

# **DEVELOPMENT ASSESSMENT REPORT – DA015/19 - PROPOSED DEMOLITION & DECONSTRUCTION OF WALLERAWANG POWER STATION, MAIN STREET WALLERAWANG NSW 2845**

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## **1. PROPOSAL**

Council is in receipt of a Development Application DA015/19 for the demolition and deconstruction of the Wallerawang Power Station (WWPS) on land known as Main Street Wallerawang.

The site covers an area of approximately 80 hectares (ha) and is bound by the Main Western Railway Line, Main Street and Castlereagh Highway. Coxs River bisects the site and flows southward into Lake Wallace, a man-made reservoir that was used to provide cooling water to WWPS.

Most of the land surrounding the site is buffer land owned by EnergyAustralia.

The application for demolition relates to land on Lot 100 DP 1043966, Lot 2 DP1131955, Lots C, D and E DP394440, Lot 11 DP1139978 and Lot 228 DP1131953.

EnergyAustralia proposes to demolish all buildings and structures above ground that were part of the operations of the Wallerawang Power Station. The structures include; cooling towers, chimneys, buildings and warehouses, water tanks, fuel tanks and other storage facilities and associated equipment and plant such as coal handling conveyors, aboveground pipelines and electrical systems.

Once demolition of the structures is completed, the site will be rehabilitated for drainage and erosion control and flora and fauna conservation.

The proposed demolition works have been divided into separate zones. Those zones consist of:

- Demolition zone 1 – Turbine hall and auxiliary bay area;
- Demolition zone 2 – Transformer yard area;
- Demolition zone 3 – Boiler house;
- Demolition zone 4 – Unit precipitators area;
- Demolition zone 5 – Chimney stacks area;
- Demolition zone 6 – Cooling water plant area;
- Demolition zone 7 – Coal handling plant and conveyors area;
- Demolition zone 8 – Buildings and workshops;
- Demolition zone 9 – Miscellaneous

The Wallerawang A and B Power Station chimney stacks are currently listed on the State Heritage Inventory, as a locally significant heritage item, however only Wallerawang Power Station Chimney Stack A remains within the site and is proposed to be retained on site in recognition of its heritage value as shown in *Photograph 1* below:

Photograph 1- Chimney Stack A



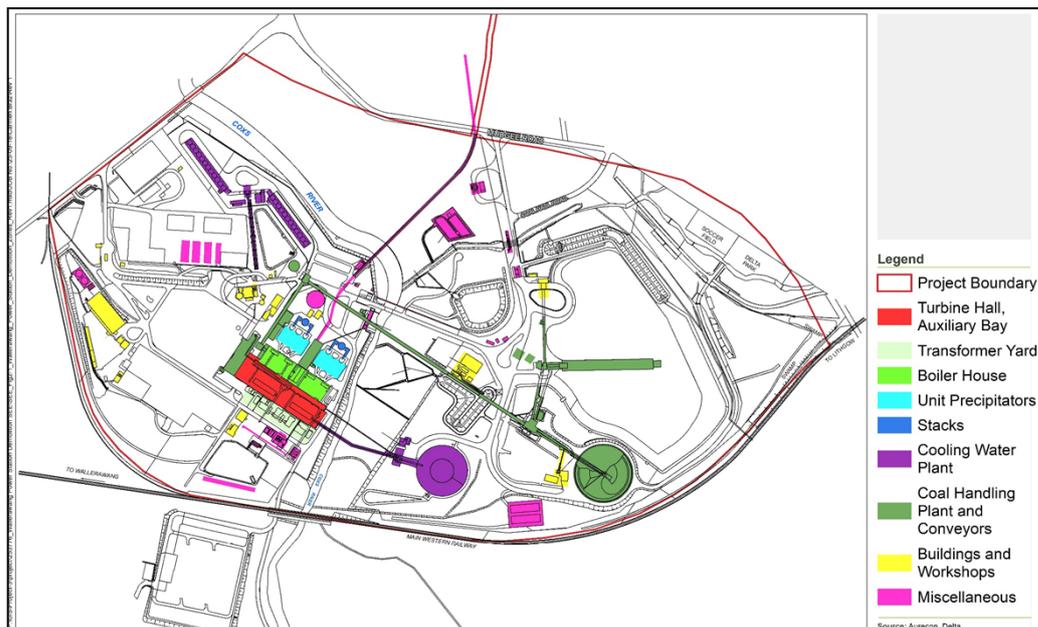
Demolition works would commence once all salvageable equipment and infrastructure has been removed from each zone.

Prior to the dismantling or demolition of any building or structure the process of soft stripping shall be undertaken to remove the following items:

- Items which constitute hazardous material or controlled waste
- Building furniture, fixtures and fittings (soft furnishings, doors, windows, fire extinguishers, lighting, floor coverings)
- Items for recycling or reuse including timber, glass, and plastics.

All structures and buildings on-site would be dismantled as far as practicable and mechanically demolished following removal of salvaged items. The chimneys and concrete cooling tower will most likely be demolished using explosive charges. Conveyors, transfer stations and other ancillary facilities would also be mechanically demolished. Where conveyors are located inside tunnels, they would be removed as far as possible to avoid removal and safety issues in the future.

The site plan and structures are shown on the plan below:



The demolition works are planned to commence upon approval and would take about two years to complete.

The site is shown in *Photograph 2* below:

Photograph 2- The Wallerawang Power Station Site



## 2. SUMMARY

To assess and recommend determination of DA015/19 with recommendation for a deferred commencement approval.

## 3. LOCATION OF THE PROPOSAL

Legal Description: Lot 100 DP 1043966, Lot 2 DP1131955, Lots C, D and E DP394440, Lot 11 DP1139978 and Lot 228 DP1131953

Property Address: Wallerawang Power Station, Main Street, WALLERAWANG NSW 2845

**4. ZONING:** The land is zoned SP2 Electricity Generating Works in accordance with Council's current planning instrument, being Lithgow Local Environmental Plan (LEP) 2014.

**5. PERMISSIBILITY:** The development, being for the demolition of the power station, is not a prohibited activity or an activity that is permissible without consent. Therefore, the proposal requires approval from Council under Part 4 of the EP&A Act.

### 5.1 POLICY IMPLICATIONS (OTHER THAN DCP's)

#### Policy 5.1 Building Over Easements

Deposited Plan (DP) 1043966 shows a number of easements transecting the main section of the site. These easements are owned and managed by Transgrid and includes:

- Easement for transmission,
- Right of Carriageway,

- Easement for Transmission line outlets,
- Easement for electricity and
- Easement for watermain.

The development would need to protect these easements during the demolition works. As such the development was referred to Transgrid, whose comments are found later in this report.

### **Policy 7.1 Filling and Levelling of Land**

Council's Policy states:

Unless otherwise provided by an Environmental Planning Instrument or Development Control Plan, a development application is required in the following circumstances:

1. Where land is subject to inundation by floodwaters, or
2. Where excavation or the depth of fill exceeds 900mm.

The development is for the demolition of structure on top of the surface, therefore minimal earthworks are proposed. However, the site will need to be rejuvenated at the end after demolition. At this stage minimal earthworks are proposed. This would need to be assessed when a new use for the site is proposed.

### **Policy 7.5 Notification Of Development Applications**

This Policy does not apply to development applications that are required to be notified under specific legislation. At the date of commencement of this policy this included notification procedures for the following types of development defined under the Environmental Planning and Assessment Act, 1979 and its regulations, including:

- Advertised Development including Integrated Development;

The development is defined as being Integrated Development under the Environmental Planning and Assessment Regulations 2000. Clause 89 "*What information must be contained in a written notice and a published notice?*" states:

*(3) The period referred to in subclause (1) (d) must include:*

*(a) in the case of nominated integrated development or threatened species development, the period of 28 days, commencing on the day after the day on which the published notice is first published in a newspaper.*

*(4) In this clause:*

*nominated integrated development means integrated development (not being threatened species development or Class 1 aquaculture development) that requires an approval (within the meaning of section 4.45 of the Act) under:*

*(b) a provision of the Water Management Act 2000 specified in section 4.46 (1) of the Act.*

The development application is 'Integrated' Development' therefore the proposal was notified to surrounding landowners and placed on display for a period of 28 days to coincide with the required newspaper advertising period from 16 February to 15 March 2019 and therefore complies with Council's Policy.

### **Policy 7.7 Calling In Of Development Applications By Councillors**

This application has been called in pursuant to Policy 7.7 "Calling in of Applications by Councillors" Item 3 that states:

*3. Should written notice, signed by a minimum of one (1) Councillor, be received by the General Manager prior to determination of a development application or development application/construction certificate, the application shall not be determined under delegated authority but shall be:*

- Reported to the next Ordinary Meeting for the information of Council that the development application or development application/construction certificate has been "called in"; and*
- Reported to an Ordinary Meeting of Council for determination.*

The application has been called in by Cllr Wayne McAndrew. The Call In report was reported at the Council Meeting held 25 March 2019.

## **5.2 FINANCIAL IMPLICATIONS**

### **Council's Section 94A Development Contributions**

Council's Section 94A Development Contributions do not apply to this development as per the following clause:

#### **C7 Are there any exemptions to the levy?**

#### **Other development exempted from the levy**

The following types of development or components of development will also be exempted from a levy under this Plan:

g) An application for an industrial, retail or commercial development where there is no intensification of use or increase in floor space of an existing building.

The development is defined as being an industrial activity and will not be increasing the floor space of any existing building.

## **5.3 LEGAL IMPLICATIONS**

### ***Contaminated Land Management Act 1997 No 140***

This will apply for land with current contamination issues dealt with by the Environment Protection Authority (EPA) and registered as a contaminated site.

The Proposal is not registered as a contaminated site under the EPA; however the site contains suspected and known areas of contamination. The development involves demolition activities to the ground surface only and is not expected to disturb contaminated land. The development will be subject to licensing under the POEO Act and is therefore not subject to the Contaminated Land Management Act.

### ***Conveyancing Act 1919***

Deposited Plan (DP) 1043966 shows a number of easements transecting the main section of the site. These easements are owned and managed by Transgrid and includes:

- Easement for transmission,
- Right of Carriageway,

- Easement for Transmission line outlets,
- Easement for electricity and
- Easement for watermain.

The development would need to protect these easements during the demolition works. As such the development was referred to Transgrid, whose comments are found later in this report.

***Crown Lands Act 1989 No 6***

There is no Crown Land involved within the development site area.

***Environmental Protection and Biodiversity Conservation Act 1991***

A search within three kilometres of the site was undertaken and indicated three threatened ecological communities, 36 threatened species and 12 migratory species are present. As the site has been previously disturbed through electricity generating works, it is not expected that these ecological communities will be threatened.

As no federally listed Threatened Species or Endangered Ecological Community is required to be cleared as a result of this application, there are no legal implications of this Act on the proposed development.

***Biodiversity Conservation Act 2016***

The development involves the demolition of a decommissioned power station on a previously disturbed land. No clearing of any native vegetation is required or proposed and, therefore, no ecological assessment has been undertaken. The Biodiversity Conservation Act 2016 is not applicable To the development application.

***Protection of the Environment Operations Act 1997***

This Act applies as the development requires an EPA licence as described under Schedule 1 of the Act- Clause 17 Electricity generation involving the operation of the power station. The EPA licence (EPL 766) remains in-force over the site and allows for the following scheduled activities to occur:

- Chemical storage
- Coal works
- Crushing, grinding or separating
- Sewage treatment
- Water storage.

The demolition of the power station does not require an EPL, however, it is intended to keep EPL 766 active and potentially modify it in consultation with the NSW Environmental Protection Authority (EPA) to cover the full range of activities and demolition works anticipated for the Project. The POEO Act will also apply if a polluting discharge is accidentally released during the Project.

The development was therefore referred to the Environmental Protection Authority for comment. These comments are found later in this report.

***Roads Act 1993***

The development does not involve any new roads or works within a public roadway, however, large items would be required to be transported off site on the State and local road system.

Consent would be required for the transportation of large items and if road closures are required due to the transportation of large items and the operation of the Great Western Highway, Castlereagh Highway and Main Street may be impacted by blasting operations. Therefore the development was referred to the Roads and Maritime Services (RMS) for comment. These comments are found later in this report.

### ***Rural Fires Act 1997***

The development is not considered to be integrated under this act. However due to the extent of the demolition works and the activities involved, the Rural Fire Service was notified of the application.

The RFS comments are found later in this report.

### ***Water Management Act 2000***

The development is located in proximity (within 40 metres) of two main water courses (Coxs River and Springvale Creek) and therefore requires a controlled activity approval from Water NSW as per the following:

#### ***91 Activity approvals***

*(1) There are two kinds of activity approvals, namely, controlled activity approvals and aquifer interference approvals.*

*(2) A controlled activity approval confers a right on its holder to carry out a specified controlled activity at a specified location in, on or under waterfront land.*

*(3) An aquifer interference approval confers a right on its holder to carry out one or more specified aquifer interference activities at a specified location, or in a specified area, in the course of carrying out specified activities.*

**Note.** *Examples of where an aquifer interference approval may be needed include mining operations, road construction and any other large scale activity that involves excavation.*

If temporary dewatering activities are required for the development, a Water Supply Works Approval may also be required under this Act.

