

Project Approval

Section 75J of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Planning, approve the project referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.

Frank Sartor MP
Minister for Planning

Sydney

5 September

2006

File No: 9039642

SCHEDULE 1

Application No: 05_0097

Proponent: Cronulla Pty Ltd.

Approval Authority: Minister for Planning.

Land: Lot 101 DP 1082400, Campbelltown Local Government Area.

Project: The Advance Metal Manufacturing Plant, 11 Austool Place, Ingleburn

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SCHEDULE 2

Act	<i>Environmental Planning and Assessment Act, 1979</i>
AEMR	Annual Environmental Management Report
Construction	Includes any activity requiring a Construction Certificate, significant excavation work, road works, demolition, or any construction related activity as described in Major Projects Application 05_0097.
Council	Campbelltown City Council
dB(A)	decibel (A-weighted scale)
Department	NSW Department of Planning
Project, the	the project as described in the EA and amended by the conditions of this approval
Director-General	Director-General of the NSW Department of Planning, or delegate
Dust	any solid material that may become suspended in air or deposited
EA	Environmental Assessment titled <i>Environmental Assessment – Metal Manufacturing Plant for Advance Metal: 11 Austool Place, Ingleburn</i> prepared by Urbis JHD Pty Ltd and dated June 2006
EPL	Environment Protection Licence issued under the <i>Protection of the Environment Operations Act, 1997</i>
Minister	NSW Minister for Planning, or delegate
Operation	Commissioning of any stage of works as described in the Major Projects Application 05_0097.
Project	The project described in Part 5 of the EA.
Proponent	Cronulla Pty Ltd
Regulation	<i>Environmental Planning and Assessment Regulation, 2000</i>
Site	Land to which Major Projects Application 05_0097 applies.

1. ADMINISTRATIVE CONDITIONS

Terms of Approval

- 1.1 The Proponent shall carry out the project generally in accordance with:
 - a) Major Project Application 05_0097, lodged with the Department of Planning on 5 June 2006;
 - b) the Environmental Assessment, titled *Environmental Assessment – Metal Manufacturing Plant for Advance Metal: 11 Austool Place, Ingleburn* prepared by Urbis JHD Pty Ltd and dated June 2006;
 - c) the Statement of Commitments, prepared by Urbis JHD Pty Ltd and dated June 2006; and
 - d) the conditions of this approval.
- 1.2 If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of the inconsistency.
- 1.3 The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
 - a) any reports, plans or correspondence that are submitted by the Proponent in accordance with this approval; and
 - b) the implementation of any actions or measures contained in those reports, plans or correspondence submitted by the Proponent.

2. SPECIFIC ENVIRONMENTAL CONDITIONS

Air Quality

- 2.1 The Proponent shall design, construct, operate and maintain the project in a manner that minimises dust and vapour emissions from the site.
- 2.2 The Proponent shall ensure that all road surfaces on the site are paved.
- 2.3 The Proponent shall ensure that all vehicles entering and leaving the site are covered at all times (except during loading and unloading) in a manner that will prevent emissions of dust from the vehicle at all times.

Noise

- 2.4 The Proponent shall ensure that noise from the project at the nearest sensitive receiver does not exceed:
 - a) a L_{Aeq} (15 minute) noise emission criterion of 40 dB(A) during the day;
 - b) a L_{Aeq} (15 minute) noise emission criterion of 42 dB(A) during the evening; and
 - c) a L_{Aeq} (15 minute) noise emission criterion of 37 dB(A) during the night.

Note: For the purposes of this condition, day is defined as the period from 7am to 6pm, Monday to Saturday, and 8am to 6pm, Sundays and Public Holidays. Evening is defined as the period from 6pm to 10pm. Night is defined as the period from 10pm to 7am, Monday to Saturday, and 10pm to 8am, Sundays and Public Holidays.

Noise emission limits apply under meteorological conditions of wind speeds up to 3 m/s at 10 metres above ground level or temperature inversions conditions of 3°C/100m and wind speed up to 2 m/s at 10 metres above the ground. To determine compliance with this condition, noise from the project must be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary.

Where it can be demonstrated that direct measurement of noise from the project is impractical, the EPA may accept alternative means of determining compliance (see

Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.

- 2.5 Prior to the commencement of operations, the Proponent shall erect a 3.5 metre high imperforate barrier along the northeast and southeast boundaries of the site as recommended in the documents listed under condition 1.1 of this approval.

Hours of Construction

- 2.6 The Proponent shall undertake all construction activities associated with the project between the following hours:
- a) 7:00 am to 5:00 pm, Mondays to Saturdays, inclusive; and
 - b) at no time on Sundays or public holidays
- unless noise from the construction activity is inaudible at the nearest affected residential receiver, or unless otherwise approved in writing by the Director-General.

