



ASSESSMENT REPORT

Section 75W Modification Chester Hill Materials Recycling Facility (06_0052)

1. BACKGROUND

On 27 February 2007, the Minister for Planning granted approval to CMA Corporation for a Materials Recycling Facility at 191 Miller Road, Chester Hill (see Figure 1).



Figure 1. Site Location

The existing approval provides for the processing of 100,000 tonnes of ferrous and non-ferrous metals per annum. The facility occupies approximately 2 hectares of the overall 6.5 hectare Miller Road site. The site is located in an industrial area and other industrial development is located to the south, west and north-west of the site. Nearby industries include a food packaging operation, a cement manufacturing and storage warehouse, a refrigeration manufacturing operation and a container transport company. The Main Southern Rail Line is located immediately to the north of the site, and this line separates the site from residential areas to the north. A residential area is also located to the east of the site. The closest residential property is located approximately 50m from the northern boundary of the site, and approximately 150m from processing activities.

The site layout of the approved Material Recycling Facility is illustrated in Figure 2. The main components of the approved project are described in Table 1.

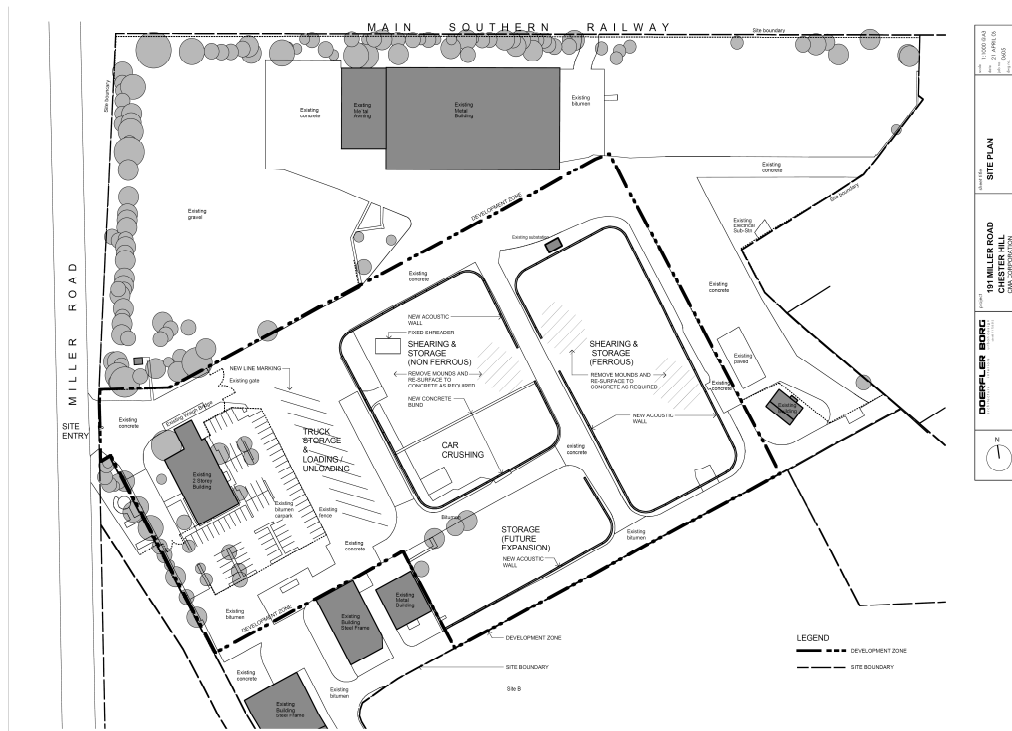


Figure 2 Approved Site Layout

Under the existing approval, the facility would receive and process up to 100,000 tonnes of ferrous and non-ferrous metals per year for re-use. Material would be transported to the site by the Proponent’s own vehicles, contractor vehicles and the general public.

Processing would be undertaken with industrial grade shearers, shearing implements fitted onto excavators and hand held oxy-acetylene cutters. Metal would be cut into “fist” sized pieces and baled (bundled). Bales and loose material would be stockpiled for transport by road to Port Kembla, with materials to be on-sold or exported.