The development is defined as being integrated with the Department of Primary Industries and was therefore referred to the Water Authority for comment. These comments are found later in this report.

### ***Threatened Species Conservation Act 1995 (TSC Act)***

The proposed development will not impact threatened species, populations, ecological communities or their habitats under the TSC Act.

### ***Environmental Planning and Assessment Act 1979***

In determining a development application, a consent authority is required to take into consideration the matters of relevance under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979*. These matters for consideration are as follows:

#### 5.3.1 Any Environmental Planning Instruments

### ***Lithgow Local Environmental Plan 2014***

| LEP 2014 – Compliance Check   |            |
|---|------------|
| Clause  | Compliance |
| <b>2.3 and Land</b> SP2 Infrastructure – Electricity Generating Works | Yes        |

| <b>Use table</b> |                                  |     |
|------------------|----------------------------------|-----|
| <b>5.10</b>      | Heritage Conservation-Schedule 5 | Yes |
| <b>7.3</b>       | Stormwater management            | Yes |
| <b>7.4</b>       | Terrestrial biodiversity         | Yes |
| <b>7.5</b>       | Groundwater vulnerability        | Yes |
| <b>7.6</b>       | Riparian land and watercourses   | Yes |

*Clause 2.3* The objectives of the SP2 zone are:

- *To provide for infrastructure and related uses.*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*
- *To maintain or improve the water quality of receiving water catchments.*

The development satisfies the objectives of the SP2 zone.

The Wallerawang Power Station has been progressively developed since construction in 1957. The industrial site has been modified over time with few remaining natural features. Through demolition of the infrastructure, it would allow the site to be reused for future industrial purposes. As the Power Station has not been operational for a number of years and as a newer Power Station (Mount Piper) is operating a few kilometres away, there are no requirements for the use of the site to remain as a power station.

As detailed elsewhere in this report the proposed development, subject to the recommended conditions of consent, will not impact adversely on water quality in the receiving water catchment.

*Clause 5.10*

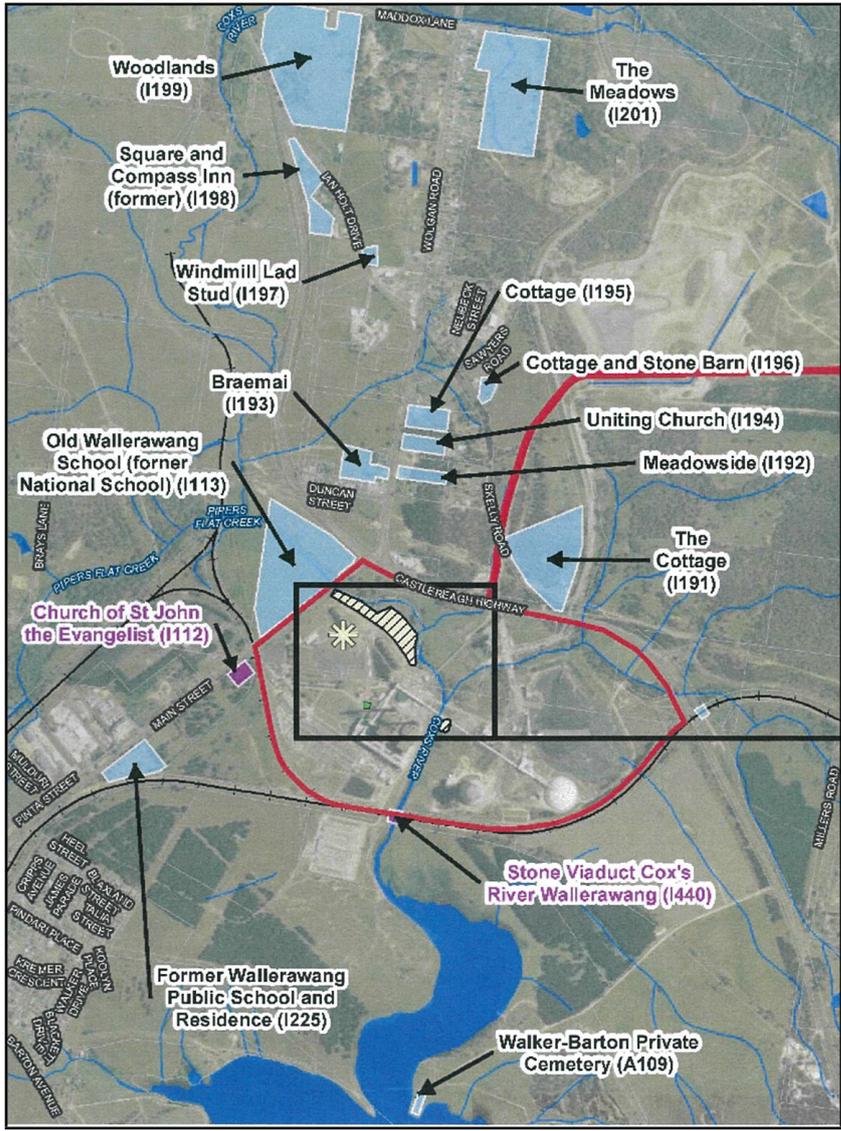
Under Clause 5.10 of the LEP the subject site is located in proximity to a number of State and Local Listed Heritage Items, namely:

- Church of St John the Evangelist - State SHR 01702; Item 112 LLEP- *Photograph 3*
- Old Wallerawang School (former National School) – Item 113LLEP
- Stone Viaduct Cox’s River (State SHR 01064; Item 440 LLEP- *Photograph 4*
- The Cottage -Item 191 LLEP
- Meadowside – Item 192 LLEP
- Braemai – Item 193
- Cottage and Stone Barn – Item 196 LLEP
- Uniting Church – Item 196 LLEP
- Cottage – Item 195 LLEP
- Former Wallerawang Public School – Item 225 LLEP
- Wallerawang Chimney Stack A (State).

A number of aboriginal heritage sites have been identified within the subject site, namely:

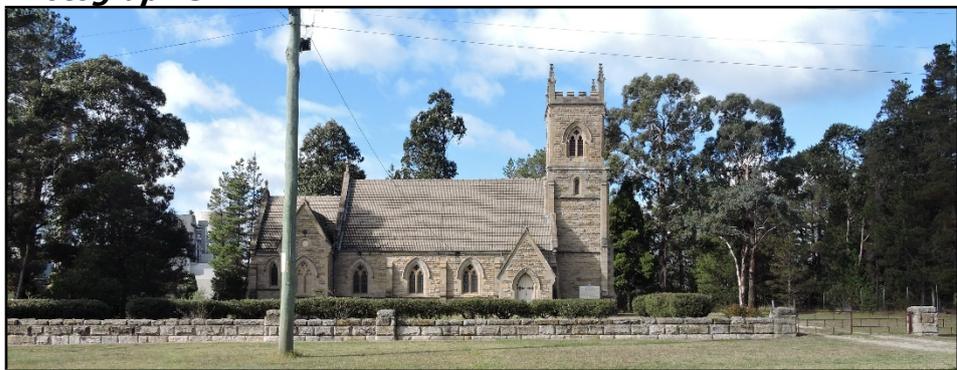
- WPSIF1
- WPSSPAD1
- WPSPAD2

The heritage listed items are shown on the plan below:



A photograph of The Church of St John the Evangelist is below:

**Photograph 3**



A photograph of the Stone Viaduct is below:

***Photograph 4***



The primary concern in respect to the listed heritage items is the potential for damage impacts from blasting operations related to the demolition of the water cooling tower and chimney stacks, excluding Chimney Stack A. The proximity to the church to the subject site is likely to result in damage to structure and stain glass windows as a result of the blast operations. Concerns relating to blast impacts on the church form the basis of the submission received by Council during the notification period. Similar concerns were raised by John Holland Rail in respect to potential impacts on the Stone Viaduct over Coxs River, which forms part of the Country Rail Network.

The absence of a detailed Blast Management Plan and Heritage Management Strategy that specifically addresses the protection measures required to avoid damage to the heritage items during blasting operations has necessitated the recommendation for a deferred commencement consent in respect to these works.

***Clause 7.3 Stormwater***

The development would have minimal impact on existing stormwater services. Stormwater has been assessed by WaterNSW and is found to be suitable for the development. WaterNSW comments are found later in this report.

***Clause 7.4 Biodiversity***

The property is located within the biodiversity prone area. The Wallerawang Power Station site is cleared of native vegetation in the vicinity of the buildings and structures that are proposed to be demolished. The proposed development will not adversely impact threatened species, ecological value or significant flora and fauna as the demolition works are related to the power station site and the items of biodiversity value are located within the buffer zone land owned by EnergyAustralia as shown on the map below:



Clause 7.5 Ground Water Vulnerability

The property is identified as containing ground water vulnerability. Groundwater dependent ecosystems would not be impacted upon by the development as minimal vegetation would be removed. The development is designed, sited and will be managed to avoid any significant adverse environmental impact. Groundwater was assessed by Water NSW. If the proposal is approved, conditions of consent will be imposed to ensure that any further groundwater impacts are minimised. Water vulnerability is mapped below:



Clause 7.6 Riparian Land

Part of the property is located within the riparian corridor as it includes a third order stream water corridor. The power station infrastructure is located within 40m of the water course – Coxs River (*Photograph 5*). A water licence from the Natural Resource Access Regulator (NRAR) is required. Management strategies will need to be implemented to ensure that there is minimal impact to the water course. The applicant proposes a Water and Soil Management Plan will be prepared to detail environmental safeguard and mitigation measures to be undertaken prior and during demolition works. Details of the Soli and Water Management Plan are required under a deferred commencement consent. The development was referred to the Natural Resource Access Regulator for comment. These comments are found later in this report. The riparian corridor is shown on the map below:



A photograph of Coxs River is below:

**Photograph 5**



The proposed development, subject to compliance with recommended conditions of consent will comply with provisions in Lithgow LEP 2014.

***State Environmental Planning Policy No 33—Hazardous and Offensive Development***

| SEPP 33 – Compliance Check  |            |
|---|------------|
| Clause  | Compliance |
| <b>3</b> Definitions of “potentially hazardous industry” and “potentially offensive industry” | Yes        |
| <b>7</b> New definitions of “hazardous industry” and “offensive industry”                     | Yes        |
| <b>13</b> Matters for consideration by consent authorities                                    | Yes        |

The development being for the demolition of the power station is defined as being a potentially offensive industry in relation to noise and dust impacts specifically during blasting activities.

Noise and dust mitigation measures will be addressed in a Noise and Vibration Management Plan and an Air Quality Management Plan which are required as part of the Deferred Commencement Conditions under Schedule A to this Report.

The development is regulated by the Environmental Protection Licence and as such was referred to the Environmental Protection Authority (EPA). These comments are found later in this report.

**State Environmental Planning Policy 44 – Koala Habitat Protection**

SEPP 44 is applicable to site given that it exceeds 1ha in size and is located within the Lithgow Local Government Area to which the SEPP applies. Part 2 of the SEPP requires Council to consider whether the land the subject of the application retains potential and subsequently core koala habitat.

Many of the trees listed within Schedule 2 of the SEPP are common within the Lithgow Local Government area, however core koala habitat within this area is rare, with only 12 koala sightings ever reported on private land within the LGA. Given that no trees are to be removed as part of the development, and the section of the subject site relevant to the application is devoid of native vegetation it is considered unnecessary to proceed further with SEPP 44 assessment.

**State Environmental Planning Policy No 55—Remediation of Land**

| SEPP 55 – Compliance Check |   |            |
|----------------------------|---|------------|
| Clause                     |   | Compliance |
| <b>7</b>                   | Contamination and remediation to be considered in determining development application | Yes        |
| <b>17</b>                  | Guidelines and notices: all remediation work  | Yes        |

**Comment:** The Proposal is not registered as a contaminated site under the EPA, however, the site contains suspected and known areas of contamination. The development involves demolition activities to the ground surface only and is not expected to disturb contaminated land. The development will be subject to licensing under the POEO Act and is therefore not subject to the Contaminated Land Management Act.

The site will need to be remediated if contaminated soils are impacted upon. This will be conditioned in the consent.

**State Environmental Planning Policy (Infrastructure) 2007**

| SEPP (Infrastructure) 2007 – Compliance Check                                    |   |            |
|--|---|------------|
| Clause   |   | Compliance |
| <b>16</b>  | Consultation with public authorities other than councils                              | Yes        |
| Division 4 Electricity generating works or solar energy systems                  |   |            |
| <b>34</b>  | Development permitted with consent  | Yes        |
| <b>35</b>  | Other development permitted with consent where electricity generating works permitted | Yes        |
| Subdivision 2 Development in or adjacent to road corridors and road reservations |   |            |
| <b>101</b>   | Development with frontage to classified road  | Yes        |
| <b>102</b>   | Impact of road noise or vibration on non-road development                             | Yes        |

The proposed development requires consultation with other government authorities. These authority comments are found later in this report.