Traffic and Transport

- 2.7 The Proponent shall ensure that heavy vehicle movements associated with the project only occur at the site between the following hours:
- a) 7:00 am to 10:00 pm, Mondays to Saturdays, inclusive; and
 - b) at no time on Sundays or public holidays
- unless otherwise approved in writing by the Director-General.
- 2.8 The Proponent shall ensure that vehicles associated with the project do not stand or park on any public road or footpath adjacent to the site.
- 2.9 The swept path of the largest vehicle entering and exiting the site, as well as manoeuvrability through the site, shall be in accordance with Austroads standards.
- 2.10 Off-street parking associated with the proposed project, including driveways, aisle widths, aisle lengths, parking bay dimensions, sight distances and loading bays, shall be designed in accordance with AS 2890.1 – 2004 and AS 2890.2 – 2002.

Visual Amenity

- 2.11 The Proponent shall ensure that no lights are directed towards private residences or roads, and that lighting is consistent with Australian Standard *AS4282(INT) 1995: Control of Obtrusive Effects of Outdoor Lighting*.

Soil and Water Quality

- 2.12 The Proponent shall comply with Section 120 of the *Protection of the Environment Operations Act 1997* in the carrying out of the project.

3. ENVIRONMENTAL MONITORING AND MANAGEMENT

Construction Environmental Management Plan

- 3.1 The Proponent shall prepare and implement a **Construction Environmental Management Plan** to outline environmental management practices and procedures to be followed during construction of the project. The Plan shall include, but not necessarily be limited to:
- a) a description of all activities to be undertaken on the site during construction including an indication of stages of construction, where relevant;
 - b) statutory and other obligations that the Proponent is required to fulfil during construction including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
 - c) details of how the environmental performance of the construction works will be monitored. In particular, the following environmental performance issues shall be addressed in the Plan:

- i) measures to monitor and manage dust emissions;
- ii) measures to monitor and minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities;
- iii) measures to monitor and control noise emissions during construction works, in the form of a Construction Noise Management Protocol prepared in consultation with Council; and
- iv) measures to manage traffic impacts during construction;
- d) contingency measures should monitoring of environmental issues under this approval indicate that the project has had, or is having an adverse environmental impact;
- e) a description of the roles and responsibilities for all relevant employees involved in the construction of the project; and
- f) complaints handling procedures during construction.

The Plan shall be submitted for the approval of the Director-General no later than one month prior to the commencement of construction of the project, or within such period otherwise agreed by the Director-General. Construction shall not commence until written approval has been received from the Director-General.

Operation Environmental Management Plan

3.2 The Proponent shall prepare and implement an **Operation Environmental Management Plan** to detail an environmental management framework, practices and procedures to be followed during operation of the project. The Plan shall include, but not necessarily be limited to:

- a) identification of all statutory and other obligations that the Proponent is required to fulfil in relation to operation of the project, including all approvals, licences, approvals and consultations;
- b) a description of the roles and responsibilities for all relevant employees involved in the operation of the project;
- c) overall environmental policies and principles to be applied to the operation of the project;
- d) standards and performance measures to be applied to the project, and a means by which environmental performance can be periodically reviewed and improved, where appropriate;
- e) management and monitoring policies to ensure that environmental performance goals are met and to comply with the conditions of this approval; and
- f) the Management Plans listed under condition 3.3 of this approval.

The Plan shall be submitted for the approval of the Director-General no later than one month prior to the commencement of operation of the project, or within such period otherwise agreed by the Director-General. Operation shall not commence until written approval has been received from the Director-General.

3.3 As part of the Operation Environmental Management Plan for the project, required under condition 3.2 of this approval, the Proponent shall prepare and implement the following Management Plans:

- a) An **Air Quality Management Plan** to outline measures that will be employed to minimise air pollutant emissions from the site. The Plan must be prepared in consultation with Council, and include:
 - i) a program for monitoring air quality to ensure that air pollution impacts associated with the project are minimised;
 - ii) details of air pollution management practices to ensure that air pollutant emissions from the site are minimised under all weather conditions and during periods of inactivity at the site;
 - iii) details of reporting procedures consistent with condition 5.1 of this approval in the event of a dust emission incident with actual or potential off-site impacts;

