised the marina that any undue delay to the modification application could be met with enforcement to reduce the number of berths.

Several commercial development sites in the Sydney and Central Coast areas were found by compliance inspections to have inadequate sediment and erosion controls during construction. Through the issuing of penalty notices, warning letters and negotiation with the proponents, significant improvements were achieved in the capture of sediment on the sites.

Several rural food processing sites (abattoirs and chicken processors) were found by compliance inspections to have neglected to conduct environmental monitoring and commission independent environmental audits required by conditions of approval. In the Department's experience, developments failing to monitor their environmental performance have increased potential to cause environment harm and impact on neighbours' amenity (for example through odour and noise emissions). The Department served orders on the proponents to conduct the required environmental monitoring and to commission the required independent environmental audits.

Outcomes



After about three years of operation, some of the key on-the-ground outcomes of the major projects assessment system are now beginning to be seen. This section provides information about these outcomes at the end of 2008–09.

Over the past year, a range of projects approved under the major project assessment system have come to fruition. This section takes a look at a number of the real-world outcomes that have been, or are soon to be, achieved at the end of 2008–09.

INFRASTRUCTURE

In January 2007, the NSW Government approved a \$145 million redevelopment of **Auburn Hospital**. The construction work provided 200 jobs. The fully rebuilt hospital received its first patients in April 2009, and has a capacity for up to 184 beds. It also features six operating theatres, world-class maternity facilities and a 24-hour emergency department.

Approved in May 2007, the 183-bed **Macquarie University Private Hospital** will be the first private teaching hospital to be located on a university campus in Australia. Construction is well underway with the hospital due to open in February 2010. The hospital will provide state-of-the-art surgical care as well as advanced medical research and teaching facilities in one of Sydney's fastest growing areas. The terms of approval



Auburn Hospital



Macquarie University Private Hospital artist's impression. Image courtesy Base Creative.

include a 9-metre setback which will serve to preserve the existing character of the Talavera Road streetscape.

In another of Sydney's growth areas, the redevelopment of **Liverpool Hospital** is well underway following concept plan approval in February 2007. Scheduled for completion in 2011, the first phase of the redevelopment will provide an 855-bed facility with 23 operating theatres, 60 intensive care beds and major ambulatory care and diagnostic treatment centres.

The **Kolling Building for Research and Education** at Royal North Shore Hospital (RNSH) was officially opened in November 2008 after being approved in January 2007. The \$99 million building houses purpose-built, state-of-the-art teaching and research facilities for the University of Sydney's RNSH campus. Demonstrating the breadth of issues that the Department of Planning's staff cover in their assessment of major projects, this approval included conditions to ensure the building was designed and constructed to adequately mitigate the potential for electromagnetic interference between medical equipment and the television and radio transmission tower at nearby Gore Hill.

The Government approved the redevelopment of **Queanbeyan Hospital** in January 2007. The \$51 million project was completed in March 2009 and began operating in April. The new hospital provides 55 beds plus a further 16 emergency department beds. The approval required the proponent to carefully remove and re-establish a memorial rose garden near the historic property, Rusten House.

Sydney Water's **Desalination plant** at Kurnell began to supply drinking water from January 2010, securing Greater Sydney's water supply into the future and against the effects of climate change, population growth and drought. The plant will be able to supply up to 250 million litres a day, which represents around 15 per cent of Sydney's drinking water needs. It can be scaled up to 500 million litres per day (up to 30 per cent of Sydney's drinking water) if required.



Sydney Water's desalination plant under construction. Image courtesy Sydney Water.



Artist's impression of the Liverpool Hospital redevelopment. Image courtesy South West Sydney Area Health Service.



Queanbeyan Hospital. Image courtesy Greater Southern Area Health Service



Turbines at the Capital Wind Farm under construction. Image Courtesy Renewable Power Ventures Pty Ltd.

Prior to approval in November 2006, the Department extended the exhibition period to a total of 71 days to maximise opportunity for the public to make submissions on the proposal. The approval puts limits on the velocity of seawater moving into the plant to protect small marine life. 15 hectares of significant remnant vegetation must be conserved, providing important habitat for endangered frog species. Conditions have also been imposed to ensure that the Grey-headed Flying Fox colony on the Kurnell Peninsula is protected during all stages of the project.