The property is zoned SP2 Infrastructure-Electricity Generating Works due to its past use as a power station. The zoning may need to be amended if a new use is proposed for the land in the future.

The development has a frontage to the Castlereagh Highway. The demolition of the power station is likely to impact upon residences in Lidsdale. Consequently a deferred commencement condition is proposed requiring a detailed Traffic Management Plan to ameliorate adverse noise impacts on residences in Lidsdale and to address measures needed to be taken during blasting operations to protect users of the Castlereagh Highway, Great Western Highway and Main Street.

***State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011***

| SEPP (Sydney Drinking Water Catchment) 2011 – Compliance Check |  |            |
|--|--|------------|
|  | Clause   | Compliance |
| 10   | Development consent cannot be granted unless neutral or beneficial effect on water quality | Yes        |
| 11   | Development that needs concurrence of the Chief Executive                                  | Yes        |

**Comment:** The proposed development was referred to Water NSW under the SEPP given that part of the property is within the Sydney Drinking Water Catchment.

Water NSW has assessed the development and determines that it can achieve a neutral or beneficial effect on water quality. Therefore the development complies with the provisions of the SEPP.

Water NSW comments and conditions are found later in this report.

5.3.2 Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority

Nil.

5.3.3 Any Development Control Plan

Nil.

5.3.4 Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4?

Nil.

5.3.5 Any matters prescribed by the regulations that apply to the land

The development has been forwarded to Council's Building Officer for assessment under appropriate regulations. It is considered that as a result of this assessment the development will comply with the provisions of the regulations subject to conditions of consent.

#### 5.3.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

**Adjoining Landuse:** The Wallerawang Power Station site covers an area of approximately 80 hectares and is bound by the Main Western Railway Line, Main Street and Castlereagh Highway. Coxs River bisects the site and flows southward into Lake Wallace, a man-made reservoir that was used to provide cooling water to the Power Station.

The lands surrounding the WWPS include a mix of residential, church (Church of St John the Evangelist), industrial, buffer areas and rural land uses. Several abandoned open cut mines and operating underground coal mines are near the site.

The villages of Wallerawang and Lidsdale are located to the west and north of the WWPS site, respectively.

Most of the land surrounding the site is buffer land owned by EnergyAustralia. There are switchyards owned by TransGrid adjoining the site. There are a number of transmission lines, easements and right of access corridors to TransGrid properties over and surrounding the site. Mount Piper Power Station, also owned and operated by EnergyAustralia, is approximately five km north-west of the site.

**Services:** The property is currently connected to all services. The proposed demolition works are not expected to impact Council's water and sewer infrastructure. Electricity and Transgrid easements are located within the vicinity of the building and structures proposed to be demolished.

Endeavour Energy and Transgrid were notified of the application. Both authorities have no objection to the application subject to conditions of consent. These comments and conditions are found later in this report.

**Landscape character and visual amenity:** The WWPS is a major visual feature of the Wallerawang and Lidsdale villages. It dominates the local visual landscape being located on Main Street, the primary access road to the village of Wallerawang. The demolition of the power station is expected to have a positive long-term visual effect, however, there is potential for temporary visual impacts during the demolition works.

After the demolition works, the use of the site may change to other potential purposes at a similar or smaller scale. The future uses of the site would be assessed when a new development application is submitted.

**Access/traffic:** The main access to the Wallerawang Power Station is from Main Street, Wallerawang, approximately 100m from the Castlereagh Highway. The proposed demolition works would cause a temporary increase in traffic movements, particularly heavy vehicles, on local and State roads such as Main Street, Pipers Flat

Road, Barton Avenue and the Castlereagh and Great Western Highways. Most traffic movements would be associated with transporting demolition waste to suitably licenced landfill facilities or recycling depots.

Traffic movements will also be undertaken internally via the haul road to the proposed asbestos disposal area (DA016/19), where asbestos materials are proposed to be disposed off.

The development was referred to the Roads and Maritime Services (RMS) for comment. These comments are found later in this report.

### **Heritage:**

#### *Non Aboriginal heritage:*

The Wallerawang Power Station Chimney Stacks A and B are listed under the State Heritage Inventory as having local significance as well as being within the Wallerawang Power Stations heritage conservation reports prepared by Delta Energy. However Chimney Stack B has been demolished.

Chimney Stack A is proposed to be retained as part of the Power Station demolition proposal. Management strategies will need to be prepared and to be in place to protect Chimney Stack A.

The Heritage Inventory for The Church of St John the Evangelist states that it is a rare example of a major church building erected by private philanthropy, equalled in Lithgow only by the Hoskins Memorial Church. The Walker-Barton family are of the highest local and considerable state significance. The builder was the Mayor of Lithgow and responsible for the best stone buildings of the late Victorian period in the area.

The Church doubled as Wallerawang estate chapel and a public dual-denomination church as in 1952 it was formally given to the Presbyterian and Anglican churches. The Presbyterian minister at Bowenfels conducts regular Sunday services but the local Anglican parish no longer uses the church on a regular basis.

The primary concern relating to the Church is the potential for severe damage to the stain glass windows and stone work from the blast operations on the WWPS site. A deferred commencement condition has been prepared to ensure appropriate measures are taken to protect the building and its windows.

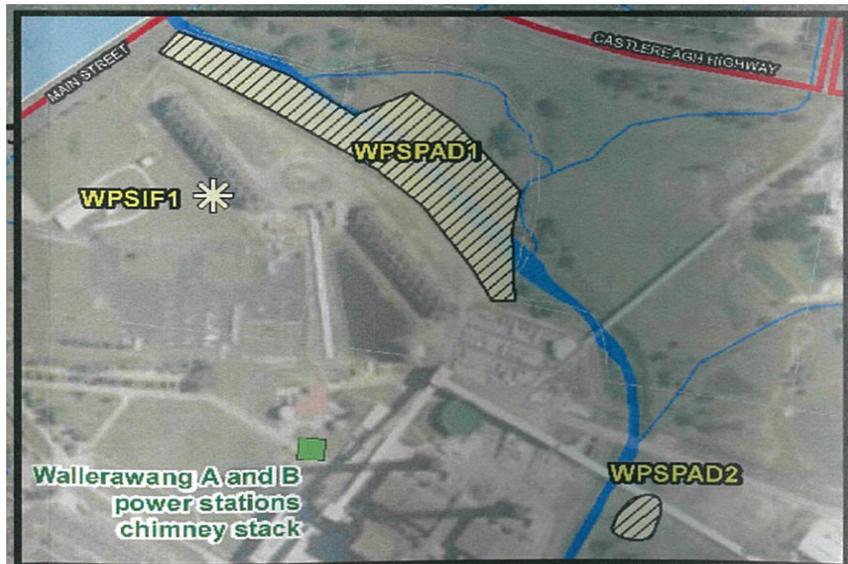
Similar concerns have been raised by John Holland Rail in respect to potential impacts on the Stone Viaduct carrying the railway network over Cocks River.

The recommended requirement under the Deferred Commencement Condition 1(a)(ii) for the Applicant to prepare a Blast Management Plan to protect the nominated heritage items will address the heritage concerns arising from the proposed demolition of the WWPS.

#### *Aboriginal heritage:*

A field survey was undertaken of the WWPS site on the 31 August 2017 by Biosis in conjunction with the Bathurst Local Aboriginal Land Council. One isolated artefact

and two areas of archaeological potential were identified on the WWPS site during the field survey, as detailed on the map below:



The Applicant has prepared environmental safeguard and mitigation measures to protect the Aboriginal Heritage Items and an appropriate condition has been prepared to ensure such outcomes are achieved.

If heritage objects are identified during demolition works, then works will be stopped with the objects notified to Council and the NSW Heritage Office.

**Flora and Fauna:** No proposed clearing is required and the development will have no impact on flora or fauna.

**Safety and Security:** the site will remain to be fenced around the boundary of the Wallerawang Power Station site with security signage to be erected at the entrance. Security will also control access to the site with a sign in/sign out process.

**Social and Economic Impact:** Since the power station closed a few years ago, the site has been vacant and consists of the decommissioned power station infrastructure. Due to the type of infrastructure on the site and the presence of asbestos, the reuse of the facility has not been practical in its current form.

In the short term the power station is unable to be reopened as a power station.

The site would eventually be rejuvenated for future uses such as industrial activities. This would create positive social and economic opportunities to the community.

The demolition works will create employment opportunities for the local community.

The development was sent to surrounding landowners and placed on exhibition for a period of 28 days. During the notification period one (1) submission was received. The submission is detailed later in this report.

**Soils:** The Proposal is not registered as a contaminated site under the EPA, however, the site contains suspected and known areas of contamination. The

development involves demolition activities to the ground surface only and is not expected to disturb contaminated land. The development will be subject to licensing under the POEO Act.

The following condition is recommended to be imposed on the consent:

*Any areas of contaminated ground, including any land contamination caused by the proposed demolition works are to be clearly identified and surveyed and a copy of the appropriate plan provided to Council for any future potential development of the site.*

Conditions of consent will also be imposed to control erosion and sedimentation impacts on the site.

**Water:** The proposed development was referred to Water NSW under the SEPP given that part of the property is within the Sydney Drinking Water Catchment.

Water NSW has assessed the development and determines that it can achieve a neutral or beneficial effect on water quality. Therefore the development complies with the provisions of the SEPP.

Water NSW comments and conditions are found later in this report.

**Air and Microclimate:** The site has previously been used as a working Power Station with the surrounding land uses predominately being used for coal mining purposes, industrial developments and residential uses within Wallerawang and Lidsdale Villages.

Air quality has been influenced by these uses.

The proposed demolition works have the potential to cause airborne dust. Dust emissions have the potential to impact nearby sensitive receivers. Dust will need to be managed during the demolition works such as having water carts and water available when required. Vehicles would be covered when leaving power station site. Air quality is also influenced by the prevailing weather and climatic conditions, bushfires and other natural factors such as pollen.

Conditions of consent will be imposed requiring that dust suppression measures be used during demolition works to minimise impacts on the surrounding area.

EPL 766 requires EnergyAustralia to maintain the site in a condition that minimises or prevents the emission of dust from the site. Therefore the development was referred to the Environmental Protection Authority (EPA) for comment. These comments are found later in this report.

Once demolition works have been completed, the site would be vegetated to a stable state to have minimal dust impacts.

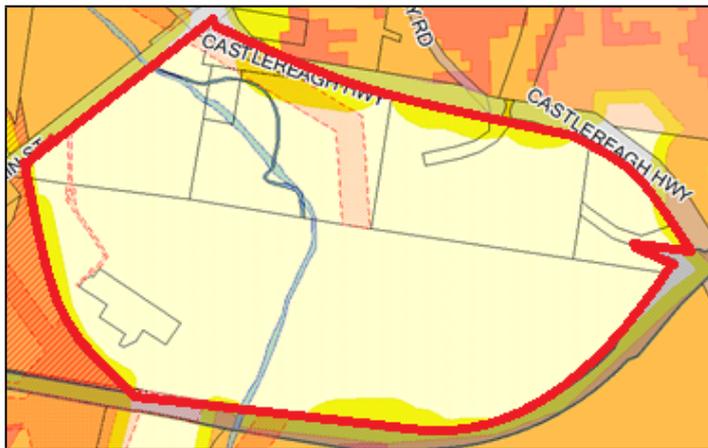
**Waste:** All materials generated by the demolition works would be transported off-site for either disposal or recycling at appropriate licenced waste management facilities or would be sold and recycled if feasible. Majority of the traffic movements

would be undertaken internally via the haul road to the proposed asbestos disposal area (DA016/19), where asbestos materials are proposed to be disposed off.

The development was referred to Council's Waste Officer for comment. These comments are found later in this report. Conditions would also be placed on the consent in relation to transporting waste materials to Council's waste facilities.

**Natural Hazards:** The land is not known to be flood prone land under Council's LEP 2014 or flood study 2017. However, there is a river that runs through the property. There is no known history of the site being flooded due to the flow of the river running into Lake Wallace. As the development is of demolition works, flooding is not an impact.

The property is partially located within the bushfire prone area, buffer zone ('vegetation buffer') located around the outskirts of the property boundary. The buffer zone delineates a 100-metre external buffer to the Vegetation Category 1 as detailed on the bushfire map below:



As the development is not defined as being a habitable building or a special fire protection purpose, a bushfire report is not required. However given the nature of the development and proximity to a major road, the development was referred to the Rural Fire Service for comment. These comments are found later in this report.

**Noise and Vibration:** Existing noise sources in the area that surrounds the Power Station include major roads (Castlereagh Highway), local roads and industrial activities associated with nearby power stations and coal mines. There are few sensitive receivers near the proposed demolition areas, with the nearest residential receiver approximately 400 metres north of the site in Lidsdale and a church located adjacent to the site in Wallerawang. The Statement of Environmental Effects states that based on the worst-case scenario during demolition, the predicted noise levels from the project will comply with the noise criteria during the standard construction hours and as per the NSW Industrial Noise Policy produced by Environmental Protection Authority.