CMA Corporation has not acted on the existing Ministerial approval and has subsequently sold the site. No.1 Demolition Excavation (NSW) Pty Ltd (No.1 Demolition) has since leased the site and seek to broaden the type of materials the facility can process to include building and construction waste.

2. PROPOSED MODIFICATION

On 16 March 2009, No.1 Demolition submitted an application under Section 75W of the EP&A Act seeking approval to modify the project to allow for the processing of building and construction waste material in addition to ferrous and non-ferrous metals. Building and construction waste material would include metal, concrete, timber, bricks, tiles and rubber.

Components of the project that would be modified from the approved project are described in Table 1. These would include, minor modification to the alignment of the noise barriers, a variation in the processing plant and equipment, and the type of materials processed at the facility. Under the proposed modification, the recycling of metal would only comprise approximately 20% of the total volume of material to be processed at the facility. The modified project would incorporate the same site layout as detailed in the existing approval (see Figure 3).

Table 1: Major Components of the Approved and proposed Modified Project

Component	Approved Project	Modified Project
Site Preparation Works	Removal of existing concrete and soil stockpiles from the centre of the site. Any unsealed surfaces would be sealed with concrete to form a continuous hardstand area.	Same as existing approval.
Upgrade of Stormwater	Upgrade of existing stormwater management infrastructure including pipe upgrades, construction of a first flush detention system and installation of water quality treatment devices.	Same as existing approval.
Installation of Noise Barriers	3m - 8m tall noise barriers would be erected around the processing areas and perimeter of the site. Walls would consist of concrete and/or concrete plus steel panelling. Rubber material or a suitable alternative would be used to cover the first 3m of the walls.	Modification of the noise barrier alignments to address the proposed use of No.1 Demolition which involves a variety of plant and equipment.
Installation of Substation	Installation of a new electrical substation.	Same as existing approval.
Administration & Amenity	Utilise the existing two storey office building for administration.	Same as existing approval.
Access and Parking	Vehicles would enter/exit the site from the existing access on Miller Road. This access does not require upgrading. The existing car park would be used for staff and visitor parking and an additional 10 spaces would be provided for heavy vehicles.	Same as existing approval.
Materials and quantity to be recycled	The facility would process up to 100,000 tonnes of metal per year. Materials to be processed would include ferrous (ie. steel alloys and iron) and non-ferrous (eg. copper, tin, lead, aluminum, etc) metals, such as scrap metal, sheet metal, construction and demolition metals, reinforcing steel and vehicle bodies.	The facility would process up to 100,000 tonnes of building and construction waste material including metal, concrete, timber, bricks, tile and rubber at the site per annum. Proportions of materials to be processed: <ul style="list-style-type: none"> • 20,000 t/p.a. concrete • 20,000 t/p.a. metals • 30,000 t/p.a. inert and general solid waste • 20,000 t/p.a. topsoil • 10,000 t/p.a. timber/green material
Plant and Equipment	Plant and equipment would consist of: <ul style="list-style-type: none"> • 1 mobile shearing and baling machine • 1 fixed (static) shear and baling machine • up to 3 mobile excavators (15 to 32 tonne models) fitted with shearing and grabbing attachments No shredders or hammermills would be used.	Proposed plant and equipment: <ul style="list-style-type: none"> • 2 excavators (20 tonne each) • 2 rubber wheel loaders • crusher • screener • trundle
Transport	Metals for processing would be delivered to the facility by CMA staff, contractors and members of the general public. The facility would generate approximately 200 heavy vehicle movements, with vehicles ranging in size from 1 tonne trucks up to B-doubles. The facility would also generate 80 light vehicle movements.	Same as existing approval.
Employment	Approximately 40 operational staff.	Same as existing approval.
Hours of Construction and Operation	Construction hours would be 7am to 5pm Monday to Friday and 8am to 1pm Saturday. Operation hours would be 7am to 6pm Monday to Saturday.	Construction and operation hours as specified in the existing approval would apply for all activities with the exception of heavy machinery which would be limited to 7am to 5pm Monday to Friday.