In keeping with the NSW Government's commitment to fully offset the greenhouse gas impacts of the project, the desalination plant's energy requirements will be met entirely by renewable wind power generated at the **Capital Wind Farm**.

This project was approved in November 2006 and opened in November 2009. The wind farm near Bungendore consists of 67 turbines and will generate a maximum of 140 megawatts of power. The wind farm will increase the amount of wind energy produced in NSW by 700 per cent. The Department's approval of this project includes stringent noise monitoring requirements.

About 40 km to the north, the **Cullerin Range wind farm** began operation in August 2009, after being approved in 2007. Here, 15 turbines contribute a maximum of 30 megawatts of renewable energy to the State's power grid. Once again, the terms of approval include ongoing noise monitoring to ensure noise impacts on surrounding properties are kept within acceptable limits.

In February 2007, the NSW Government approved the construction of the 1.7 km **City West electricity transmission cable tunnel**. With tunnelling now complete, the project at the end of 2008–09 had progressed to the fit out phase and will replace existing infrastructure and improve the reliability of the Sydney CBD's electricity supply. Surface works have been carried out within a converted building to meet the stringent noise and dust limits stipulated by the Department of Planning. The proponent also committed to construct an acoustic enclosure which has served to limit the potential noise impacts of the tunnelling work.

Approved in July 2006, the \$500 million **Colongra gas-fired power station** near Lake Munmorah on the Central Coast, with the potential to generate up to 667 megawatts of electricity, opened just before Christmas 2009. The new gas-fired power station, adjacent to the existing coal-fired Munmorah Power Station, is a peaking plant able to respond quickly during peak electricity demand periods. The Department's approval requires regular monitoring of emissions to ensure environmental air quality criteria are adhered to.

Following approval in June 2008, construction is well underway on the 14 km **Kingsgrove to Revesby Quadruplication Project**. By the end of 2008–09, bulk earthworks were in progress and rail and road bridges were being either modified or constructed at Beverly Hills. Work on signalling equipment and station platforms were also underway along the length of the line between Beverly Hills and Revesby. The finished project is scheduled to be integrated into the CityRail network in 2013, and will allow for a physical separation of local (all stations) and express services operating on the East Hills Line.



In its assessment of the project the Department paid close attention to the likely noise and vibration impacts of the construction work. The approval limits these activities to weekdays and Saturday mornings, and also requires the proponent to consult with nearby educational institutions to minimise noise during exam periods.

INDUSTRY

Approved in April 2008, **SITA's Advanced Waste Technology Mechanical Biological Treatment Composting Facility** in western Sydney was officially opened in March 2009. The commissioning process was completed in August 2009 and the plant is now fully operational. At capacity, this advanced resource recovery facility will process up to 134,000 tonnes of waste per year. The \$50 million project will divert up to 78 per cent of waste entering the plant from landfill. Up to 90,000 tonnes of greenhouse gas emissions will be avoided by recycling organic and other waste matter – the equivalent of taking 20,000 cars off the road permanently.

The **Abel underground coal mine**, about 25 km northwest of Newcastle, was approved in June 2007. Stage 1 of the project, the construction and initial development phase, was completed in April 2009 with Stage 2, development of main roadways and the first production panel expected to be completed by mid 2010. Stage 3 is the introduction of secondary extraction and the ramp up to full production levels by 2014. Once in full production, the mine will provide jobs for over 350 full-time workers for a period of up to 20 years.

During the assessment of the project, particular attention was paid to the potential for subsidence impacts associated with underground mining. The approval conditions include a zero subsidence requirement under the F3 freeway and the Pambalong Nature Reserve, and negligible subsidence under local residences, schools,



SAWT MBT Composting Facility. Image courtesy SITA Environmental Solutions.

the Black Hill church and cemetery, and sensitive creeks and rainforest areas. These low subsidence protocols are significantly in advance of those adopted by any other underground coal mining operation in the State.

