

Project Approval

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

I approve the project application 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.



The Hon Kristina Keneally MP
Minister for Planning

Sydney

2 Dec.

2008

SCHEDULE 1

Application No:	07_0003
Proponent:	Hunter Development Corporation
Approval Authority:	Minister for Planning
Land:	Lot 8 DP 883474, 16 Worth Place, Newcastle
Project:	Worth Place Park Remediation Project

DEFINITIONS

Council	Newcastle City Council
Department	Department of Planning
Director-General	Director-General of the Department (or delegate)
EA	Environmental Assessment titled " <i>The Proposed Remediation of Worth Place Park</i> ", dated October 2008
EMP	Environmental Management Plan titled " <i>LOT 8 DP883474 Worth Place Park – Western Site Area Honeysuckle Development Estate</i> ", dated June 2006
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning & Assessment Regulation 2000</i>
Minister	Minister for Planning
Project	Worth Place Park Remediation (as described in the EA)
Proponent	Hunter Development Corporation
RAP	Remedial Action Plan titled " <i>Contaminant Delineation and Revised Remedial Action Plan</i> ", dated February 2006
Reasonable and feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build
Site	Land to which the project application applies
Site audit report	As defined in the <i>Contaminated Land Management Act 1997</i>
Site audit statement	As defined in the <i>Contaminated Land Management Act 1997</i>
Site auditor	As defined in the <i>Contaminated Land Management Act 1997</i>
Statement of Commitments	The proponent's commitments in the EA
VENM	Virgin Excavated Natural Material, as defined in the <i>Protection of the Environment Operations Act 1997</i>

SCHEDULE 2

ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

1. The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the project.

Terms of Approval

2. The Proponent shall carry out the project generally in accordance with the:
 - a) EA;
 - b) RAP;
 - c) site plans (see Appendix A);
 - d) statement of commitments; and
 - e) conditions of this approval.
3. If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of any inconsistency.

Commencement of Works

4. Prior to the commencement of the project, the Proponent shall demonstrate to the satisfaction of the Director-General that the RAP has been certified by an accredited site auditor.

Completion of Works

5. Upon completion of the project, the Proponent shall demonstrate to the satisfaction of the Director-General and Council that the accredited site auditor has prepared a site audit statement and summary site audit report and that the site is suitable for its intended use(s).
6. Upon completion of the project the site shall be managed in accordance with the EMP endorsed by the site auditor. The final and endorsed EMP must be submitted to Council to ensure the requirements for site management, as outlined in the EMP, are recorded on the Section 149 certificate for the site.

Operation of Plant and Equipment

7. The Proponent shall ensure that all plant and equipment used on the site is maintained and operated in an efficient manner, and in accordance with relevant Australian Standards.

SPECIFIC ENVIRONMENTAL CONDITIONS

AIR QUALITY

8. The Proponent shall carry out all reasonable and feasible measures to minimise dust generated by the project, including wind-blown and traffic generated dust.
9. During carrying out of the project, the Proponent shall ensure that:
 - a) all trucks entering or leaving the site with loads have their loads covered;
 - b) trucks associated with the project do not track dirt onto the public road network; and
 - c) the public roads used by these trucks are kept clean.
10. Clean soils intended for filling shall be scheduled for delivery to the site to minimise the duration of any unnecessary 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.

ODOUR

11. The Proponent shall not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the *Protection of the Environment Operations Act 1997*.
12. The Proponent shall ensure that an odour suppressant is available on site during remediation works, for use on malodorous materials, as may be required.

NOISE

13. The Proponent shall comply with the operating hours in Table 1, unless otherwise agreed by the Director-General.

Table 1 Operating Hours for the Project

Activity	Day	Time
Remedial Works	Monday – Friday	7:00am to 6:00pm
	Saturday	8:00am to 1:00pm
	Sunday and Public Holidays	Nil

14. 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.
15. The Proponent shall ensure trucks associated with the project are operated at low speed or power and are turned off when not being used. Vehicles are not to be left idling for prolonged periods.

SOIL AND WATER

16. 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.
17. The Proponent shall ensure that all imported fill is VENM.
18. Prior to commencement of remedial works, the Proponent shall implement erosion and sediment controls in accordance with the Department of Housing and Landcom's *Managing Urban Stormwater: Soils and Construction*.
19. All temporary stockpiles must be stored away from stormwater lines and any natural runoff flows.