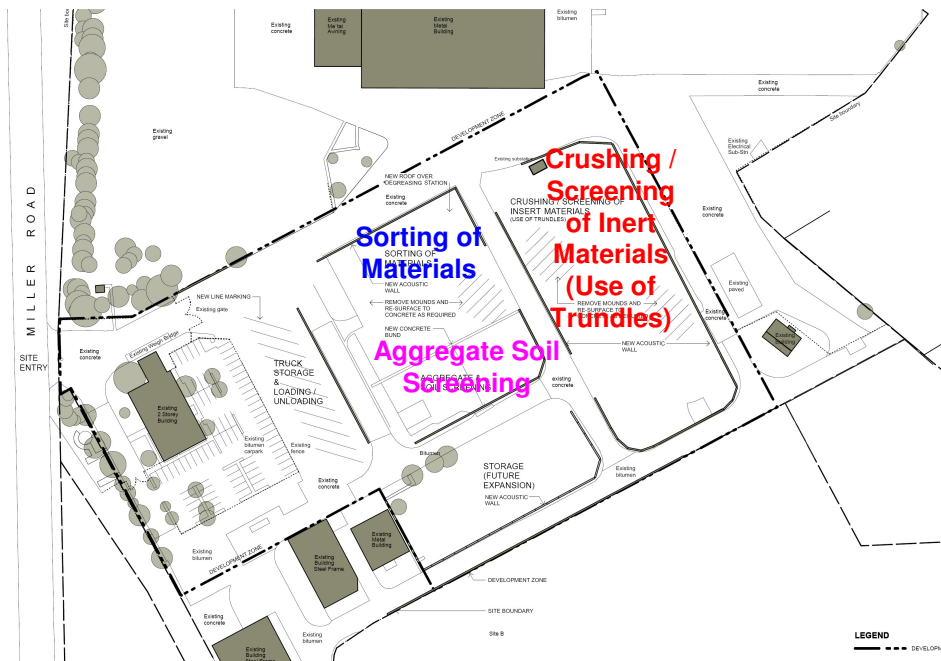


Figure 3: Site Layout as proposed in Modification

3. STATUTORY CONTEXT

Approval Authority

The Minister was the approval authority for the original project application and is consequently the approval authority for this application. However, on 4 March 2009, the Minister delegated her powers and functions as an approval authority to modify certain project approvals under section 75W of the EP&A Act to the Deputy Director-General. This modification application meets the terms of this delegation. Under these circumstances, the Deputy Director-General may determine the application under delegated authority.

The proposed modification would not result in an increase in quantity of material to be processed and the environmental assessment demonstrates that impacts would not be significantly increased.

The Department has reviewed the extent of the proposed modification and considers that the scale and intensity of the development would not increase and environmental impacts would be adequately managed. Therefore, the proposed modification to the project is not considered to be a 'radical transformation' from what was originally approved.

Consequently, the Department considers that the application should be assessed and determined under Section 75W of the EP&A Act rather than requiring a new development or project application to be lodged.

Exhibition and Notification

Under Section 75W of the EP&A Act, the Department is not required to notify or exhibit the application. However, the Department referred the application to Bankstown City Council (Council), the Roads and Traffic Authority (RTA) and the Department of Environment and Climate Change (DECC) for comment.

Neither Council, the RTA nor the DECC objected to the proposed modification however they requested that a number of conditions be included in the modified approval. Proposed conditions have been reviewed and incorporated into the revised conditions of approval where appropriate.

4. ASSESSMENT

4.1 Traffic Generation

Similar to the existing approval, building and construction materials are proposed to be brought to site by the Proponent's own vehicles, contractor vehicles and by the general public. Materials would be transported in trucks up to the size of 19m long B-doubles. However the most frequent truck types are anticipated to be small 1 to 2 tonne trucks. Once processed, the majority of materials would be transported to various locations throughout the Sydney metropolitan area.

Passenger and heavy vehicle movements are considered comparable if not reduced to the traffic generation by the previous approved use of the site which provided for a maximum of 200 heavy vehicle movements and 80 light vehicle movements.