In August 2008, the NSW Government approved the construction of the **Goodman Fielder packaged food production facility** on a 5.4 hectare site at Erskine Park. The \$20 million facility is due for commissioning late in 2009 and will be fully operational by early 2010. The plant will provide jobs for 120 workers. The Department's approval required additional landscaping of the site and other measures to ensure the building does not detract from the visual amenity of the area. Other approval conditions include appropriate bunding, rainwater harvesting and a soil and water management plan detailing erosion and sediment control measures and stormwater infrastructure

In May 2007, a project was approved to expand the Visy Pulp and Paper Mill in Tumut in the State's south. Due to be completed by the end of 2009, the \$375 million project will more than double the mill's production capacity to a total of 700,000 tonnes of paper per year, providing direct permanent employment for an additional 50 workers.



Abel Underground Coal Mine Portal. Image courtesy Donaldson Coal.



Work in progress on the expansion of the Visy pulp and paper mill in Tumut. Image courtesy Visy.

TOURISM AND RECREATION

The **Emirates Wolgan Valley Resort** was approved in April 2007 and opened its doors to guests in October 2009. The \$125 million resort occupies just two per cent of a 4000 acre conservation reserve adjacent to the Wollemi National Park, west of Lithgow. The Department's approval commits the proponent to an extensive landscape management program, which will include revegetating the site, rehabilitating creeks and controlling weeds and feral pests.

The **Pullman Hotel at Sydney Olympic Park** welcomed its first guests in July 2008 following approval by the NSW Government in July 2006. The \$65 million project is the first 5-star hotel in western Sydney and offers 212 rooms. During the assessment process, it was emphasised that the form of the new building should not compete with the existing landmark structures in the Olympic Park precinct. In consultation with the Sydney Harbour Foreshore Committee, the Department found that an amended design for the project complemented the neighbouring Novotel development and was an appropriate addition to the precinct's skyline.

The new **Victor Trumper Stand** at the Sydney Cricket Ground was opened to spectators in December 2008. The \$82.5 million project provided jobs for approximately 1200 construction workers. The new stand replaces Yabba's Hill and the Doug Walters Stand and results in an increase in the ground's overall public seating capacity, as well as a greater proportion of undercover stand seating. The Department's conditions on the project approval included the retention of an ivy-covered stone wall between the Sydney Cricket Ground and Fox Studios Australia.

URBAN DEVELOPMENT

Sydney Water moved into its brand new head office in Parramatta in May 2009 following the project's approval in March 2007. At its peak, construction of the \$121 million building provided 350 jobs on site as well as work for a further 85 subcontractors. Accommodating 1400 staff, the building has been designed to achieve a 5-star rating under the Green Building Council's Green Star Scheme. This will see a 37 per cent reduction in greenhouse gas emissions and a 75 per cent reduction in drinking water use over a typical office building of comparable size.

The Department of Planning's assessment process considered the building's impact on pedestrian access and amenity in Parramatta's emerging Civic Place precinct.



The Emirates Wolgan Valley Resort and Spa. Image courtesy Professional Public Relations.



Pullman Hotel Sydney Olympic Park. Image Courtesy Sydney Olympic Park Authority.



The Victor Trumper Stand at the Sydney Cricket Ground. Image courtesy Hamilton Lund / SCG Trust.



Sydney Water's head office in Parramatta. Image courtesy Sydney Water.

Major project policy initiatives

A number of changes were made to the assessment of major projects during 2008–09. These include the following:

PROJECT DELIVERY MANAGERS

In April 2009, a team of project delivery managers began work at the Department to help streamline the progress of major projects and rezonings.

The NSW Government announced in October 2008 that project delivery managers would be employed within the Department of Planning to improve planning outcome timeframes. The government's commitment to such managers was reiterated in its response to the Jobs Summit in April 2009.

The project delivery managers' key functions include:

- Being a single point-of-contact for proponents;
- Co-ordinating and securing timely concurrences and referrals and the interaction with government agencies and local councils; and
- Overseeing performance monitoring and reporting.