TRANSPORT

20. The Proponent shall ensure that the project does not result in any vehicles queuing or parking on the public road network.

WASTE

21. The Proponent shall ensure that all waste generated on the site during the project is classified in accordance with the DECC's *Environmental Guidelines: Waste Classification Guidelines* and disposed of to a facility that may lawfully accept the waste.

SITE SECURITY

22. Prior to the commencement of remedial works, the Proponent shall install a fence around the proposed remediation area, which upon completion of remedial works shall be removed.

ENVIRONMENTAL REPORTING

Incident Reporting

23. The Applicant shall notify the Director-General of incidents causing or threatening material harm to the environment as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Director-General with a written report on the incident.

APPENDIX A SITE PLANS

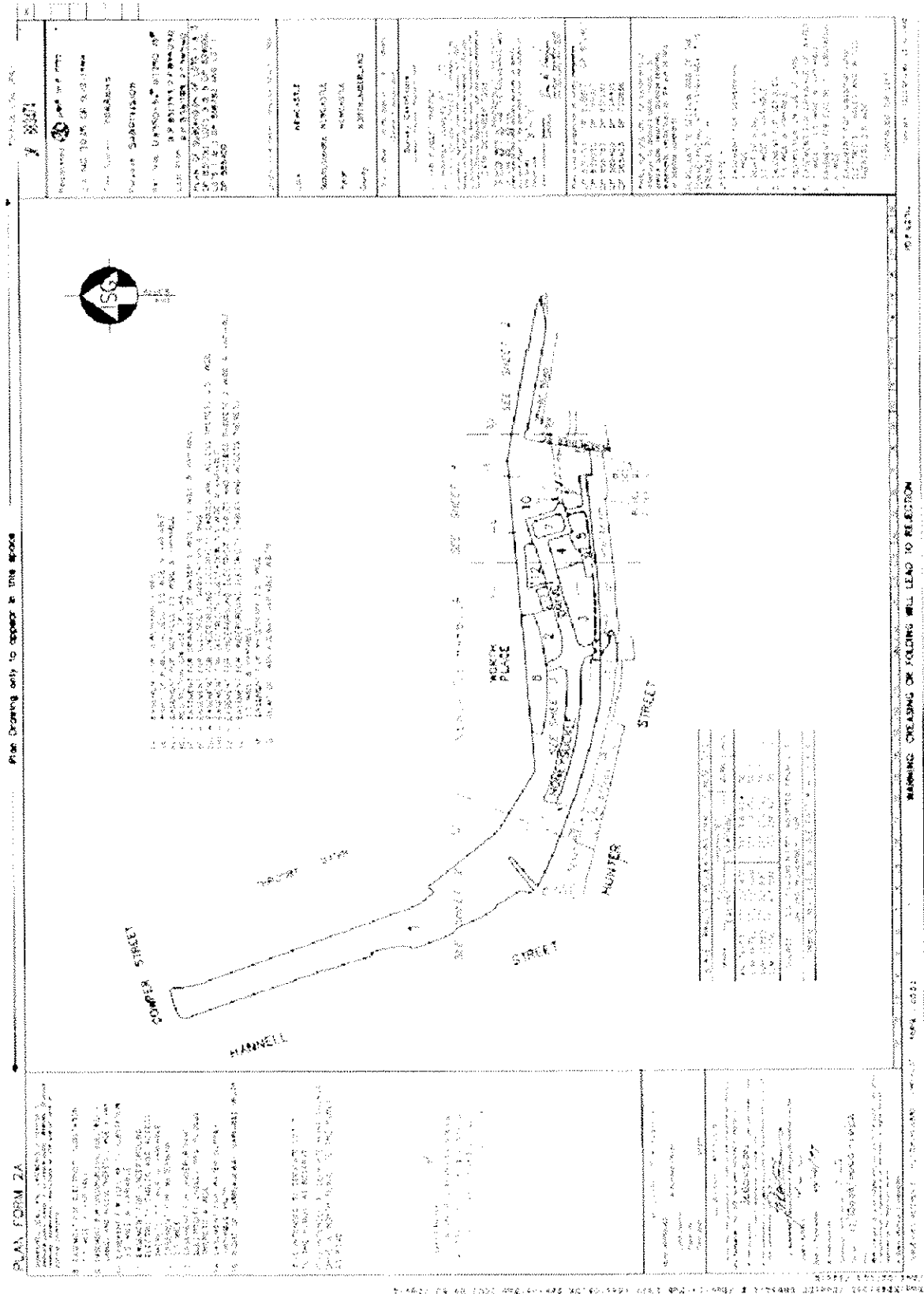


Figure 1: Proposed Worth Place Park footprint

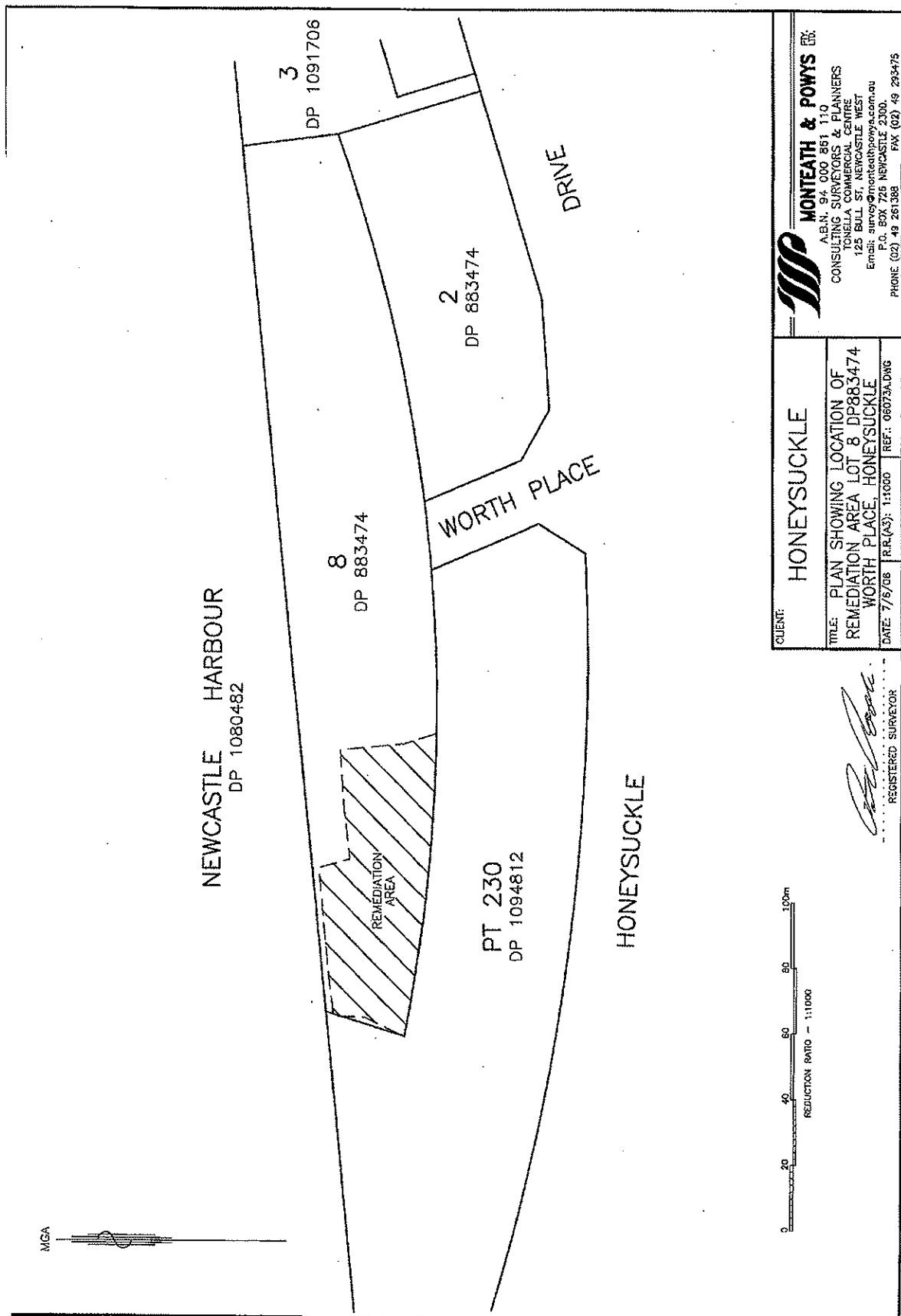


Figure 2: Proposed Worth Place Park remediation footprint