In assuming worst case scenario of each employee driving themselves to and from the site, the proposed facility would accommodate an average of 80 light vehicle movements per day. The site is also expected to accommodate 40-50 trucks during a normal day equating to 100 truck movements. For the purpose of creating worst case scenario, it is assumed that the site could potentially accommodate up to a maximum of 100 trucks per day generating an absolute maximum of 200 truck movements per day. Assuming that these movements occur randomly over the operational day, this represents an hourly heavy vehicle traffic generation of approximately 9 heavy vehicles (or 18 movements) per hour.

The Department considers the extent of the additional traffic to be commensurate with the previous operating characteristics of the site and the existing approval.

Access

Access arrangements for the modified project would not differ from the current approval. Access to the site is proposed to be maintained via the existing separated ingress (10m wide) and egress (8m wide) driveway servicing Miller Road. The driveway is separated by a raised concrete central island. The existing access driveway meets the requirements of both the RTA's *Guide to Traffic Generating Developments* and Australian Standard 2890.1-2002. The Department is satisfied that the access arrangements remain appropriate for the project and no additional works are required. Neither the RTA nor Council raised any issues regarding site access.

Parking Provisions

Commensurate with the existing approval, No.1 Demolition proposed to utilise the existing vehicle parking area located adjacent the existing administration building. This area contains a total of 74 spaces and is considered capable of accommodating the proposed staffing requirements in conjunction with any possible instantaneous visitor demand. In addition to passenger vehicle parking, a heavy vehicle storage and loading/unloading area is proposed, providing an additional 10 spaces. The proposed heavy vehicle parking area is projected to suitably accommodate the projected operational demand of the modified project while also providing sufficient capacity to accommodate short-term influxes of vehicles associated with increased anticipated demand. No heavy vehicles are proposed to be accommodated on site overnight.

The Department is satisfied that suitable parking provisions have been made for passenger cars and heavy vehicles. Parking provisions are considered commensurate with the operating characteristics of the existing approval.

Internal circulation

Circulation arrangements for the modified project would not differ from the existing approval. The access driveway off Miller Street is proposed to provide connectivity to an internal roadway which circulated around the existing administration building also providing connectivity to the existing and proposed passenger and heavy vehicle parking areas. The roadway circulation around the passenger vehicle parking area providing connectivity to the heavy vehicle parking and loading/unloading area in conjunction with the materials storage and processing yards is proposed to provide a minimum width of 7m in accordance with the requirements of AS 2890.0-2002.

The application of 19m long semi-trailer turning templates designed in accordance with AS 2890.2-2002 ensures vehicles would be able to access the site, manoeuvre through the site, and access the parking/loading/unloading area prior to manoeuvring again to exit the site. All movements are able to be undertaken in a forward direction with reasonable level of safety and efficiency.

The Department considers that the internal site layout is satisfactory to accommodate the anticipated manoeuvring requirements in a safe and efficient manner.

Trip Assignment

Similar to the existing approval, inbound and outbound materials are anticipated to originate and have destinations located throughout the greater Sydney metropolitan area. Vehicles are therefore likely to travel via Wallgrove Road, Christina Road and Miller Road or Hume Highway and thence Miller Road.

Based on the above, the following trip assignment is projected in relation to heavy vehicle movements for the modified project. Heavy vehicles being defined as class 3-12 rigid vehicles with greater than 2 axles.

- 25% inbound - access the site from the north via Christina Rd and Miller Road

- 25% inbound - access the site from the north via Gurney Rd and Miller Road
- 50% inbound - access the site from the south via Miller Road
- 25% outbound - travel to the north via Miller Road and Christina Road
- 25% outbound - travel to the north via Miller Road and Gurney Road
- 50% outbound - travel to the south via Miller Road and Hume Highway

Consistent with the existing approval, B-double movements to and from the site (anticipated to only comprise a very small component of the total heavy vehicle traffic) would be required to access the site via the previously presented B-double route comprising Woodville Road, Christina Road and Miller Road.

The existing approval was based on an estimated 40-50 truck movements per day. It was estimated that 50% of inbound vehicles would access the site from the south via Miller Road and 70% of outbound vehicles would travel to the south via Miller Road and thence to the Hume Highway.