During 2008–09, the project delivery managers played an invaluable role in helping to resolve some key issues. There are two case studies about their work below:

CASE STUDY COSTCO

Costco Wholesale Australia approached the Department with a proposal for a three storey Costco warehouse and commercial premises, car parking and landscaping at a site in Auburn located between Parramatta Road and the M4 Freeway.

The project was deemed of state or regional significance under the previous Major Projects State Environmental Planning Policy (SEPP) as a commercial development over \$50 million, with the potential to deliver significant employment opportunities (275 construction/ 450 ongoing).



Proposed Costco facility.

At the outset of the assessment, the Department's project delivery manager (PDM) developed a project plan in consultation with the assessment team.

This approach established a timeframe for assessment, ensured that the project risks and opportunities were identified and resolved early in the process, and allowed resources to be appropriately allocated to key tasks. The project plan identified two key project risks relating to achieving compliance with State Government agencies' requirements regarding the project's design.

In response, the PDM arranged an on-site inspection attended by the proponent, Auburn Council and other government agencies, to encourage face-to-face discussion which resulted in quicker resolution of project issues between stakeholders.

For instance, the PDM liaised with another agency to resolve issues regarding a proposed setback of the development from a nearby waterway. By acting as a liaison between stakeholders, the PDM also provided an opportunity for the proponent to clarify and confirm the Department's expectations for its environmental assessment, minimising unnecessary delays during the assessment process.

CASE STUDY FORSTER

Woolworths is proposing a \$53 million development involving a Big W department store, Woolworths supermarket, speciality shops, commercial premises and a childcare facility at the Lakes Way in Forster.

The site has been identified in both local and State land use strategies for possible future development, subject to a number of environmental constraints – particularly due to its proximity to Wallis Lake. The site has the potential to service the retail needs of a rapidly-growing area.

Woolworths approached the relevant PDM for assistance with resolving planning issues at the site following concerns that a traditional rezoning process may take several years.

Having considered the complexity of issues surrounding the development of the site, the manager recommended the project be declared a major project.

Following this declaration, the manager met with the council and relevant government agencies to initiate communication between the stakeholders and establish the expectations of these stakeholders for the project's assessment.

A timeline has been developed for the major project assessment, the rezoning of the site and the strategic development of the broader precinct in an efficient and coordinated manner.



PROJECT DELEGATIONS

In March 2009, as a streamlining measure, the Minister delegated her powers to undertake some major project assessment tasks to senior Departmental officers. Among other things, these delegations give the Department the ability to:

- Declare a project to be assessed through the Part 3A system, or to initiate a study into a State significant site, if the proposal is consistent with the provisions of the Major Development State environmental planning policy and provided the proposed development is consistent with a regional or subregional strategy;
- Determine project applications, where the capital investment value is less than \$50 million and there are less than 25 submissions; and
- Authorise the lodgement of concept plans, again where the development is consistent with a regional or subregional strategy.

PLANNING ASSESSMENT COMMISSION

During 2008–09, the Planning Assessment Commission began operation. An analysis of its work is available on page 11.

POLITICAL DONATIONS DISCLOSURE REFORMS

In late 2008, the NSW Government introduced new laws requiring the disclosure of political donations by individuals or organisations submitting or objecting to development proposals.

This legislation requires the disclosure, when making an application, of any political donations made to councillors of \$1000 or more (or smaller donations totalling \$1000 or more) or gifts (as defined by the *Electoral Funding Act 1981*) made in the two years prior to the application date. A key requirement of this legislation is for a register of these donations to be made publically available.

If a development is directly lodged with or referred to the Department of Planning or the Minister for determination, then a disclosure of political donations made to political parties is required. These reforms are a key step in implementing the government's objective of increasing the transparency of the State's planning system and restoring the public's confidence in the system.

Decisions on local environmental plans (LEPs)

LEPs are statutory instruments which include local planning rules such as zonings, heights, subdivision sizes and other development controls. Major changes to LEPs can have significant impacts on adjoining property owners and long-term local planning.

Since its introduction in 2006, the LEP Review Panel has effectively streamlined the plan-making process by providing upfront advice and direction to councils.