However, given that the proposed demolition works will be undertaken by mechanical and by explosive means, the Applicant will be required to prepare a Noise and Vibration Management Plan, Air Quality Management Plan, Blast Management

Plan and a Air Quality Management Plan as part of Deferred Commencement Conditions under Schedule A to this Report.

Noise would be managed under the Power Stations EPA Licence (EPL766). Conditions would also be placed on the consent indicating that prior to works commencing environmental management plans will need to be submitted and approved by Council. Noise conditions will be imposed on the consent to ensure demolition works are to be undertaken during daylight hours and ensure compliance with the EPA's Industrial Noise Policy.

The development was referred to the Environmental Protection Authority (EPA) for comment. These comments and conditions are found later in this report.

### 5.3.7 The Suitability of the site for the development

The direct adjoining and adjacent land uses are for industrial (coal mining related infrastructure) with rural and residential land beyond. The Church of St John the Evangelist directly adjoins the subject site to the west. The proposal is compatible with the objectives of the zone and, subject to the conditions embodied in Schedules A and B of the consent, it is considered that the proposal will have minimal adverse impacts on the surrounding lands. Therefore, the site is considered to be suitable for the proposed development.

### 5.3.8 Any submissions made in accordance with this Act or the Regulations

The proposal was sent to the NSW Department of Planning and Environment, NSW Environmental Protection Authority (EPA), Water NSW, NSW Rural Fire Service, NSW Roads and Maritime Services, Endeavour Energy, Office of Environment and Heritage, Natural Resources Access Regulators, Transgrid, John Holland Rail, Railcorp, Council's Building Officer, Water & Wastewater Officer, Waste Officer, Environmental Officer and Engineering Officer for comment with recommendations detailed below. The proposal was also sent to surrounding landowners and placed on public display in Council's Administration Building for a period of 28 days with one (1) submission received. This submission is summarised below:

#### **NSW DEPARTMENT OF PLANNING AND ENVIRONMENT**

Council has been in contact with the NSW Department of Planning and Environment who have no comment in relation to the application.

#### **NSW ENVIRONMENT PROTECTION AUTHORITY (EPA)**

The EPA advised that the proposal to demolish the Wallerawang Power Station is not a Scheduled Activity requiring an environmental protection licence or an activity that is being undertaken by a public authority and as such is not Integrated Development for the EPA.

While the EPA is not the appropriate regulatory authority (ARA) for this project as outlined above, as you would be aware Energy Australia already holds environment protection licence 766 with the EPA for the Wallerawang Power Station. While the Power Station is now closed, in recognition of the scale of works associated with the proposal, Energy Australia will retain licence 766 and has applied for a variation of the licence from Electricity Generation to miscellaneous water discharge. As such, the

EPA will remain the ARA for the premises under the Protection of the Environment Operations Act 1997.

Having reviewed DA015/19 and the supporting SEE, the EPA's recommended conditions of the consent for the proposal are:

1. That the development be undertaken in accordance with the environmental safeguards to minimise any adverse impacts, as identified under Section 5 within the Wallerawang Power Station Demolition Statement of Environmental Effects (SEE) – Reference 253776 dated 26 September 2018.
2. That the hours of operation be restricted to daytime hours in accordance with the Interim Construction Noise Guideline 2009 'recommended standard hours for construction work.'
3. That the proponent should apply all feasible and reasonable work practices to mitigate noise as described under Section 4.2.4 'safeguards and mitigation measure' in the project SEE.
4. That the proponent should inform all potentially impacted residents of the nature of the works to be carried out and a readily accessible contact point for complaints as described in Section 4.2.4 'safeguards and mitigation measure' in the project SEE.
5. That the activity be undertaken in compliance with environment protection licence 766.

### **WATER NSW**

The subject property, which has been inspected by Water NSW, is located within the Warragamba catchment which forms part of Sydney's water supply. Water NSW has considered the Statement of Environmental Effect prepared by Aurecon Australasia Pty Ltd (dated 26 September 2018) in its assessment of the application.

Based on Water NSW's site inspection and the information provided, the proposed development can achieve a neutral or beneficial effect (NorBE) on water quality provided appropriate conditions are included in any development consent and are subsequently implemented.

Water NSW concurs with Council granting consent to the application subject to the following conditions.

### ***General***

1. The demolition works and staging shall be as outlined in the Statement of Environmental Effects (Reference: 253776, Revision: 2, dated 26 September 2018) prepared by Aurecon Australasia Pty Ltd. No revisions to site layout, works or staging that will have any impacts on water quality, shall be permitted without the agreement of Water NSW.

*Reason for the above Condition - Water NSW has based its assessment under State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.*

### ***Demolition and Deconstruction Activities***

2. Any contaminated materials shall be disposed of at an appropriate licensed facility as soon as possible after identification with the correct waste classification.

3. All existing stormwater drainages and management measures (such as settling ponds, sedimentation basins) shall be inspected weekly, maintained and protected from all works until demolition and deconstruction is completed.

4. A Soil and Water Management Plan shall be prepared for all works at each stage progressively by a person with knowledge and experience in the preparation of such plans. The Plan shall meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual - the "Blue Book". The Plan shall be prepared in consultation with WaterNSW prior to issuance of a Construction Certificate and shall be to the satisfaction of Council. The Plan shall include controls to:

- prevent sediment or polluted water leaving the demolition site or entering any natural drainage system or stormwater drains, and
- ensure that the demolition site is regularly inspected, monitored and maintained until works have been completed and site stabilised.

5. The Soil and Water Management Plan shall be implemented, and effective erosion and sediment controls shall be installed prior to any demolition activity. The controls shall be progressively updated according to the staged works.

Reason for the above Conditions – To manage adverse environmental and water quality impacts during the demolition phase of the development so as to minimise the risk of erosion, sedimentation and pollution within or from the site during this phase.

### **RURAL FIRE SERVICE (RFS)**

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and has no specific recommendations in relation to bush fire protection.

### **OFFICE OF ENVIRONMENT AND HERITAGE (OEH)**

OEH understands that the site is a highly modified industrial site and as such is unlikely to provide habitat for threatened flora and fauna. We support the safeguards and mitigation measures in section 4.8 of the EIA, including the intent to have a suitably qualified ecologist inspect structures to be demolished for fauna species such as bats and birds.

We note that, despite the industrialised nature of the site, Aboriginal cultural heritage, consisting of one isolated artefact and two areas of archaeological potential, have been identified. The footprint of the proposed demolition works is largely limited to the existing disturbance footprint and is unlikely to impact areas of known or potential Aboriginal heritage. OEH supports the safeguards and mitigation measures in table 4-19 of the EIA.

Items of non-Aboriginal heritage are located on and adjacent to the site. It is proposed to retain the Wallerawang A power station chimney stack in recognition of its heritage value. OEH supports the safeguards and mitigation measures presented in table 4-21 including the preparation of a heritage management strategy.

### **NATURAL RESOURCES ACCESS REGULATORS**

The Natural Resources Access Regulator's General Terms of Approval (GTA) for part of the proposed development requiring a Controlled Activity approval under the *Water Management Act 2000* (WM Act), as detailed in the subject DA.

As the proposed work or activity cannot commence before the applicant applies for and obtains an approval, NRAR recommends the following condition be included in the development consent:

***The attached GTA issued by NRAR do not constitute an approval under the Water Management Act 2000. The development consent holder must apply to NRAR for a Controlled Activity approval **after consent** has been issued by Council **and before** the commencement of any work or activity.***

*A completed application form must be submitted to NRAR together with any required plans, documents, application fee, security deposit or bank guarantee (if required) and proof of Council's development consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.*

*Council Officers Response:* The GTA's are attached in Schedule B in the conditions.

#### **ROADS AND MARITIME SERVICES (RMS)**

The applicant's response to submissions has been reviewed by RMS. It is noted that the applicant concurs with the requirements made by Roads and Maritime in its submission dated 12 March 2019.

Roads and Maritime therefore makes no further comments.

Roads and Maritime conditions dated 12 March 2019:

1. The applicant is to prepare and implement a driver code of conduct for the task of transporting materials on public roads. This may include, but not limited to:

- Details of transportation hours and vehicle types.
- Procedure for the transport of hazardous materials.
- Requirement for drivers to operate vehicles in a safe, professional and courteous manner.

*Applicant's Response:* Agree, EnergyAustralia NSW will prepare a driver code of conduct which will be included in the Environmental Management Plan (EMP) for the demolition works. The EMP will be prepared in consultation with Lithgow City Council and RMS.

2. A Blast Management Plan and a Traffic Control Plan is to be developed in consultation with Roads and Maritime. These plans should provide management protocols and measure employed to manage the risks and impacts the proposed blasting activities may have on road users along the Castlereagh and Great Western Highways. These are to be provided and approved by Roads and Maritime prior to any blasting being undertaken.

*Applicant's Response: Agree, A Blast Management Plan and Traffic Control Plan will form part of the EMP for the demolition activities. The EMP will be prepared in consultation with relevant stakeholders including RMS.*

3. Should any temporary closures of the highways be required during blasting operations these are to be conducted in accordance with a Road Occupancy Licence (ROL). Further information regarding a ROL can be obtained by contacting Roads and Maritime's Field Traffic Manager on 1300 656 371.

*Applicant's Response: Agree, EnergyAustraliaNSW will undertake its activities in accordance with relevant licences, approvals and guidelines including obtaining a Road Occupancy Licence, if required, during demolition activities. EnergyAustraliaNSW will consult with RMS prior to the commencement of demolition activities to ensure relevant authorisations are obtained as required.*

4. The dilapidation surveys are to be undertaken and are to take into account local roads and intersections with the State road networks.

*Applicant's Response: Agree, EnergyAustraliaNSW will ensure the scope of the dilapidation surveys include relevant State Road intersections.*

5. The proposed traffic and access environmental safeguards and mitigation measures are to be outlined as part of a Traffic Management strategy which is to be prepared as part of the demolition Environmental Management Plan (EMP).

*Applicant's Response: EnergyAustraliaNSW has committed to preparing a detailed Traffic Management Strategy as part of the demolition EMP. It should be noted that the traffic related impacts during the demolition works will be much less than when the Wallerawang Power Station was operating at full capacity, with over 200 employees transiting to work and when heavy vehicle deliveries were a daily occurrence.*

6. Roads and Maritime supports the provision of this Plan, however requests that in accordance with methodology set out in Section 2 of the *RTA's Guide to Traffic Generating Developments 2002* the following items are also included:

- For the demolition and deconstruction, road transport volumes and vehicle types broken down into:
  - o Origin and destination.
  - o Travel routes.
  - o Peak hours.
- The study is to provide details of projected transport operations including:
  - o Traffic volumes, both proposed and cumulative, and, both input and output traffic.
  - o Materials to be transported and vehicle types used for transport.
  - o Physical constraints, risks and hazards on the haulage route.
  - o Measure to be employed to ensure a high level of safety for all road users interacting with deconstruction traffic. In particular, any local school bus pick up/drop off locations.
  - o Any over size and over mass vehicles and loads expected throughout the project.

- o Temporary and permanent staff numbers (including employees and contractors) and staff parking arrangements during the project.
- o Measures to be employed to ensure traffic efficiency and safety on the public road network during the project.
- o Local climate conditions that may affect road safety during the project (e.g. dust, fog, wet weather, etc.) and appropriate measures to mitigate the impacts of such conditions.