The modified project would generate on average 40-50 truck movements per day (same volume as approved). Of those truck movements, 50% would access the site from the south via Miller Road and 50% of outbound vehicles would travel to the south via Miller Road and Hume Highway. Therefore the modified project would result in no net increase in inbound truck movements from the south along Miller Road from the current approval and would reduce outbound truck movements to the south along Miller Road by 20%.

Council requested that a number of conditions limiting trucks (being defined as 3 tonne and above) to specific roads be incorporated into the modified consent. The Department held discussion with the RTA regarding the proposed traffic restrictions and provides the following response to Council's issues:

Truck traffic is not to use Gurney Road or Barbers Road as they are both Light Traffic Thoroughfares

If the roads are already declared Light Traffic Thoroughfares it would be illegal for a vehicle over the signposted weight limit to travel on those roads. The Proponent must comply with all existing signposted weight limits and as such a specific condition of approval is not considered warranted.

Truck traffic is to always proceed in a northbound direction out of the site, turning right into Miller Road, left into Christina Road and onto Woodville Road;

Restrictions imposing load limits require RTA approval following completion of a comprehensive Traffic Management Plan and consideration by Council's Local Traffic Committee. Council does not have the authority to implement additional load limit on any public road without consent of the RTA. As the RTA has not considered such an application it would be unreasonable to condition the approval to implement a 3 tonne load limit. Currently there are no weight restrictions on Miller Road south of the site to the Hume Highway, the Department therefore can not support this restriction.

Truck traffic approaching along the Hume Highway is to proceed to Woodville Road, then Christine Road, right into Miller Road and left into the site

Imposing this restriction would force all truck traffic travelling east along Liverpool Road to travel to the already congested intersection of Liverpool Road and Woodville Road ie. the Meccano Set. From a Strategic Transport perspective the Department cannot support this request.

At no time is any truck associated with the site to use Biloela Street or Miller Road south of the site;

The Proponent must comply with all existing signposted weight limits and as such a specific condition of approval is not considered warranted.

Neither No Parking, No Stopping nor other restrictive signage will be installed at or near or opposite the vehicular crossing now or in the future. Should the driveway prove to be too small for the size of the truck being used, then the site is to have the crossing modified with the consent of Council at their own cost;

This is an unusual request as most Council's require parking restrictions around the entrances and exits to such sites to prevent trucks parking on the road and to maintain sight distances for exiting vehicles. However, it is a matter for Council's Local Traffic Committee to consider.

The maximum size of truck to be used to enter or exit the site is a 19 metre B-double.

The approved B-double route provides for 25 and 26 metre long B-doubles. The modified project would provide access for trucks up to 19m B-doubles.

Given the RTA's feedback detailed above, and that the proposed modification is consistent with the existing approval in regard to truck movements, the Department considers that it would be unreasonable to condition the development consent to implement truck restrictions above what is currently enforced by the RTA. Further, the RTA is the approval authority in regard to the implementation of additional load limits on public roads.

Overall, the Department agrees with the traffic assessment findings in the modification application and considers that the passenger and heavy vehicle movements are comparable if not reduced to the traffic generated by the previous use of the site, and that Miller Road and the surrounding road network can accommodate the traffic associated with the modified project. Further, the Department considers the existing road restrictions imposed by the RTA and the existing approval adequately mitigate traffic impacts.

4.2 Hazards and Risk

A hazards and risk assessment was undertaken for the proposed modification. The postulated incidents identified in the Risk Assessment Report that have the potential to result in a major hazardous event at the site are:

- flammable liquid pool or bund fire - this is based on oils or fuels present in vehicles processed being captured during the shearing/baling process and store temporarily in a mini tanker;
- office building or Workshop fire; and
- stockpile (sorting area) fire.

The calculated/estimated frequencies for the above fire scenarios are deemed acceptable.

In addition, the report concludes that potential cumulative risk levels for the proposed activity and the existing development at the boundary of the site were determined to meet relevant guidelines.

Council raised concerns as to whether the fatality risk criterion for residential areas is wholly contained within the site. However, Council misunderstands the requirement that the fatality risk level should not be exceeded at the residential boundary, as distinct from the site boundary. The Department considers the residential risk fatality criterion is satisfied by the proposal.

