

Regulatory, Planning and Assessment.MBisson/GMansfield
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Reference: SDC2021/0004.01

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31 March 2021

Thomas Bertwistle
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Reply by planning portal: <https://www.planningportal.nsw.gov.au>

Dear Mr Bertwistle

**GREENLEAF ROAD, KOORAGANG - ORICA AMMONIUM NITRATE EXPANSION
PROJECT (MP08_0129-MOD 4) - NEW NITRATE EFFLUENT TANK**

I refer to the Department's electronic notification of 17 March 2021 advising Orica Australia Pty Ltd has submitted a Section 4.55 (1A) application seeking consent to further modify the Project Approval (MP08_0129) and inviting City of Newcastle ('CN') to provide advice.

The submitted Statement of Environmental Effects (SEE) and amended plans have been reviewed and the following advice is provided for your consideration:

1. Cranes and tall structures

The subject site is located within the protected airspace of RAAF Base Williamtown and Newcastle Airport. If the applicant is proposing to erect the new tank using a mobile crane or a structure having a height exceeding 30m above ground level, it will be necessary to obtain the prior approval of the Air Base Command Post of RAAF Base Williamtown in accordance with the 'The Operation of Cranes and Tall Structures in the Vicinity of Newcastle Airport' (Department of Defence, 2013). A copy of which can be found on CN's website. For further enquiries about the document or the requirements please contact RAAF Base Williamtown by phone: 02 4034 7888 or email at WLM.ABCP@defence.gov.au. It is recommended an appropriate condition is imposed on the approval to address this matter.

2. Section 7.12 Local Infrastructure Contribution

Condition 13 of the Project Approval (MP08_0129) dated December 2009 required the proponent prior to operation to pay a monetary contribution of \$272,000 to Council (now City of Newcastle) in accordance with the former Newcastle Section 94A Development Contributions Plan 2006.

It is recommended the applicant is required to submit a cost of development report for the modified development. Such report would assist the Department to make an informed decision as to whether to change the infrastructure contribution required under condition 13. The current plan is CN's Section 7.12 Newcastle Local Infrastructure Contributions Plan 2019 (Update Dec 2020).

If you have any questions in relation to the various matters raised in this letter, please contact Geof Mansfield Principal Planner (Development) on 4974 2767 or by email on gmansfield@ncc.nsw.gov.au .

Yours faithfully

A handwritten signature in black ink, appearing to read 'Michelle Bisson', with a stylized flourish at the end.

Michelle Bisson
MANAGER REGULATORY, PLANNING AND ASSESSMENT