The panel includes the Director-General of the Department of Planning (or his nominee), senior Departmental executives and a nominee from the Local Government and Shires Associations as well as receiving advice from the Department's regional teams on proposed (LEPs) and input from relevant councils as necessary to clarify proposals as part of panel meetings.

During 2008–09, a total of 140 LEPs were considered by the Department's LEP Review Panel. This is significantly less than the 230 considered in 2007–08. This reduction can be largely attributed to:

- Councils concentrating on the strategic work relating to their new council-wide LEP;
- Councils "bundling" a number of amending LEPs into the one document; and
- The economic downturn.

In total, 85 per cent of all LEPs submitted to the panel were supported to proceed further. This is significantly higher than the 77 per cent last year. About 78 per cent of LEPs were responded to within 25 days.

CASE STUDY

NEW 'GATEWAY' PLAN-MAKING SYSTEM

During 2009, the Department developed significant reforms to the plan-making system. These changes commenced on July 1, 2009. The new 'gateway' system:

- Helps meet the NSW Government's target to reduce LEP timelines;
- Provides clear and publicly-available justification for each plan at an early stage;
- Ensures vital NSW and Commonwealth agency input is sought at an early stage;
- Replaces the former 'one size fits all' system, under which all LEPs large and small were subject to the same rigid approval steps, with one that better tailors assessment of the proposal to its complexity;
- Improves links between long-term strategic planning documents, such as regional and metropolitan strategies.

One major advantage of the system is that planning proposals for new LEPs must now be in a plain-English style, to help people easily understand what is being proposed. Furthermore, these proposals – along with decisions about whether the proposals can proceed – are all available online in a new tracking system.

The LEP Review Panel will continue to make recommendations on the progress of these planning proposals. More information about the 'gateway' system is available at www.planning.nsw.gov.au



TABLE 39 – LEP REVIEW PANEL DECISIONS 2008–09

Type of LEP	Proceed	Not proceed	Total	%
Housekeeping	11	2	13	9
Policy	15	0	15	11
Precinct	5	1	6	4
Reclassification	5	0	5	4
Section 73A	7	4	11	8
Spot Rezoning	76	14	90	64
Total	119	21	140	100

Definitions of the terms in the table:

Policy – Involving a change in general and specific planning policy and provisions across the LGA or part of it, e.g. adding prohibited uses to a number of zones, changing development standards, introducing provisions inconsistent with SEPPs, Ministerial directions or other policies.

Precinct – Involving part of a local government area (LGA), e.g. city centre, including a review of general and specific planning policy and provisions.

Reclassification – LEPs to reclassify council land from community to operational uses (or vice versa) under the Local Government Act.

Section 73A – Allows certain types of minor amendments to be made to environmental planning instruments without following the usual procedures for preparing an instrument (particularly public exhibition) under Part 3 of the EP&A Act.

Spot rezoning – Usually involve a change of zoning for a single site, or additional permitted uses and/or development controls that relate to the development of that site.

Housekeeping – Usually involves fixing technical issues, consolidating or reorganising plans or removing errors

TABLE 40 – LEPS APPROVED 2008–09

Region	LEPs approved where council has reported directly to Minister	LEPs approved where Department has reported to Minister	Section 73A amendments	Total
Sydney East region	22	4	0	26
Sydney West region	14	5	3	22
Hunter & Central Coast region	19	10	0	29
Southern region	10	3	1	14
Western region	3	2	0	5
Northern region	11	12	2	25
Total LEPs	79	36	6	121

TABLE 41 – FINALISED LEPS BY CATEGORY 2008–09

LEP category	Number
Spot Rezonings	67
Reclassifications	8
Policy	20
Precinct	13
s.73A	5
Housingkeeping	1
Comprehensive	3
Not shown on LEP Tracking System	4
Total	121