The findings of the Risk Assessment Report demonstrate that the proposed additional operations are acceptable subject to the implementation of specific recommendations. These recommendations have been detailed in No.1 Demolition's statement of commitment and include implementation of a fire protection system, utilisation of transport routes recommended by the RTA where practicable; and review of the Site Emergency Response Plan (ERP).

The Department is satisfied that the recommended commitments made by No.1 Demolition are appropriate and that no additional conditions are required.

4.3 Air Quality

Heggies Pty Ltd conducted the Air Quality Impact Assessment for the original approved application. They were subsequently commissioned to undertake a further assessment for the proposed modified materials recycling facility.

Construction

Air emissions generated during the construction of the proposal would not differ from those of the approved project. Potential sources include dust from earthworks, loading trucks, wheel generated dust from construction traffic and wind erosion. In addition, air emissions would include diesel emissions from vehicles including excavators, front end loaders and trucks. Earthworks on site are limited to the removal of stockpiles from the site.

No.1 Demolition proposes to minimise impacts through site management, vehicle maintenance and dust mitigation measures (eg. regular watering of exposed surfaces, cleaning any dirt tracked onto access routes, ensuring trucks are covered, removal of sediment and other material from erosion and sediment control devices and scheduling activities based on wind conditions).

The Department is satisfied that air emissions from the construction of the facility would be minimal and any residual impacts would be managed through the mitigation measures proposed by No.1 Demolition.

Operation

A modification to the type of material proposed to be processed at the facility has the potential to increase the predicted air quality emissions from that previously assessment.

Sources of air emissions from the operation of the modified project include:

- dust and rust from the unloading, sorting and processing of waste;
- dust generated by vehicles travelling on paved roads, with tyres acting to resuspend materials on the road surface; and

- disturbance and suspension of dust and particulate matter from exposed surfaces of material storage piles.

The air quality assessment indicates that levels of particulate matter and dust deposition from the facility during operation would not be exceeded at receptor locations and the annual average criterion would also not be exceeded. The assessment of potential for dust deposition indicated that levels are significantly less than the project goal of 2 g/m²/month.

No.1 Demolition has proposed a number of measures to minimise air emissions. These measures would be incorporated into a Dust Management Plan and Dust Monitoring Program proposed in their Statement of Commitments which would form a component of the Construction Environmental Management Plan (CEMP).

The Department considers that air quality impacts from the project would be minimal and any residual impacts would be adequately managed through the mitigation measures proposed by No.1 Demolition. Provisions for inclusion of a Dust Management Plan and Dust Monitoring Program in both the CEMP and Operation Environmental Management Plan (OEMP) would be incorporated in the modified project approval.

4.4 Noise Construction

Similar to the existing approval, the materials recycling facility would be constructed over a period of 12 to 26 weeks. Construction activities include the removal of stockpiles from the site, upgrade/installation of the stormwater management system, the installation of an electrical substation, pouring of concrete over any unsealed surfaces (the majority of the site is currently sealed) and the installation of noise barriers.

The EA did not include an assessment of the potential noise impacts from the construction of the project however the site construction works are relatively similar to what was approved and additional construction noise is not expected. Due to the limited works required on site, it is considered noise impacts from the construction of the facility can be kept to acceptable levels. To ensure these noise impacts are managed appropriately, No.1 Demolition would be required to prepare and implement a Noise Management Plan to the satisfaction of the Director-General and ensure noise from the project is managed.

Operation

A noise assessment was undertaken by Noise and Sound Services (NSS) for the approved project. NSS's report established the following project-specific noise criteria and recommended the installation of acoustic barriers to achieve compliance at nearby residential and industrial receivers. The specified noise criteria and noise barrier requirements were included in the existing project approval.

Location	Intrusive Criterion	Modifying factor (impulsive)	PSNL
Waldron Road	47	-5	42
Orchard Road	50	-5	45
Industries	70	0	70

The proposed modification includes changes to the type of plant and equipment (excavators, crusher, screener, trundle etc) required to process construction and demolition waste. This has the potential to alter the operational noise from the site from that originally approved. During operation the facility would also generate noise from road traffic, and the loading and unloading of waste. Therefore, the operation of the facility has the potential to generate noise beyond the boundary of the site.