*Applicant's Response: The traffic study would be completed by the demolition contractor once preferred demolition methods, haulage routes, and disposal, recycling or resale facilities are determined, and would form part of the detailed Traffic Management Strategy within the demolition EMP. This document would be prepared prior to the commencement of demolition and in consultation with LCC. An overview of known information is provided for LCC's information below:*

*a) Traffic volumes will be less than those experienced when the Wallerawang Power Station was operating at full capacity. Traffic volumes will be calculated once the proposed demolition methods and haulage routes are determined by the demolition contractor and will be included in the Traffic Management Strategy. The demolition haulage timeframe is expected to be around 30 months, with the second 12-month period being the more intensive transport operations and lighter than during the ramp up and ramp down periods. At peak, it is expected that six (6) road trucks would be utilised per day (ie 12 truck movements per day).*

*b) Materials to be transported from site are listed in Section 4.6.2 of the SEE and would mostly comprise materials which would be classified general solid waste (non-putrescible), which would not pose a risk of airborne or ground-borne contamination during transport or disposal.*

*The predominant materials which would be generated from the demolition works are metals and gravels (crushed on-site from concrete and bricks), and it is expected that all of the gravels would be used on site in backfilling and refurbishment. It is estimated 42,000 tonnes of scrap and reusable steel would need to be transported from site.*

*As the demolition works would remove materials to the ground level, and existing roads and hard stand areas would remain, no soils or capping material would need to be transported away from site.*

*Any asbestos-contaminated materials would be buried on-site at the proposed asbestos repository and would not be transported off-site.*

*Very small quantities of hazardous waste may be generated which would be removed by a suitably qualified specialist in accordance with relevant legislative requirements and transported and disposed of in a compliant manner.*

*Other salvage and scrap materials to be removed as listed in the SEE would be in minor quantities and would not require regular haulage.*

*Vehicle types are likely to be rigid and articulated vehicles with and without trailers. The steel would be in a self-contained steel bin that can be carried on a truck.*

*c) The haulage routes are likely to be existing major arterial roads to Sydney and/or Newcastle which currently accommodate large road trucks and do not present any specific physical constraints, risks or hazards. These factors will be considered and assessed in the Traffic Management Strategy. It is not envisaged that any of the materials to be transported from the site would pose a risk of airborne or ground-borne contamination being predominantly inert solid materials.*

*d) As the processing, handling and loading of the material will be done within the site, there will not be any extra requirement to ensure the safety of road user nor for school bus pick up or drop points. The Traffic Management Strategy will include general traffic management measures and procedures to ensure the safety of the public.*

*e) Over size and over load mass vehicles and loads expected will be restricted to delivery and removal of specialised plant and equipment at the start and the end of the project. Oversize vehicle permits will be obtained where required.*

*f) The total number of personnel on site during demolition works is estimated not to exceed fifty (50). Existing parking within the premises will be utilised by all personnel. There would be no need for off-site or street parking.*

*g) The Traffic Management Strategy will include general risk management measures and procedures to ensure traffic efficiency and safety on the public road network.*

*h) Local climate conditions are not expected to affect the transport operations. Vehicle generated dust created during demolition operations will be suppressed and contained within the premises through watering, and no soil, spoil or unconsolidated materials would be removed from the demolition works, as such there would not be any dust impact on traffic conditions. The Traffic Management Strategy will consider climatic conditions including rain and fog and include general risk management measures and procedures to mitigate the impacts of such conditions.*

## **ENDEAVOUR ENERGY**

As shown in the site plans from Endeavour Energy's G/Net master facility model (and extract from Google Maps Street View) in relation to the 'Project Boundary' there are:

- No easements over the site benefitting Endeavour Energy.
- 66,000 volt/66 kilovolt (kV) high voltage overhead power lines and overhead earth cables (running approximately parallel to the spur railway line and crossing Main Street) traversing the site not held under easement.
- To the Main Street road verge/roadway:
  - Low voltage and 11,000 volt/11 kV high voltage overhead power lines (including two low voltage overhead service conductors to the customer connection points for the existing buildings/structures on the site).
  - Low voltage and 11,000 volt/11 kV high voltage underground cables in proximity of the intersection of Castlereagh Highway.
- To the Castlereagh Highway road verge/roadway:
  - Low voltage underground cables at the intersection of Main Street associated with the streetlighting.
  - Low voltage and 11 kV high voltage overhead power lines to parts (including low voltage overhead service conductor to a customer connection point for the existing buildings/structures on the site).

In regards to the 66 kV high voltage overhead power lines traversing the site not held under easement, they are protected assets under the *Electricity Supply Act 1995* (NSW) Section 53 'Protection of certain electricity works'. The owner or occupier of the land cannot take any action by reason of the presence or operation of the electricity works in, on or over the land ie. they cannot remove the electricity infrastructure from the property. These protected assets are managed on the same basis as if an easement was in existence.

Subject to the foregoing and the following recommendations and comments Endeavour Energy has no objection to the Development Application.

### ***Easement Management/Network Access***

1. The following is a summary of the usual/main terms of Endeavour Energy's electrical easements requiring that the land owner:

- Not install or permit to be installed any services or structures within the easement site.
- Not alter the surface level of the easement site.
- Not do or permit to be done anything that restricts access to the easement site without the prior written permission of Endeavour Energy and in accordance with such conditions as Endeavour Energy may reasonably impose.

Endeavour Energy's preference is for no activities or encroachments to occur within its easement areas. However, if any proposed works (other than those approved/certified by Endeavour Energy's Network Connections Branch as part of an enquiry/application for load) will encroach/affect Endeavour Energy's easements or protected assets, contact must first be made with Endeavour Energy.

2. It is imperative that the access to the existing electrical infrastructure on and in proximity of the site be maintained at all times. To ensure that supply electricity is available to the community, access to the electricity infrastructure may be required at any time. Restricted access to electricity infrastructure by maintenance workers causes delays in power restoration and may have severe consequences in the event of an emergency.

### ***Removal of Electricity Supply***

3. Approval for the permanent disconnection and removal of supply must be obtained from Endeavour Energy's Network Connections Branch, by Accredited Service Providers (ASP) with the relevant class of Authorisation for the type of work being carried out. The work could involve:

- The disconnection and removal of an underground service cable or overhead service line,
- Removal of metering equipment.

4. The written request must be submitted to Endeavour Energy using Form FPJ4603 'Permission to Remove Service/Metering by Authorised Level 2 Accredited Service Provider' which must be accompanied by Notification of Service Works (NOSW) forms provided as a result of service work activity performed by a Level 2 ASP. The retailer must also provide written agreement for the permanent removal of supply.

The ASP scheme is administered by NSW Planning & Environment and details are available on their website via the following link or telephone 13 77 88:

<https://energysaver.nsw.gov.au/households/you-and-energy-providers/installing-or-altering-your-electricity-service> .

### ***Earthing***

5. The construction of any building or structure (including fencing, signage, flag poles, hoardings etc.) whether temporary or permanent that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with Australian/New Zealand Standard AS/NZS 3000:2018 'Electrical installations'. This Standard sets out requirements for the design, construction and verification of electrical installations, including ensuring there is adequate connection to the earth. Inadequate connection to the earth to allow a leaking/fault current to flow into the grounding system and be properly dissipated places persons, equipment connected to the network and the electricity network itself at risk from electric shock, fire and physical injury.

### ***Dial Before You Dig***

6. Before commencing any underground activity the applicant is required to obtain advice from the ***Dial Before You Dig 1100*** service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.

### ***Demolition***

7. Demolition work is to be carried out in accordance with Australian Standard AS 2601—2001: 'The demolition of structures'. All electric cables or apparatus which are liable to be a source of danger, other than a cable or apparatus used for the demolition works shall be disconnected ie. the existing customer service lines will need to be isolated and/or removed during demolition. Appropriate care must be taken to not otherwise interfere with any electrical infrastructure on or in the vicinity of the site eg. streetlight columns, power poles, overhead power lines and underground cables etc.

### ***Public Safety***

8. Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. Endeavour Energy's public safety training resources, which were developed to help general public/workers to understand why you may be at risk and what you can do to work safely is available via Endeavour Energy's website via the following link:

<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures> .

### ***Emergency Contact***

9. In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours/7 days.

## **TRANSGRID**

Please be advised after reviewing the proposed works at Wallerawang Power Station Demolition and Deconstruction, TransGrid has determined the proposed works acceptable subject to the following conditions of approval being met:

***Technical Conditions:***

The power station switchyard shown within the demolition area is listed as retired so it is presumed that TransGrid has no functioning/valuable assets within the switchyard or control building that need to be retrieved.

- TL 70/71 traverses the demolition site between the power station and the coal plant. The proponent needs to be made aware that all works within the easement needs to be conducted in accordance with the WorkCover Guidelines on Working Near Overhead Power Lines and particular attention will need to be paid to vehicle and load heights when traversing the easement.
- There is to be no excavation within 30m of the towers or changes to ground levels within the easement without prior approval from TransGrid and any blasting on the site should limit particle velocity within the easement to 50ppv.
- TransGrid should be advised prior to any blasting which could impact the easement.
- Airborne dust and other pollutants should be kept away from the transmission line. If the transmission line does become exposed to airborne pollutants TransGrid should be advised so that the need for cleaning or decontamination can be assessed.
- TransGrid access to the easement and towers shall be maintained at all times during the demolition process for both routine maintenance/inspection and emergency repairs.

**JOHN HOLLAND RAIL**

*Note: Council provided the initial John Holland Rail comments to the applicant, who has made responses. The applicant's responses were referred to John Holland Rail, with no further response received.*

Initial correspondence:

It is noted that although the DA forms part of the project to permanently close the Wallerawang Power Station (WWPS), which includes decommissioning, demolition and rehabilitation, the DA seeks approval to the demolition of the WWPS only (Proposal). It is further noted that separate approval will be sought for rehabilitation of the Land in the future.

JHR notes that the Land to which the DA relates, immediately adjoins the operational Bowenfels to Wallerawang rail corridor which forms part of the CRN. As such, this letter is prepared and provided on the basis of the following authority:

- *State Environmental Planning Policy (SEPP) (Infrastructure) 2007* (the ISEPP)
- *Development Near Rail Corridors and Busy Roads – Interim Guideline (2008)* (the Guideline) <http://www.rms.nsw.gov.au/documents/projects/guideto-infrastructure-development-near-rail-corridors-busy-roads.pdf>; and
- *Blasting in Close Proximity to CRN Infrastructure Guidelines* (the JHR's Blasting Guideline).

TfNSW request that should the DA be approved, the consent authority imposes the following conditions:

The scope of this letter is only relating to the demolition phase of the project as the Proposal is for demolition of WWPS only.

### **Proposed Conditions of Consent**

**Please note:** TfNSW is the rail authority for this section of railway line, however, JHR are responsible for the safe operation of the network and will also be responsible for the review and the following conditions.

#### ***1. Demolition impacts***

As the Land immediately adjoins the rail corridor which contains the railway line currently in operation, it is vital for both TfNSW and JHR to be satisfied that the Proposal does not have any adverse impacts on the safe operation of the rail corridor and the existing rail infrastructure during demolition.

As such, the Applicant is to submit to JHR a Risk Assessment/Management Plan and detailed Safe Work Method Statements for its review and comment prior to the commencement of the works.

#### ***2. Excavation in, above, below or adjacent to rail corridors***

Clause 86 of the ISEPP stipulates that the consent authority must not grant consent without consulting with the rail authority and obtaining concurrence consistent with clauses 86(2) – (5) in the event that the development involves the penetration of ground to a depth of at least 2m below ground level on land within 25m of a rail corridor.

The SoEE states that the demolition works are related to the removal of aboveground structures only and any structures located below ground level would be left in-situ. However, it does not contain information as to whether the demolition works will result in excavation exceeding 2m within 25m of the rail corridor. As such, Council is requested the Applicant to prepare and provide to JHR a written statement confirming that the Proposal does not seek concurrence from TfNSW pursuant to Clause 86 of the ISEPP.

Alternatively, in the event that the Proposal involves excavation exceeding 2m and within 25m of the rail corridor, it is then requested that Council impose a condition that the Applicant provide JHR with a geotechnical assessment confirming that the Proposal will have no adverse impact on the stability of the rail corridor land and the existing rail infrastructure.

*Applicant's Response:* The scope of the demolition works, at this time, will not involve any excavations exceeding 2m within 25 meters of the rail corridor. The infrastructure proposed for demolition is located more than 25 meters away from the rail corridor.

In the unlikely event that this changes then EnergyAusrtaliaNSW will consult with John Holland and undertake any further assessments as required to ensure compliance with Clause 86 of the ISEPP.

Council Officer's Response: Council is satisfied that the demolition works is located more than 25m from the rail corridor. In the event that this changes, the following condition would be placed on the consent:

*The applicant is to consult with John Holland Rail (JHR) in any event if the demolition works are to be within 25m of the Rail Corridor to ensure compliance with Clause 86 of the State Environmental Planning Policy (Infrastructure) 2007. The Applicant is to also provide JHR with a geotechnical assessment confirming that the Proposal will have no adverse impact on the stability of the rail corridor land and the existing rail infrastructure.*

### **3. Traffic Management**

The SoEE states that the proposed demolition works would cause a temporary increase in traffic movements, particularly heavy vehicles on local and State roads such as Main Street, Pipers Flat Road, Barton Avenue and the Castlereagh and Great Western Highways. However, it does not consider potential impacts of such increase of heavy vehicles in the use of public level crossings at Main Street and Pipers Flat Road. As such, Council is requested to impose a condition that the Applicant prepares and provides JHR with an assessment based upon the Australian Level Crossing Assessment Model in order to identify key potential risks at those level crossings as a result of the Proposal and to implement any upgrades of the level crossing. In the event that such assessment finds that there will be significant increases in the risk or use of those level crossings, Council will be requested to prepare an update to the current Road Rail Interface Agreement with JHR to reflect the change in accordance with the Rail Safety National Law 2012.

*Applicant's Response: The reference to 'temporary increase in traffic movements' is about background traffic levels and assumes Wallerawang is no longer operating. That is that the daily traffic volume from 200 employees and additional contractor vehicle movements are no longer using the local road network.*

*The demolition works are not expected to create any additional traffic related impacts above those previously experienced when the Wallerawang Power Station was fully operational. The Local and State Roads, intersections and rail crossings have been previously upgraded and designed to accommodate heavy and light vehicle movements for an operating power station. The traffic impacts associated with the demolition works will be much less than those realised during the operation of the Wallerawang Power Station and therefore would not require any upgrades of level crossings.*

*As such, EnergyAustraliaNSW does not agree that any further traffic assessment needs to be completed based on the Australian Level Crossing Assessment Model as traffic related impacts will be less than previously experienced when the Wallerawang Power Station was fully operational.*

Council Officer's Response: Council is satisfied that the proposed demolition works would not increase the traffic movements compared to when the Power Station was fully operational. No further assessment or condition is required to be undertaken in this regard.