TABLE 42 – APPROVALS WITH A CAPITAL INVESTMENT VALUE OF MORE THAN \$20 MILLION

Project type	Description	Council area/s	Capital investment value	Date determined
Part 3A	Project Application – Silverton wind farm	Broken Hill City Council; Unincorporated Area; Wentworth Shire Council	\$2,000,000,000	24/05/2009
Part 3A	Concept Plan, Huntlee New Town	Cessnock City Council; Singleton Shire Council	\$1,600,000,000	09/02/2009
Part 3A Mod	Concept Plan Modification - Former CUB Site	Sydney City Council	\$1,286,414,000	05/02/2009
Part 3A Mod	BlueScope Cogeneration Plant Project	Wollongong City Council	\$750,000,000	15/12/2008
Part 3A	Kempsey to Eungai - Project Application	Kempsey Shire Council; Nambucca Shire Council	\$727,000,000	10/07/2008
Part 3A	Concept Plan – Bonnyrigg Living Centres Project	Fairfield City Council	\$700,000,000	12/01/2009
Part 3A	Project Application - Acute Hospital and Community Health Facility, RNSH	Willoughby City Council	\$700,000,000	17/06/2009
Part 3A	Queensland-Hunter Gas Pipeline	Gunnedah Shire Council; Liverpool Plains Shire Council; Maitland City Council; Moree Plains Shire Council; Muswellbrook Shire Council; Narrabri Shire Council; Newcastle City Council; Port Stephens Council; Singleton Shire Council; Upper Hunter Shire Council	\$600,000,000	11/02/2009
Part 3A	Concept Plan – North Cooranbong Residential Precinct	Lake Macquarie City Council	\$587,472,000	15/12/2008
Part 3A	Concept Plan residential, commercial, cultural and open space – North Eveleigh	Sydney City Council	\$550,000,000	16/12/2008
Part 3A Mod	Commercial floorspace, Barangaroo	Sydney City Council	\$500,000,000	16/02/2009
Part 3A	Sapphire to Woolgoolga - Project Application	Coffs Harbour City	\$465,000,000	13/01/2009
Part 3A	Concept Plan 06_0199, Freeway North Business Park, Beresfield	Newcastle City Council	\$430,000,000	29/09/2008
Part 3A	Illawarra Regional Business Park	Shellharbour City Council	\$365,000,000	02/01/2009
Part 3A	Project Application - Wellington Gas Fired Power Station	Wellington Council	\$350,000,000	11/03/2009
Part 3A	Switching Station / Star City Casino redevelopment	Sydney City Council	\$349,209,000	27/01/2009
Part 3A	Mount Arthur Coal Mine	Muswellbrook Shire Council	\$300,000,000	02/12/2008
Part 3A	Concept Plan 07_0099, Potts Hills Reservoir Development	Bankstown City Council	\$287,600,000	27/04/2009
Part 3A	Concept Plan Commercial development, Darling Walk	Sydney City Council	\$280,000,000	09/07/2008
Part 3A	Water Related Services for Stage One Precinct, North West Growth Centre	Baulkham Hills Shire Council; Blacktown City Council; Hawkesbury City Council	\$278,000,000	18/11/2008