Spectrum Acoustics undertook a noise assessment for the proposed modification. The noise assessment was based on the noise criteria established by NSS. The assessment report concluded that the 70 dB(A) contour is wholly contained within the project site, and the predicted noise levels have been found to comply with the original intrusive criteria provided the noise barriers shown in Figure 4 are incorporated into the project design. Further, the barriers would be constructed from materials with a minimum mass of 20 kg/m³.

No.1 Demolition proposes to slightly modify the alignment of the noise barriers from the existing project in accordance with those specified in Spectrum Acoustics' noise assessment. Further, No.1 Demolition proposes to limit operation of heavy machinery to between 7am and 5pm on weekdays, and ensure that no material processing activities are conducted outside of the noise barriers.

Council raised concerns that the noise assessment indicates that residential properties along Waldron Road would experience noise levels that exceed the noise criteria.

The existing project approval contains the noise criteria established by NSS which include noise criteria of 42 dB(A) at Waldron Road residences and 45 dB(A) at Orchard Road residences. When assessed against the approved noise criteria, the predicted noise levels for the modified project are 2 dB or more below the criteria.

The Department considers that appropriate measures have been incorporated into the project design to ensure noise impacts are appropriately mitigated and the PSNL can be achieved.

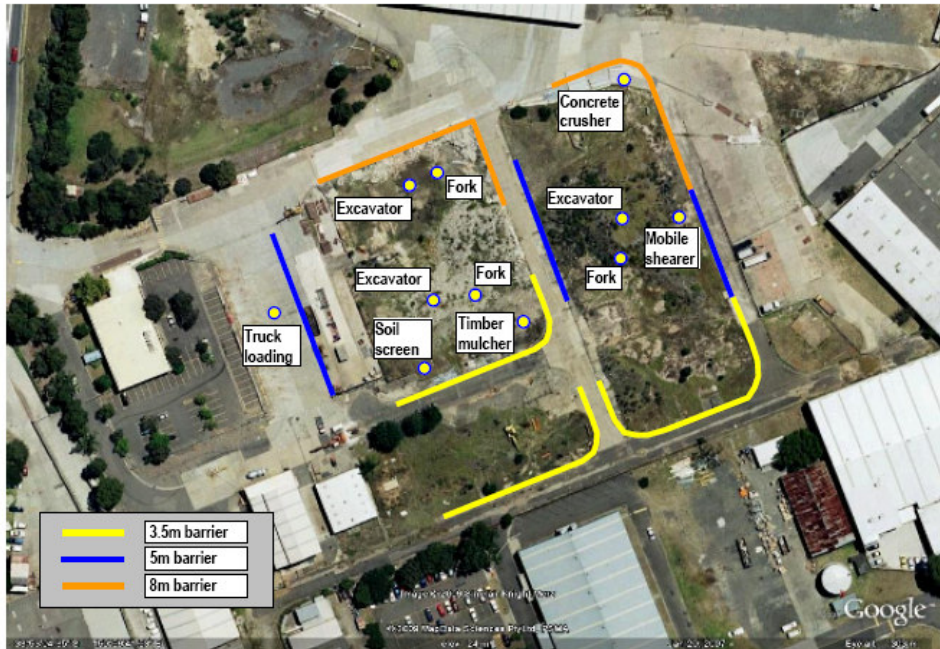


Figure 4: Proposed Noise Barriers

Traffic Noise

Passenger and heavy vehicle movements are considered comparable if not reduced to the traffic generation by the previous approved use of the site.

The noise assessment undertaken for the modified project did not contain an assessment of traffic noise generated by the project. However, given that traffic generation is considered comparable, the Department considered that the modified project would meet DECC's criteria for collector roads, freeways and arterial roads, and that noise impacts on local roads can be minimised through the recommended conditions of approval.

Notwithstanding the above, it is recommended that No.1 Demolition prepare a revised Traffic Noise Management Strategy detailing measures to minimise traffic noise impacts such as avoiding local roads, driver training and vehicle maintenance. This is a requirement of the existing project approval.