### **4. Noise, vibration & air quality**

The Guideline provides that for development that is in or immediately adjacent to a rail corridor the consent authority must be satisfied that the development would not be adversely affected by rail noise, vibration or air quality due to the volume of traffic the rail line carries. As the Land is immediately adjacent to the rail corridor, Council is requested to ensure that the Proposal will not be adversely affected by rail noise, vibration and air quality due to the volume of rail traffic.

As such, Council is required to request the Applicant to prepare and provide a vibration assessment associated with each blasting operation to JHR for its review and approval prior to a scheduled blasting operation as a part of approval process for blasting operations in accordance with JHR's Blasting Guideline.

*Applicant's Response: Agree, EnergyAustralia\_NSW will consult with John Holland during the preparation of the demolition EMP to ensure blasting activities are planned for times which would minimise impact to rail traffic and that noise, vibration and air quality impacts from rail operations and blasting activities are adequately addressed.*

*Council Officer's Response:* A condition would be placed on the consent in this regard.

## **5. Cranes**

Clause 85 of the ISEPP 2007 states that if the development involves use of a crane in the air space above the rail corridor, the consent authority must take into consideration any response from the rail authority. Furthermore, the Guideline provides that a crane, concrete pump or other equipment (Equipment) must not be used in airspace over the rail corridor without approval in writing from the rail authority.

The SoEE seems to suggest that the demolition activities will require use of cranes and Equipment. In the event that such Equipment is required to be used in air space above the rail corridor of the line, the Applicant is to provide a safety assessment of the works necessary for the Proposal assessing any potential impact or intrusion on the Danger Zone (as defined in the JHR Network Rules and Procedures <http://www.jhrcrn.com.au/what-we-do/network-operations-access/network-rules-procedures-forms>) and that any works are undertaken by a qualified Protection Officer (as defined in the JHR Network Rules and Procedures <http://www.jhrcrn.com.au/what-we-do/network-operations-access/network-rules-procedures-forms>).

In addition, the use of Equipment must be in accordance with the AS 2550 series of Australian Standards, *Cranes, Hoist and Winches, including AS2550 15-1994 Cranes – Safe Use- Concrete Placing Equipment.*

*Applicant's Response: Agree, the demolition works will include the use of cranes, however, it is unlikely and not anticipated at this time than cranes will be used in the air space above the rail corridor.*

*In the unlikely event that cranes will be required to be used in the air space above the rail corridor then EnergyAustraliaNSW will consult with John Holland and seek the necessary authorisations as required.*

*Council Officer's Response:* Council is satisfied that the demolition works will not impact the rail corridor. In the event that this changes, a condition would be placed on the consent.

#### **6. Access to the rail corridor and Work Access & Possessions**

JHR note that it is proposed to undertake blasting operations as part of demolition activities. As the rail corridor is currently in operation, it is essential for the Applicant to obtain an approval to each blasting operation from JHR to ensure that the railway line has no train activity during a blasting operation and is clear of debris post blasting operation. Please refer to the following Condition relating to procedures for blasting operations.

In addition, as blasting operations will have significant impact on the rail corridor, it is JHR's requirements that approval to work, access and possession to the current railway line or part thereof (or air space) must be assessed and endorsed by JHR prior to actual proposed access in accordance with JHR's Network Rules and Procedures and the JHR Possession Manual which can be found <http://jhrcrn.com.au/what-we-do/network-operations-access/network-access-planning-performance/>. Once accessed and endorsed, JHR will submit the approval sought to TfNSW's approval/ approval with conditions or no approval.

Please note that a track possession application must be submitted for each blasting activity.

*Applicant's Response:* Agree, EnergyAustraliaNSW will prepare the demolition EMP in consultation with John Holland to ensure any potential impacts from blasting are minimised and appropriate permits and authorisations are obtained as required.

*Council Officer's Response:* Council is satisfied that a condition would be placed on the consent.

#### **7. Procedures for blasting operations in close proximity to the CRN infrastructure**

The SoEE states that the Proposal involves blasting operations which will be based upon guidelines prescribed by the Australian and New Zealand Environment and Conversation Council.

However, the Land of the Proposal is immediately adjacent to the rail corridor which is currently in operation, each and every blasting operation must be accessed and approved in accordance with JHR's Blasting Guidelines to ensure that it has no long-term detrimental impacts on the assets, the future and current rail operations and safety.

As such, JHR advises the following:

- a. The Applicant is required to submit an application to JHR for approval in principle (AIP) for JHR's endorsement and for TfNSW's approval with conditions/no conditions or non-approval.
- b. The Applicant is to engage an appropriate qualified consultant to undertake a dilapidation survey of the rail corridor prior to any blasting activities and on completion of blasting activities. A copy of the dilapidation survey is to be provided to JHR for JHR's acceptance prior to and at completion of blasting activities.

- c. Once an AIP is obtained, a Blasting Risk Management Workshop will be held between representatives of JHR and the Applicant to develop and agree with a Risk Management Plan.
- d. Once a Risk Management Plan is agreed, a JHR Maintenance Superintendent will sign it off prior to a blasting operation.
- e. The blasting operation should be undertaken during pre-planned Track Occupancy Authority possession.
- f. The relevant Maintenance Superintendent must be notified at least 7 days prior to the blasting operation.
- g. Once the blasting operation is performed, the Applicant is required to carry out a post-blasting inspection of the rail corridor and to prepare an inspection report confirming that the rail track and the relevant rail infrastructure remain fit for traffic.
- h. Prior to a post-blasting inspection, the Applicant is required to submit an application to JHR for its endorsement and if endorsed, for TfNSW's approval in order to access to the rail corridor for the post-blasting inspection. Once it is approved by TfNSW, the Applicant is further required to enter into a licence on terms suitable to TfNSW in relation to the access to the rail corridor. Terms of the licence may include provisions which allow TfNSW to terminate the licence at any time, will require the licensee to pay an annual licence fee, obligates the licensee to comply with certain safety requirements specifically in relation to accessing the rail corridor to perform maintenance on the rail infrastructure (e.g. engaging rail protection officers) etc. The licence will require the Applicant to hold relevant levels of insurance, bank guarantees etc. Further information can be found at <http://www.jhrcrn.com.au/what-we-do/property-services/third-party-work-enquiries/>.
- i. Any changes/damage to the rail infrastructure must be reported immediately to the relevant Maintenance Superintendent. Any costs associated with repairs should be fully borne by the Applicant.
- j. Each blasting operation must be assessed in accordance with the JHR's Blasting Guideline on a case by case.

As such, Council is requested to impose a condition requiring the Applicant to comply with JHR's requirements in respect of the above.

For avoidance of doubt, this does not constitute an approval from TfNSW in respect of any blasting operations.

### ***8. Fencing***

As the Land is immediately adjacent to the rail corridor which contains a railway line currently in operation, the security of fencing along the rail corridor is essential to prevent unauthorised entry. Accordingly, the boundary fences along the rail corridor including the southern and western boundaries of the Land should be installed and remain installed in accordance with JHR's engineering standards.

In addition, the Applicant is required to submit an application to install the boundary fences to JHR for its endorsement and for TfNSW's approval.

### ***9. Stormwater Management***

The Guideline provides that discharge of stormwater from a development during and after construction should be designed to ensure that no adverse effects will be had on the existing watercourse and drain infrastructure system.

The SoEE states that Cox River has been and will continue to be used as a method from the disposal of stormwater and this existing stormwater drainage system would be retained as a functioning network both during the demolition phase and following its completion. As such, JHR does not foresee any adverse impact on the rail corridor.

### **10. Heritage Management**

The SoEE provides a list of heritage items and considers safeguards and mitigation measures to minimise potential impact on the heritage items due to activities including blasting and dust emissions. JHR note that one of mitigation measures suggested is to prepare and develop a Heritage Management Strategy.

The SoEE does not include all the heritage items that are currently managed by JHR. The rail corridor includes a heritage precinct which contains various heritage items listed in State Heritage Register and Lithgow LEP including a water tank and pump stand, a parcel shed, a water column, jib crane and goods shed, east signal box and a pedestrian overbridge and Stone Viaduct Cox's River.

As such, the Applicant must prepare and provide to JHR a Heritage Management Strategy prior to commencement of any works involved in the Proposal. The Strategy must contain information identifying each item stated above and potential impacts on each item due to the demolition activities including blasting and dust emission. In addition, the Strategy must provide information the extent of damage to each item and hold points associated with damage to ensure that they are not irreparably damaged. Finally, it must provide the Applicant's commitments to repair all damage to each item in consultation with the relevant heritage authorities.

### **11. Derailment protection and other potential impacts of adjacent development on railway**

The Guideline provides information regarding the potential risks from a possible derailment in the context of design of buildings and structure.

As such, the Applicant is to provide JHR with a risk assessment addressing the potential risks of the derailment including considerations of the characteristics of the site, the type of structure to be erected and track speed and whether this represents a risk to the integrity of the structure and demonstrating compliance with the principle contained in JHR CRN Standard being CRN CS 320 and AS 5100 which is available at <http://www.jhrcrn.com.au/what-we-do/engineering-standards/civil-standards/>.

*Applicant's Response: Agree, EnergyAustraliaNSW will prepare a risk assessment and will prepare the demolition EMP in consultation with John Holland to ensure any potential impacts from its activities are minimised and appropriate permits and authorisations are obtained as required.*

*Council Officer's Response:* Council is satisfied that a condition would be placed on the consent.

### **12. Lighting, external finishes and design**

The Guideline provides information regarding lighting and external finishes of buildings which may have potential impacts on the rail corridor.

The lighting and external finishes of temporary/or permanent buildings required for the demolition do not temporarily blind or cause distraction to the railway corridor. Additionally, the use of red and green lights should be avoided in all signs, lighting building colour schemes on any part of a building which faces the rail corridor.

### **13. Access to the Land**

It is noted that access to the Land will remain unchanged and access will still be via Main Street during a demolition phase. Access to the rail corridor is strictly prohibited unless otherwise permitted in writing.

### **NEW SOUTH WALES HERITAGE COUNCIL**

The proposal involves the demolition and removal of most of the power station infrastructure down to ground level. All roads and hard stand areas would remain, as would the 'A' Station Chimney Stack, built 1950, which has heritage value.

The Heritage Division notes that:

- The Wallerawang Power Station site is not listed on the State Heritage Register (SHR). The Heritage Council of NSW is therefore not a referral body under the *Environmental Planning and Assessment Act 1979* and not a consent authority under section 57(1) of the *Heritage Act 1977*.
- The Wallerawang Power Station site is not listed as a local heritage item under the Lithgow Local Environmental Plan (LEP).
- The 'Wallerawang A and B power stations chimney stack' is included in the former section 170 Heritage and Conservation Register by Delta Electricity. The site is now owned by Energy Australia.
- Only the 'A' station chimney stack remains which will be retained as part of this proposal. The stack has heritage value for its rarity of construction and social significance.
- There are two heritage items in the immediate vicinity of the site that are listed on the SHR:
  - *St John the Evangelist Church* (SHR no. 01702) – a large imposing church of Victorian Gothic style, associated with Edmund Blacket, built 1880.
  - *Wallerawang rail bridges over Cox's River* (SHR no. 01064) – one of the oldest stone arch railway viaducts in New South Wales, built 1870.

The following comments are provided:

1. The Statement of Environmental Effects (SEE) outlines in section 4.10.2 that there is potential for the proposed demolition works to damage the chimney stack and nearby heritage items due to vibration from blasting and other demolition activities and dust emissions. Whilst the SEE proposes 'safeguard and mitigation measures' to minimise the impacts of demolition, the Heritage Division recommends that Lithgow Council include appropriate conditions of approval to ensure that all measures are carried out to prevent damage to listed heritage items.

2. The Heritage Division supports the preparation of a Heritage Management Strategy (for conservation, future ownership, maintenance, interpretation) and archival recording of the site, as outlined in the SEE. It is recommended that Lithgow Council includes appropriate conditions of approval relating to implementation timeframes for conservation and interpretation work.

3. The Heritage Division will investigate whether the 'A' station power stack is included on the Energy Australia section 170 heritage register. In the absence of any formal local or state heritage listing, it is recommended that Lithgow Council review the significance of the remaining stack and consider listing on the LEP.

*Council Officer's Response:* Points 1 and 2 will be included as conditions on the consent. Point 3 has been referred to Council's Heritage Consultant for comment. These comments are found later in this report.

## **COUNCIL'S BUILDING OFFICER**

### **General Conditions:**

#### **Restoration plan**

1. A site restoration plan shall be submitted to and approved by Council prior to commencement of any work. This plan must identify the proposed revegetation to be undertaken upon completion of the demolition work.