Project type	Description	Council area/s	Capital investment value	Date determined
Part 3A	Bulk excavation, construction of proposed buildings and road works, Darling Walk	Sydney City Council	\$259,233,681	02/01/2009
Part 3A	Clinical Services Complex, Liverpool Hospital	Liverpool City Council	\$257,979,345	18/12/2008
Part 3A	Project Application - Wind Farm, Gullen Range	Upper Lachlan Shire Council	\$250,000,000	26/06/2009
Part 3A	Project Application - Stage 2 Facility, Bamarang Gas Fired Power Station	Shoalhaven City Council	\$245,200,000	29/10/2008
Part 3A	Concept Plan, Pitt Town Residential Precinct	Hawkesbury City Council	\$210,000,000	10/07/2008
Part 3A	Ethanol Expansion, Shoalhaven Starches Plant	Shoalhaven City Council	\$200,000,000	28/01/2009
Part 3A	Oakdale Central Concept Plan, Horsely Park	Fairfield City Council	\$194,000,000	02/01/2009
Part 3A	Banora Point- Project Application	Tweed Shire Council	\$191,000,000	26/02/2009
Part 3A	Soybean Processing & Biodiesel Facility, Port Kembla Biodiesel Facility	Wollongong City Council	\$166,800,000	05/05/2009
Part 3A	Concept Plan, Catherine Hill Bay and Gwandalan	Lake Macquarie City Council; Wyong Shire Council	\$161,880,000	02/09/2008
Part 3A	Eco-residential subdivision, Lakes Way, Seven Mile Beach	Great Lakes Council	\$161,637,500	10/07/2008
Part 3A	Victoria Road Upgrade - Project Application	Canada Bay City Council; Leichhardt Municipal Council	\$156,000,000	09/04/2009
Part 3A	Hunter Valley Operations South Coal Project	Singleton Shire Council	\$130,000,000	24/03/2009
Part 3A	Tempe Tip Site	Marrickville Council	\$120,000,000	27/04/2009
Part 3A	Concept Plan Application. Keepit Dam Upgrade	Gunnedah Shire Council; Tamworth Regional Council	\$116,000,000	29/04/2009
Part 3A	Seniors Living Development (Concept Plan), Moruya East Village	Eurobodalla Shire Council	\$113,842,000	10/05/2009
Part 3A	North West Parkes Gas Fired Power Station	Parkes Shire Council	\$110,000,000	10/07/2008
Part 3A	Golf resort, Helensburgh	Wollongong City Council	\$107,934,630	13/01/2009
Part 3A	Plantations Precinct - Project Application, Breakfast Point	Canada Bay City Council	\$103,540,000	06/10/2008
Part 3A	Concept Plan, Bungaribee Precinct (Doonside)	Blacktown City Council	\$100,000,000	04/03/2009
Part 3A	Warwick Farm Printing Project	Liverpool City Council	\$100,000,000	24/03/2009
Part 3A	Project Application, Rosehill Recycled Water Scheme	Bankstown City Council; Fairfield City Council; Holroyd City Council; Parramatta City Council	\$100,000,000	01/06/2009
Part 3A	Project Application - Minimbah Bank Third Track	Singleton Shire Council	\$100,000,000	22/05/2009
Part 3A	Project Application - Noble / Bradman Stand	Sydney City Council	\$93,800,000	08/04/2009
Part 3A	Bluetongue Brewery Warnervale	Wyong Shire Council	\$90,000,000	02/12/2008

Project type	Description	Council area/s	Capital investment value	Date determined
Part 3A	DHL Logistics Hub, Oakdale Central, Horsley Park	Fairfield City Council	\$89,000,000	02/01/2009
Part 3A	Project Application - RNH Stage 1A & 1B development	Newcastle City Council	\$86,500,000	09/07/2008
Part 3A	Project Application - Western Rail Coal Unloader	Lithgow City Council	\$80,000,000	27/06/2009
Part 3A	Minto Maltings Project	Campbelltown City Council	\$79,427,248	12/05/2009
Part 3A	Riverina Oils and Biodiesel Project	Wagga Wagga City Council	\$75,000,000	07/11/2008
Part 3A	Red Cross Medical Research and Development Project	Sydney City Council	\$72,000,000	23/02/2009
Part 3A	Project Application - Cochlear Global	Ryde City Council	\$71,093,000	02/01/2009
Part 3A	Concept Plan - Precinct 1 Subdivision, Pelaw Main By-Pass, and Station Street Extension	Cessnock City Council	\$68,400,000	28/04/2009
Part 3A	Health Facility, Royal Rehabilitation Centee	Ryde City Council	\$65,855,000	16/12/2008
Part 3A	Pemulwuy Mixed Use Development Redfern	Sydney City Council	\$60,000,000	30/06/2009
Part 3A	Project Application, Hospital and ancillary health care services (1-8 Nield Ave Greenwich)	Lane Cove Municipal Council	\$56,000,000	26/06/2009
Part 3A	Concept Plan - Elsie Street Burwood	Burwood Council	\$55,400,000	02/03/2009
Part 3A	Hotel, Tourist Units, Serviced Apartments, Conference Facilities, and Residential Development, Cattle Bay, Eden	Bega Valley Shire Council	\$55,000,000	22/08/2008
Part 3A	Bayswood Retirement Living Village	Shoalhaven City Council	\$54,804,511	28/01/2009
Part 3A	Concept Plan, Orange Private Hospital	Orange City Council	\$50,670,000	23/11/2008
Part 3A	Metropolitan Coal Project	Wollongong City Council	\$50,000,000	22/06/2009
Part 3A	Infrastructure & Ancillary Hospital Works, Liverpool Hospital	Liverpool City Council	\$48,950,000	15/04/2009
Part 3A	Project Application - Sydney Water facility, Potts Hill Reservoirs Redevelopment	Bankstown City Council	\$47,830,000	07/01/2009
Part 3A	Project Application, Narrabri Coal Seam Gas Utilisation Project (Wilga Park Power Station)	Narrabri Shire Council	\$46,000,000	02/12/2008
Part 3A	Woolworths Eastern Creek Data Centre	Blacktown City Council	\$45,000,000	15/12/2008
Part 3A	Woolworths Erskine Park Data Centre Project	Penrith City Council	\$45,000,000	15/12/2008
Part 3A	Alterations and additions to the MCA	Sydney City Council	\$43,792,729	26/06/2009
Part 3A	Residential Subdivision, George Bass Drive, Rosedale	Eurobodalla Shire Council	\$41,500,000	02/10/2008

