

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

2006

File No: 9039950

SCHEDULE 1

Application No:	05_0162
Proponent:	State Rail Authority of NSW
Approval Authority:	Minister for Planning
Land:	Lots 10 and 11, DP 1016734.
Project:	Remediation of environmental contamination of former tram depot
Major Project:	The proposal is declared a Major Project under section 75B(1)(a) of the <i>Environmental Planning and Assessment Act 1979</i> , because it is a development of a kind described in clause 28 of Schedule 1 to <i>State Environmental Planning Policy (Major Projects) 2005</i> .

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SCHEDULE 2

Act, the	<i>Environmental Planning and Assessment Act, 1979</i>
Conditions of Approval	The Minister's conditions of approval for the project.
Council	Leichhardt Municipal Council
DEC	Department of Environment and Conservation
Department, the	Department of Planning.
Director-General, the	Director-General of the Department of Planning (or delegate).
Director-General's Approval	<p>A written approval from the Director-General (or delegate).</p> <p>Where the Director-General's Approval is required under a condition the Director-General will endeavour to provide a response within one month of receiving an approval request. The Director-General may ask for additional information if the approval request is considered incomplete. When further information is requested the time taken for the Proponent to respond in writing will be added to the one month period.</p>
Director-General's Report	The report provided to the Minister by the Director-General of the Department under section 75I of the EP&A Act.
DNR	Department of Natural Resources
EA	<i>Environmental Assessment: Site Remediation of Former Tram Depot Site, Balmain Road, Leichhardt (b cubed sustainability Pty Ltd, November 2005).</i>
EPA	Environment Protection Authority as part of the Department of Environment and Conservation
Minister, the	Minister for Planning.
Proponent	State Rail Authority of NSW, or its nominee
Publicly Available	Available for inspection by a member of the general public (for example available on an internet site or at a display centre).
Sensitive Receiver	Residence, education institution (e.g. school, TAFE college), health care facility (e.g. nursing home, hospital) and religious facility (e.g. church).
Site	Land to which Major Projects Application 05_0162 applies.

1. ADMINISTRATIVE CONDITIONS

Terms of Approval

- 1.1 The Proponent shall carry out the project generally in accordance with the:
 - a) Major Projects Application 05_0162;
 - b) *Environmental Assessment: Site Remediation of Former Tram Depot Site, Balmain Road, Leichhardt* (two volumes), prepared by b cubed sustainability Pty Ltd and dated , November 2005;
 - c) *Remedial Action Plan: Areas A and B of the StateRail Balmain Site and Moore Street West, Leichhardt, NSW*, prepared by URS Australia Pty Ltd and dated 29 July 2005; 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.

Limits of Approval

- 1.3 This approval shall lapse five years after the date on which it is granted, unless the works the subject of this approval are physically and substantially commenced on or before that time.
- 1.4 This approval shall cease to have effect on the date of the Director-General's written agreement that condition of 1.5 of this approval has been satisfied.

Completion of Works

- 1.5 The Proponent shall engage an independent site auditor accredited under the *Contaminated Land Management Act 1997* in relation to the remediation works. Upon completion of remediation of the site the Proponent shall demonstrate to the satisfaction of the Director-General that the site auditor has prepared a site audit statement(s) and summary site audit report(s) commenting on whether the remediated site, or part of the site, does not pose a significant risk of harm to human health or ecological systems.

2. SPECIFIC ENVIRONMENTAL CONDITIONS

Air Quality Impacts

Odour

- 2.1 The Proponent shall not permit any offensive odour to be emitted beyond the boundary of the site, as defined under section 129 of the *Protection of the Environment Operations Act 1997*.
- 2.2 The Proponent shall ensure that an odour suppressant is available on site during all excavation and contaminated soil handling activities, for use on malodorous materials, as may be required.

Dust Emissions

- 2.3 The Proponent shall undertake the project in a manner that minimises or prevents dust emissions from the site, including wind-blown and traffic-generated dust. All activities on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should such visible dust emissions occur at any time, the Proponent shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease.
- 2.4 Clean soils intended for backfilling excavated areas shall be scheduled for delivery to the site to minimise the duration of any necessary temporary stockpiling. In the event that temporary stockpiling of these materials is required, the Proponent shall install and maintain covers or water sprays over the stockpiles to minimise the potential for dust generation.
- 2.5 The Proponent shall ensure that a water cart is available or water sprays installed on the site at all times during handling of materials with the potential for generation of dust.

- 2.6 The Proponent shall install and operate a wheel wash on the site, and ensure that all vehicles that may have contacted contaminated soils and sediments use the wheel wash prior to departing the site.

Noise Impacts

- 2.7 The Proponent shall minimise noise emissions from equipment operated on the site in relation to the project by installing and maintaining, wherever practicable, efficient silencers, low-noise mufflers (residential standard) and replacement of reversing alarms with alternative silent measures, such as flashing lights.
- 2.8 To mitigate noise impacts associated with the project, the Proponent shall undertake the project strictly in accordance with the restrictions listed below. This condition does not apply in the event of an emergency (to protect the human and biophysical environments) or under direction from a relevant authorised public authority.
- a) all works undertaken on Mondays to Fridays shall only be carried between 7:00 and 18:00;
 - b) all works undertaken on Saturdays shall only be carried between 8:00 and 13:00; and
 - c) no works shall occur on Sundays or public holidays.

Soil and Water Quality Impacts

- 2.9 The Proponent shall ensure that section 120 of the *Protection of the Environment Operations Act 1997* (prohibition of pollution of waters) is complied with in and in connection with the carrying out of the project.

Heritage Impacts

- 2.10 Prior to the commencement of excavation works on the site, and for the duration of excavation and remediation activities, the Proponent shall ensure that a visible barrier is installed and maintained around the Cable Store and Traffic Office buildings to prevent access or damage to those structures. The Proponent shall remove the visible barriers at the conclusion of excavation and remediation activities.

Waste Generation and Management

- 2.11 Contaminated materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.
- 2.12 The Proponent shall ensure that all liquid and/ or non-liquid waste generated and/ or stored on the site is assessed and classified in accordance with the EPA's Environmental Guidelines: *Assessment, Classification and Management of Liquid and Non-Liquid Wastes* (Waste Guidelines) as in force as at 1 July 1999.
- 2.13 The Proponent shall ensure that the transport of any hazardous and/ or industrial and/ or Group A waste from the site is conducted strictly in accordance with any requirements that may be specified by the EPA in relation to the transport of those wastes.

3. ENVIRONMENTAL MANAGEMENT

Soil and Water Management Plan

- 3.1 Prior to the commencement of excavation works on the site, the Proponent shall prepare and implement a **Soil and Water Management Plan** to detail measures to minimise dust, erosion and the discharge of sediment and other pollutants to lands and/or waters during activities associated with the project. The Plan shall be prepared in accordance with Landcom's *Managing Urban Stormwater: Soils and Construction*.

4. ENVIRONMENTAL REPORTING

Incident Reporting

- 4.1 The Proponent shall notify the Director-General of any incident with actual or potential significant off-site impacts on people or the biophysical environment within 12 hours of becoming aware of the incident. The Proponent shall provide full written details of the incident to the Director-General within seven days of the date on which the incident occurred.
 - 4.2 The Proponent shall meet the requirements of the Director-General to address the cause or impact of any incident, as it relates to this approval, reported in accordance with condition 4.1 of this approval, within such period as the Director-General may require.
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