#### **Protection of adjoining areas**

2. A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin, and must be kept in place until after the completion of works, if the works:

- (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
- (b) could cause damage to adjoining lands by falling objects, or
- (c) involve the enclosure of a public place or part of a public place.

Access to the site must be restricted to authorised persons only and the site must be secured against unauthorised entry when work is not in progress or the site is otherwise unoccupied.

#### **Site Signage**

3. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours.
- Stating that unauthorised entry to the work site is prohibited and
- Showing the name, address and telephone number of the principle certifying authority for the work.

The sign/s are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

#### **Demolition – signage**

4. The developer will display appropriate asbestos/demolition signage prior to and during demolition works.

#### **Toilet facilities**

5. Toilet facilities must be available or provided at the work site before works begin, and must be maintained until the works are completed, at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.

6. Each toilet must:

- (a) be a standard flushing toilet connected to a public sewer, or
- (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
- (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

### **Run-off and erosion controls**

7. Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:

- (a) diverting uncontaminated run-off around cleared or disturbed areas, and
- (b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
- (c) preventing the tracking of sediment by vehicles onto roads, and
- (d) stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.

### **Dust minimization measures**

8 Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – “Soils and Construction” (2004) (Bluebook).

9 A copy of the stamped and approved plans, development consent are to be on the site at all times.

### **Requirements during demolition**

#### **Construction hours**

10. All demolition work on site shall only occur between the following hours:

|                            |                  |
|----------------------------|------------------|
| Monday to Friday           | 7.00am to 6.00pm |
| Saturday                   | 8.00am to 1.00pm |
| Sunday and public holidays | No work          |

#### **Excavations**

11. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

**Lighting** 12. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property.

*NOTE 1: Compliance with Australian Standard AS4282 "Control of the Obtrusive Effects of Outdoor Lighting" will satisfy this condition.*

#### **Minimise harm to the environment**

13. In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the demolition, construction or operation/use of the development

### **Demolition Noise**

14. All works carried out on site during demolition/ excavation/ earthworks shall comply with the NSW Protection of the Environment Operations Act 1997 and the Department of Environment and Climate Change Noise Control Guideline - Construction Site Noise and AS 2436-1981 - "*Guide to Noise Control on Construction, Maintenance and Demolition Sites*"

15. Should complaints of a noise nuisance be substantiated, Council may require the acoustic treatment of the identified noise source/s to ensure compliance with Councils requirements on noise. An acoustic assessment & report will be required to ensure that the intrusive noise from the plant does not exceed 5 dB (A) above the background noise.

### **Demolition**

16. Consent is granted for the demolition, subject to strict compliance with the following conditions:

17. During demolition, public property (footpaths, roads, reserves etc) must be clear at all times and must not be obstructed by any demolished material or vehicles. The footpaths and roads must be swept (not hosed) clean of any material, including clay, soil and sand.

18. Building demolition is to be carried out in accordance with Australian Standard 2601:2001 – The Demolition of Structures and the requirements of the NSW SafeWork Authority.

19. All vehicles leaving the site with demolition materials must have their loads covered and vehicles must not track soil and other materials onto public property (footpaths, roads, reserves etc) and the footpaths must be suitably protected against damage when plant and vehicles access the site.

20. Hazardous or intractable wastes arising from the demolition process must be removed and disposed of in accordance with the requirements of WorkCover New South Wales and the Environmental Protection Authority.

21. The burning of any demolished material on site is not permitted.

22. Care must be taken during demolition to ensure that existing services on the site and for any adjoining suites shall not (i.e., sewer, electricity, gas, phone) be damaged. Any damage caused to existing services must be repaired by the relevant authority at the applicant's expense.

### **Maintenance of site**

23. All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.

24. Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at an approved waste management facility.

25. Copies of receipts stating the following must be given to the principal certifying authority:

- (a) the place to which waste materials were transported,
- (b) the name of the contractor transporting the materials,
- (c) the quantity of materials transported off-site and recycled or disposed of.

26. Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.

27. At the completion of the works, the work site must be left clear of waste and debris.

### **Supervision of work**

28. At all times during demolition a competent person shall directly supervise work. It is the responsibility of the person to ensure that:

- The structure to be demolished and all its components shall be maintained in a stable and safe condition at all stages of the demolition work. Temporary bracing, guys, shoring or any combination of these, shall be added for stability where necessary.
- Precautions are taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained particularly in the event of sudden and severe weather changes. Severe weather changes refer primarily to the localised high winds. In these circumstances loose debris can become airborne, particularly if it is in sheet form.
- Utility services within the structure not required to be maintained during the demolition work shall be properly disconnected and sealed off before any stripping or demolition commences.

### **Demolition works – completion**

29. All demolition works are to be completed within Two (2) years from the date of commencement of demolition work.

### **Evidence of Lawful Asbestos/hazardous waste Disposal**

30. An Occupation Certificate for a development involving the removal of asbestos must not be issued until such time the applicant provides Lithgow Council with a copy of receipt/s confirming lawful disposal of any hazardous waste.

NOTE: Asbestos waste must be disposed at a waste management facility licensed by the NSW Environment Protection Authority (EPA) to accept such waste. Please visit [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au) for a list of waste management facilities licensed to accept asbestos waste.

### **Asbestos Clearance Certificate**

31. An asbestos clearance certificate prepared by a qualified occupation hygienist in accordance with the National Occupational Health and Safety Commission Code of Practice for the Safe Removal of Asbestos is to be obtained and submitted to Council. The certificate must be provided at the completion of the demolition works prior to further works being carried out on the site. *Note: This relates to friable asbestos only.*

**Filled land**

32. Any areas of filled ground are to be clearly identified and surveyed and a copy of the appropriate plan provided to Council for any future potential development of the site.

**Contaminated Land**

33. Any areas of contaminated ground, including any land contamination caused by the proposed demolition works are to be clearly identified and surveyed and a copy of the appropriate plan provided to Council for any future potential development of the site.

**Requirements prior to the refund of the demolition bond**

34. The demolition site is to be revegetated in accordance with the approved site restoration plan to the satisfaction of Council and prior to the refund of the demolition bond. A satisfactory completion inspection is to be undertaken by council confirming compliance with all relevant conditions of consent and associated documentation.

**COUNCIL'S ENGINEERING OFFICER**

It is recommended that the following conditions be placed on the development consent:

- A Traffic Management Strategy is to be developed in consultation with Council and the RMS, prior to the commencement of demolition work. The Traffic Management Plan is to include the following detail:
  - Haulage Routes
  - Operation times
  - Expected traffic generation
  - Provision of safe and efficient movement into and out of the site, taking into consideration all road users (pedestrians, cyclists, vehicles)
- Prior to the commencement of demolition work, a dilapidation survey is to be undertaken on all local roads impacted by the development. On completion of works, all damage attributable to the development is required to be rectified by the applicant.

**ENVIRONMENTAL OFFICER**

It is noted that all waste generated from the above works; other than Dangerous or Hazardous goods, will be disposed at Energy Australia's licenced facility EPL 766 – Wallerawang Ash Repository.

Council will review the Environmental Management Plan which will outline management strategies/plans to mitigate and manage potential environmental impacts associated with the project. Until this time, environment cannot provide any further comment on the proposed demolition and deconstruction of the Wallerawang Power Station.

It was further clarified that a condition would be placed on the consent that an Environmental Management Plan be submitted and approved by Council prior to works commencing on site.

### **COUNCIL'S WATER & WASTEWATER OFFICER**

Please be advised of the following notes of assessment:

- The proposed demolition will not impact on any of Councils Water and Sewer assets.

### **COUNCIL'S WASTE OFFICER**

The following condition is to be included on the consent:

- No waste can be delivered to Lithgow Council waste management facilities.

The above condition is required as Lithgow Council waste management facilities do not have the capacity to accept the quantity of wastes expected from this project.

### **COUNCIL'S HERITAGE CONSULTANT**

The following conditions are to be included on the consent:

1. A Heritage Management Plan is to be prepared to provide interpretation of the history of the power station and its site. This should be undertaken as a Heritage Interpretation Plan and submitted to Council.
2. Council advises that a Heritage Management Strategy is to be undertaken as a Conservation Management Strategy.

### **PUBLIC SUBMISSIONS**

During the notification period, one (1) submission was received with the following concerns:

1. The heritage church was built in 1881 and is a piece of Wallerawang's valued history. It contains unique huge stain glass windows that are of concern of damage that may occur during demolition, including air blasts from demolition explosions.
2. An assessment of visual and vibration impacts was undertaken during 2014, these will need to be compared following the demolition to check structural damage.

#### Applicant Response:

The demolition of buildings and stacks at Wallerawang Power Station, which included blasting, has occurred previously at the site, in particular the demolition of units 1 and units 2. These demolition works were successfully managed to avoid potential vibration impacts to the nearby church.

Potential impacts from blasting are discussed in Section 4.2.2 of the SEE. Safeguards and mitigation measures are outlined in Section 4.2.4 of the SEE.

A Blast Management Plan shall be prepared and implemented prior to blasting activities required for demolition works. This plan would address the potential risks of blasting on the surrounding environment and control measures.

All receivers within two kilometres of the site shall be notified at least 48 hours prior to any blasting activities.

As part of the Blast Management Plan, EnergyAustraliaNSW would engage a suitable qualified engineering company to complete a building inspection report of sensitive receivers, including the historic church building at Wallerawang and its stain glass windows, prior to the commencement of demolition activities.

EnergyAustraliaNSW does not anticipate any damage will be caused to private property from the demolition of the Wallerawang Power Station.

*Council Officers Response:* Deferred Commencement Conditions under Schedule A and conditions under Schedule B will be placed on the consent to reduce potential impacts to the heritage items resulting from blasting activities.

### 5.3.9 The public interest

There have been no issues raised from the public regarding planning issues.

## **6. DISCUSSION AND CONCLUSIONS**

The proposal is considered to generally comply with the relevant provisions of the applicable Environmental Planning Instruments. The proposal is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality. As such it is recommended that development consent is issued subject to the conditions outlined below.

## **7. ATTACHMENTS**

Schedule A- Deferred Commencement Conditions.

Schedule B - Conditions of Consent.

## **8. RECOMMENDATION**

**THAT** development application DA 015/19 is approved subject to conditions set out in Schedule A.

### **REASONS FOR CONDITIONS**

The conditions in Schedule A have been imposed for the following reasons:

- To ensure compliance with the terms of the relevant Planning Instruments
- To ensure no injury is caused to the existing and likely future amenity of the neighbourhood
- Due to the circumstances of the case and the public interest.
- To ensure that adequate road and drainage works are provided.
- To ensure that satisfactory arrangements are made to satisfy the increased demand for public recreation facilities
- To ensure access, parking and loading arrangements will be made to satisfy the demands created by the development.
- To ensure the structural integrity of the development.
- To ensure the protection of the health and safety of the occupants of the development.
- To protect the environment.
- To prevent, minimise, and/or offset adverse environmental impacts.
- To ensure lots are adequately serviced.
- To ensure there is no unacceptable impact on the water quality.

- To ensure compliance with the requirements of the Rural Fire Services.
- To ensure adequate soil conservation and protect against movement of soil and sediments.

## **SCHEDULE A**

### **DEFERRED COMMENCEMENT CONDITIONS**

As per Section 4.16 (*cf previous s 80*)' Determination' (3) 'Deferred Commencement' of the Environmental Planning & Assessment Act 1979

1. The Applicant is required to prepare and submit to Council for approval the following plans relating to the demolition of the Wallerawang Power Station site:
  - a) Blast Management Plan including;
    - i) A Traffic Control Plan for the Great Western Highway, Castlereagh Highway and Main Street to be prepared in conjunction with the RMS and Lithgow Council.
    - ii) A Heritage Management Plan to protect the Church of St. John the Evangelist, the Stone Viaduct over the Coxs River and Wallerawang Power Station Chimney Stack A from damage during blasting operations.
  - b) Soil and Water Management Plan to protect the Coxs River and associated Riparian Zone and the existing stormwater drainage system from adverse impacts arising from the proposed demolition works.
  - c) An Air Quality Management Plan.
  - d) Noise and Vibration Management Plan
  - e) Biodiversity Management Plan.
  - f) Heritage Management Strategy incorporating details of measures to protect the following listed properties and nominated Aboriginal Heritage sites namely:
    - o Church of St John the Evangelist -State SHR 01702; Item 112 LLEP
    - o Old Wallerawang School (former National School) – Item 113 LLEP
    - o Stone Viaduct Cox's River - State SHR 01064;Item 440 LLEP
    - o The Cottage – Item 191 LLEP
    - o Meadowside – Item 192 LLEP
    - o Braemai – Item 193 LLEP
    - o Cottage and Stone Barn – Item 196 LLEP
    - o Uniting Church – Item 195 LLEP
    - o Cottage – Item 195 LLEP
    - o Former Wallerawang Public School -Item 225 LLEP
    - o Wallerawang Chimney Stack A (State)
    - o Aboriginal Heritage Sites - WPSIF1, WPSPAD1,WPSPAD2
  - g) Traffic Management Plan.
  - h) Rehabilitation Management Plan.
  - i) Waste Management Plan

The above conditions are to be complied with within two (2) years of the approval date for the consent to be activated, otherwise the consent will lapse.