- iv) details of complaint management procedures for dust-related complaints received through the means listed in condition 6.2 of this approval; and
- v) details of the contingency measures that would be implemented if dust emission incidents with actual off-site impacts occur.
- b) a **Noise Management Plan** to outline measures that will be employed to minimise noise emissions from the site. The Plan must be prepared in consultation with Council, and include:
 - i) a program for monitoring noise emissions from the site to ensure that noise impacts associated with the project are minimised;
 - ii) details of reporting procedures consistent with condition 5.1 of this approval in the event of a noise emission incident with actual or potential off-site impacts;
 - iii) details of complaint management procedures for noise-related complaints received through the means listed in condition 6.2 of this approval; and
 - iv) details of the contingency measures that would be implemented if noise emission incidents with actual off-site impacts occur.
- c) a **Traffic Management Plan** to outline minimum requirements for the movement of heavy vehicles to and from the site. The Plan must be prepared in consultation with the Council, and include:
 - i) details of the access routes to be used by vehicles associated with the site, and the means by which these access routes will be enforced;
 - ii) speed limits to be observed along routes to and from, and within the site;
 - iii) movement scheduling where practicable to minimise noise and traffic volume impacts during sensitive times of the day;
 - iv) behavioural requirements for drivers to ensure that noisy practices such as the use of compression engine brakes are not unnecessarily used;
 - v) the inclusion of conditions in employee/service provider contracts that require compliance with the Proponent's reasonable directions aimed at minimising adverse environmental impacts from vehicle movements; and
 - vi) a system of audited management practices that identifies non-conformances, initiates and monitors corrective and preventive actions (including disciplinary action for breaches of procedures), and assesses the implementation and improvement of the Plan.
- d) a **Stormwater Management Plan** that provides details regarding the management of stormwater on the site. The Plan shall be prepared in consultation with Council, and include:
 - i) details of the performance requirements and standards for the operation of the stormwater management system;
 - ii) details of the measures proposed to ensure water discharged from the site is of a suitable quality, including on-going monitoring of the quality and quantity of water discharged;
 - iii) details of the contingency measures that would be implemented if stormwater discharge incidents with actual off-site impacts occur; and
 - iv) details of how the reasonable requirements of Council have been addressed, should Council have any such requirements.

4. COMPLIANCE

- 4.1 Prior to the commencement of construction and operations, the Proponent shall certify in writing to the satisfaction of the Director-General, that it has complied with all the applicable conditions of this approval.

5. ENVIRONMENTAL REPORTING

Incident Reporting

- 5.1 The Proponent shall notify Council and the Director-General of any incident with actual or potential significant off-site impacts on people or the biophysical environment as soon as practicable upon the Proponent becoming aware of the incident. The Proponent shall

provide full written details of the incident to Council and the Director-General within seven days of the date on which the incident occurred.

Annual Performance Reporting

5.2 Within 12 months of the commencement of operations, and annually thereafter, the Proponent shall submit an **Annual Environmental Management Report (AEMR)** for the project to Council, and the Department. The AEMR shall include:

- a) details of compliance with the conditions of this approval, and any other licences and approvals for the project;
- b) a list of variations obtained to approvals applicable to the project and to the site during the preceding twelve-month period;
- c) a copy of the Complaints Register (refer to condition 6.3 of this approval) for the preceding twelve-month period (exclusive of personal details), and details of how these complaints were address and resolved;
- d) results of all environmental monitoring required under this approval and other approvals, including interpretations and discussion by a suitably qualified person;
- e) identification of any circumstances in which the environmental impacts and performance of the project during the year have not been generally consistent with the environmental performance predicted in the documents listed under condition 1.1 of this approval, with details of additional mitigation measures applied to the project or any change to the OEMP to prevent recurrence of these circumstances;
- f) identification of trends in monitoring data over the life of the project to date; and
- g) environmental management targets and strategies for the following twelve-month period, taking into account identified trends in monitoring results.

6. COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

6.1 Subject to confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request.

Complaints Procedure

6.2 Prior to the commencement of construction of the project, the Proponent shall ensure that the following are available for community complaints:

- a) a 24-hour, toll-free telephone number on which complaints about the project may be registered;
- b) a postal address to which written complaints may be sent; and/or
- c) an email address to which electronic complaints may be transmitted.

The Proponent shall ensure that the telephone number, postal address and/or email address are made known to the local community and any potentially affected neighbours prior to the commencement of construction.

6.3 The Proponent shall record details of all complaints received through the means listed under condition 6.2 of this approval in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to:

- a) the date and time, where relevant, of the complaint;
- b) the means by which the complaint was made (telephone, mail or email);
- c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
- d) the nature of the complaint;
- e) any action(s) taken by the Proponent in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken.

The Complaints Register shall be made available for inspection by Council and the Director-General upon request.