No.1 Demolition has committed to prepare and implement a Noise Management Plan for the operation of the facility, and this commitment is supported by the Department. The Department considers that the Noise Management Plan should include a program for monitoring of noise emissions during operation, measures to mitigate any impacts off-site, and details of contingency measures should noise emissions exceed DECC criteria. Further restrictions on the operation of the facility have been recommended by the DECC to reduce potential noise impacts. These are commensurate with the license requirements for similar facilities. The restrictions would allow for the operation of the facility from 8:00am to 1:00pm only on Saturdays.

In summary, the Department considers that noise impacts can be appropriately managed through the mitigation measures proposed by No.1 Demolition and the modified conditions of approval.

4.5 Other Issues

Table 3: Summary of Other Issues

Issue	Key Impacts	Conclusions of Assessment
Stormwater Management	<ul style="list-style-type: none"> A detailed Stormwater Management System (SMS) was developed as part of the approved project and forms part of the project approval. The modified proposal does not involve any amendment to the approved SMS as detailed in the Stormwater Management Report and Plan. 	<ul style="list-style-type: none"> The proposed modification does not impact on the approved SMS. The Department considers that no additional conditions of approval are required in this regard.
Visual Amenity	<ul style="list-style-type: none"> The layout of the modified project would be consistent with the existing project approval. The area is generally industrial and there would be no night time activities therefore any lighting impacts. Facility would be visible from residential units/premises to the north and to the south-east along Orchard Road. Modified alignment of the noise barriers would restrict views of the processing areas. Stockpiles of metals would be lower than noise barriers and would not be visible from residential areas. Existing landscaping along the northern boundary of the site would provide some screening of the noise barriers. Existing buildings to the east restrict views from Orchard Road. Site would only be visible from 1 to 2 premises. 	<ul style="list-style-type: none"> The proposed modification does not increase the visual impacts of the facility. The Department considers that no additional conditions of approval are required in this regard.
Waste	<ul style="list-style-type: none"> A Construction Contaminant Management Plan (CCMP) has been prepared by JBS Environmental, and addresses health, safety and environmental issues during the construction phase. The CCMP provides guidelines for on-site workers to respond to potential issues such as organic vapours, contaminated soil, heavy equipment and electrical hazards. The report also provides guidelines to ensure the appropriate management of stockpiled material, sediment control, air quality and waste disposal. A Waste Management Plan is to be prepared as part of the CEMP and OEMP. 	<ul style="list-style-type: none"> The Department is satisfied that this issue has been adequately addressed. No additional conditions of approval are required.
Cumulative Impacts	<ul style="list-style-type: none"> The proposed development is located within an existing industrial area, and is not considered likely to result in excessive cumulative air or traffic impacts. Potential noise impacts have been addressed above. 	<ul style="list-style-type: none"> The Department considers that potential cumulative impacts can be appropriately managed through the proposed mitigation measures. No additional conditions of approval are required.

5. RECOMMENDED CONDITIONS OF APPROVAL

The Department has recommended changes to the existing project approval to include the modification application within the terms of the approval. Further, a number of conditions detailed in Schedule 3 of the existing project approval have also been amended.

6. CONCLUSION

The Department has assessed the merits of the project in accordance with the requirements in Clause 8B of the EP&A Regulation. This assessment has found that the proposed modification is unlikely to cause any significant impacts and potential impacts can be appropriately managed through the mitigation measures proposed by No. 1 Demolition and the modified conditions of approval.

Consequently, the Department considers the proposed modification should be approved subject to conditions.

7. **RECOMMENDATION**

It is RECOMMENDED that the Director-General:

- approve of the proposed modification under Section 75W of the EP&A Act; and
- sign the attached instrument (tagged A).



Chris Ritchie
Manager - Industry
Major Development Assessment

29/5/09

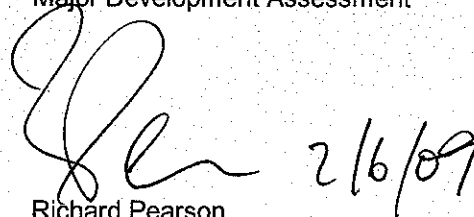


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