Project type	Description	Council area/s	Capital investment value	Date determined
Part 3A	Riveroaks Estate Residential Subdivision	Ballina Shire Council	\$40,000,000	14/12/2008
Part 3 Mod	Changes to turbine heights and locations, Crookwell II Wind Farm	Upper Lachlan Shire Council	\$38,500,000	29/06/2009
Part 3A	Vincentia District Town Centre - Stage 1	Shoalhaven City Council	\$36,730,000	07/01/2009
Part 3A	Residential Community (Concept Plan), Pacific Pines Estate, Lennox Head	Ballina Shire Council	\$36,000,000	12/11/2008
Part 3A	CoFA Campus Redevelopment	Sydney City Council	\$35,000,000	16/12/2008
Part 3A	Camden Gas Project	Camden Council; Campbelltown City Council; Wollondilly Shire Council	\$35,000,000	04/09/2008
Part 3A	Spring Farm and Menangle Park, Camden Gas Project	Camden Council; Campbelltown City Council; Wollondilly Shire Council	\$35,000,000	04/09/2008
Part 3A	Residential subdivision into 524 lots, Glades Estate, Moonee Beach	Coffs Harbour City Council	\$34,925,700	05/03/2009
Part 3A	BlueScope Steel Injection Station Project, Port Kembla Steelworks	Wollongong City Council	\$34,000,000	15/12/2008
Part 3A	Sandvik Machine Manufacturing and Maintenance Facility, Tomago Machinery Plant	Port Stephens Council	\$33,000,000	10/12/2008
Part 3A	Black Springs Wind Farm	Oberon Council	\$32,600,000	10/07/2008
Part 3A	Project Application - WIPS Manufacturing Facility, Hunter Economic Zone (HEZ)	Cessnock City Council	\$30,500,000	28/04/2009
Part 3A	Project Application, Narrabri Hospital	Narrabri Shire Council	\$27,000,000	15/03/2009
Part 3A	Project Application - Stage 2 Integrated Cancer Care Centre, Lismore Base Hospital	Lismore City Council	\$26,990,000	29/10/2008
Part 3A	P&N Smeaton Grange Soft Drink and Fruit Juice Project	Camden Council	\$25,000,000	02/01/2009
Part 3A	Project Application - Kareena Private Hospital	Sutherland Shire Council	\$24,700,000	09/06/2009
Part 3A	Orange Private Hospital	Orange City Council	\$24,000,000	23/11/2008
Part 3A	Australian Institute of Police Management	Manly Council	\$20,995,000	20/03/2009
Part 3A Mod	Site H Project - GPT Warehouse and Distribution Centre - Erskine Park	Penrith City Council	\$20,050,000	21/04/2009
Part 3A	Goodman Fielder Production Facility	Penrith City Council	\$20,000,000	04/08/2008



Planning