Upon satisfaction of the deferred commencement condition above, an Operational Consent will be issued subject to the following conditions under Schedule B.

## **Schedule B**

### **Conditions of Consent (Consent Authority) and General Terms of Approval (Integrated Approval Body)**

**Please Note:** It should be understood that this consent in no way relieves the owner or applicant from any obligation under any covenant affecting the land.

#### **ADMINISTRATIVE CONDITIONS**

1. That the development be carried out in accordance with the application, Statement of Environmental Effects, accompanying information, plans listed in the approval and any further information provided during the process unless otherwise amended by the following conditions.
2. A copy of the stamped and approved plans, development consent are to be on the site at all times.
3. This approval shall lapse five years after the date on which it is granted, unless the works that are the subject of this approval are physically commenced on or before that time.
4. The Proponent shall ensure that all licences, permits and approvals are obtained as required by law and maintained as required with respect to the project. No condition of this approval removes the obligation for the Proponent to obtain, renew or comply with such licences, permits or approvals.
5. Demolition activities associated with the project shall only be undertaken during the following hours:
  - a) 7:00 am to 6:00 pm, Mondays to Fridays, inclusive;
  - b) 8:00 am to 1:00 pm on Saturdays; and
  - c) at no time on Sundays or public holidays.

This includes truck movements leaving and entering the site.

6. Works undertaken outside the hours stipulated in this approval is permitted in the following circumstances:
  - a) where construction works do not cause audible noise at any sensitive receiver; or
  - b) for the delivery of materials required outside these hours by the Police or other authorities for safety reasons; or
  - c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.
7. Dust suppression is to be used during demolition works to minimise impacts on the surrounding area.
8. Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – "Soils and Construction" (2004) (Bluebook).
9. To control dust, all trucks are to be covered when leaving the property. Water is to be available to be sprayed onto the buildings during demolition and onto the trucks when they are being loaded.
10. No work is to be undertaken on windy days (ie winds in excess of 39 kph which is to be measured and recorded on site).

### **Demolition Noise**

11. All works carried out on site during demolition/ excavation/ earthworks shall comply with the NSW Protection of the Environment Operations Act 1997 and the Department of Environment and Climate Change Noise Control Guideline - Construction Site Noise and AS 2436-1981 - "*Guide to Noise Control on Construction, Maintenance and Demolition Sites*"
12. Should complaints of a noise nuisance be substantiated, Council may require the acoustic treatment of the identified noise source/s to ensure compliance with Councils requirements on noise. An acoustic assessment & report will be required to ensure that the intrusive noise from the plant does not exceed 5 dB (A) above the background noise.

### **Demolition**

Consent is granted for the demolition, subject to strict compliance with the following conditions:

13. During demolition, public property (footpaths, roads, reserves etc) must be clear at all times and must not be obstructed by any demolished material or vehicles. The footpaths and roads must be swept (not hosed) clean of any material, including clay, soil and sand.
14. Building demolition is to be carried out in accordance with Australian Standard 2601:2001 – The Demolition of Structures and the requirements of the NSW SafeWork Authority.
15. All vehicles leaving the site with demolition materials must have their loads covered and vehicles must not track soil and other materials onto public property (footpaths, roads, reserves etc) and the footpaths must be suitably protected against damage when plant and vehicles access the site.
16. Hazardous or intractable wastes arising from the demolition process must be removed and disposed of in accordance with the requirements of WorkCover New South Wales and the Environmental Protection Authority.
17. The burning of any demolished material on site is not permitted.
18. Care must be taken during demolition to ensure that existing services on the site and for any adjoining suites shall not (i.e., sewer, electricity, gas, phone) be damaged. Any damage caused to existing services must be repaired by the relevant authority at the applicant's expense.
19. The demolition work to be supervised by a competent person with due regard to safe working practices and in accordance with the requirements of SafeWork NSW;

Such work is to be carried out in accordance with the Occupational Health & Safety Regulations, 2001, and Australian Standard 2601 – 2001.

20. The applicant is to notify Council and adjoining residents, in writing, at least ten (10) working days prior to demolition commencing, of their intention to commence demolition works. In the case of adjoining residents, such notification is to be a clearly written note, on at least note pad size paper, giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) in the vicinity of the demolition site.
21. All asbestos material, including asbestos cement, is to be disposed of to an approved waste management facility licensed to receive asbestos or any other Council/Department of Planning approved location.

22. All asbestos cement sheeting shall be removed in accordance with the relevant provisions of the Occupational Health and Safety Regulations, 2001, and AS 2601 – 2001.
23. The developer will display appropriate asbestos/demolition signage prior to and during demolition works.

The work is to be executed by a competent person, with due regard for safe working practices and in accordance with the requirements of SafeWork NSW and Australian Standard 2601-2001.

24. At all times during demolition a competent person shall directly supervise work. It is the responsibility of the person to ensure that:
  - a. The structures to be demolished and all its components shall be maintained in a stable and safe condition at all stages of the demolition work. Temporary bracing, guys, shoring or any combination of these, shall be added for stability where necessary.
  - b. Precautions are taken to ensure that the stability of all parts of the structures and the safety of persons on and outside the site are maintained particularly in the event of sudden and severe weather changes. Severe weather changes refer primarily to the localised high winds. In these circumstances loose debris can become airborne, particularly if it is in sheet form.
  - c. The site shall be secured at all times against the unauthorised entry of persons or vehicles.
  - d. Utility services within the structure not required to be maintained during the demolition work shall be properly disconnected and sealed off before any stripping or demolition commences.
25. Unless otherwise permitted by Council, structures shall be demolished in the reverse order to that of their construction. The order of demolition for buildings shall be progressive, having proper regard to the type of construction.
26. The techniques adopted for stripping out and for demolition are to minimise the release of dust into the atmosphere.
  - Before commencing work, any existing accumulations of dust are to be collected, placed in suitable containers and removed. Selection of appropriate collection techniques, such as vacuuming or hosing down, shall take account of the nature of the dust and the type of hazard it presents (eg., explosive, respiratory etc).
  - Dust generated during stripping or during the breaking down of the building fabric to removable sized pieces shall be kept damp until it is removed from the site or can be otherwise contained. The use of excess water for this purpose is to be avoided.

It should be borne in mind, that in certain environments and under certain stimuli, deposits of combustible dust on beams, machinery and other surfaces may be subject to flash fires, and suspensions of combustible dusts in the air can cause them to explode violently (see NFPA Handbook).

27. In consideration of the proximity of the site's adjoining buildings:
  - a. Safe access and egress from adjoining buildings is to be maintained at all times for the duration of the demolition work.
  - b. No demolition activity is to cause damage to or adversely affect the structural integrity of adjoining buildings. Consideration should be given to the use of shoring and underpinning and to changes in the soil conditions as a result of demolition and appropriate action

- taken.
- c. The effect of vibration and concussion on adjoining buildings and their occupants is to be minimised by selection of appropriate demolition methods and equipment.

### ***Blasting***

28. A Blast Management Plan shall be prepared and implemented prior to blasting activities required for demolition works. This plan is to address the potential risks of blasting on the surrounding environment and control measures.

The Blast Management Plan is to be submitted to Council for approval prior to the commencement of demolition activities.

29. All receivers within two kilometres of the site shall be notified at least 48 hours prior to any blasting activities.
30. As part of the Blast Management Plan, a suitable qualified engineering company to complete a building inspection report of sensitive receivers, including the historic church building at Wallerawang and its stain glass windows, is to be undertaken prior to the commencement of demolition activities.

### ***Restoration Plan***

31. A site restoration plan shall be submitted to and approved by Council prior to commencement of any work. This plan must identify the proposed revegetation to be undertaken upon completion of the demolition work.

### ***Protection of Adjoining Areas***

32. A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin, and must be kept in place until after the completion of works, if the works:
  - (a) could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
  - (b) could cause damage to adjoining lands by falling objects, or
  - (c) involve the enclosure of a public place or part of a public place.
33. Access to the site must be restricted to authorised persons only and the site must be secured against unauthorised entry when work is not in progress or the site is otherwise unoccupied.

### ***Site Signage***

34. Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:
  - Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person can be contacted outside working hours.
  - Stating that unauthorised entry to the work site is prohibited and
  - Showing the name, address and telephone number of the principle certifying authority for the work.

The sign/s are to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

### ***Demolition – Signage***

35. The developer will display appropriate asbestos/demolition signage prior to and during demolition works.

### ***Toilet Facilities***

36. Toilet facilities must be available or provided at the work site before works begin, and must be maintained until the works are completed, at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.
37. Each toilet must:
  - (a) be a standard flushing toilet connected to a public sewer, or
  - (b) have an on-site effluent disposal system approved under the *Local Government Act 1993*, or
  - (c) be a temporary chemical closet approved under the *Local Government Act 1993*.

### ***Run-off and Erosion Controls***

38. Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:
  - (a) diverting uncontaminated run-off around cleared or disturbed areas, and
  - (b) erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
  - (c) preventing the tracking of sediment by vehicles onto roads, and
  - (d) stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot.

### ***Construction Hours***

39. All demolition work on site shall only occur between the following hours:

|                            |                  |
|----------------------------|------------------|
| Monday to Friday           | 7.00am to 6.00pm |
| Saturday                   | 8.00am to 1.00pm |
| Sunday and public holidays | No work          |

### ***Excavations***

40. All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

### ***Lighting***

41. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property.

*NOTE 1: Compliance with Australian Standard AS4282 "Control of the Obtrusive Effects of Outdoor Lighting" will satisfy this condition.*

### ***Minimise Harm to the Environment***

42. In addition to meeting the specific performance criteria established under this consent, the Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the demolition, construction or operation/use of the development

### ***Maintenance of Site***

43. All materials and equipment must be stored wholly within the work site unless an approval to store them elsewhere is held.
44. Waste materials (including excavation, demolition and construction waste materials) must be managed on the site and then disposed of at an approved waste management facility.

45. Copies of receipts stating the following must be given to the principal certifying authority:
  - (a) the place to which waste materials were transported,
  - (b) the name of the contractor transporting the materials,
  - (c) the quantity of materials transported off-site and recycled or disposed of.
46. Any run-off and erosion control measures required must be maintained within their operating capacity until the completion of the works to prevent debris escaping from the site into drainage systems, waterways, adjoining properties and roads.
47. At the completion of the works, the work site must be left clear of waste and debris.

### ***Supervision of Work***

48. At all times during demolition a competent person shall directly supervise work. It is the responsibility of the person to ensure that:
  - The structure to be demolished and all its components shall be maintained in a stable and safe condition at all stages of the demolition work. Temporary bracing, guys, shoring or any combination of these, shall be added for stability where necessary.
  - Precautions are taken to ensure that the stability of all parts of the structure and the safety of persons on and outside the site are maintained particularly in the event of sudden and severe weather changes. Severe weather changes refer primarily to the localised high winds. In these circumstances loose debris can become airborne, particularly if it is in sheet form.
  - Utility services within the structure not required to be maintained during the demolition work shall be properly disconnected and sealed off before any stripping or demolition commences.

### ***Demolition Works – Completion***

49. All demolition works are to be completed within Two (2) years from the date of commencement of demolition work.

### ***Evidence of Lawful Asbestos/hazardous waste Disposal***

50. An Occupation Certificate for a development involving the removal of asbestos must not be issued until such time the applicant provides Lithgow Council with a copy of receipt/s confirming lawful disposal of any hazardous waste.

NOTE: Asbestos waste must be disposed at a waste management facility licensed by the NSW Environment Protection Authority (EPA) to accept such waste. Please visit [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au) for a list of waste management facilities licensed to accept asbestos waste.

### ***Asbestos Clearance Certificate***

51. An asbestos clearance certificate prepared by a qualified occupation hygienist in accordance with the National Occupational Health and Safety Commission Code of Practice for the Safe Removal of Asbestos is to be obtained and submitted to Council. The certificate must be provided at the completion of the demolition works prior to further works being carried out on the site. *Note: This relates to friable asbestos only.*

### ***Filled Land***

52. Any areas of filled ground are to be clearly identified and surveyed and a copy of the appropriate plan provided to Council for any future potential development of the site.

### ***Contaminated Land***

53. Any areas of contaminated ground, including any land contamination caused by the proposed demolition works are to be clearly identified and surveyed and a copy of the appropriate plan provided to Council for any future potential development of the site.

### ***Disposal of Waste***

54. All demolished material and excess spoil from the site shall be disposed of at a location and in a manner approved of by Council. No material is to be burnt on site.

### ***Removal of Dangerous or Hazardous Materials***

55. Removal of dangerous or hazardous materials shall be carried out in accordance with the provisions of all applicable State legislation and with any relevant recommendations published by the National Occupational Health and Safety Commission (Worksafe Australia).
- a. Only competent persons, or competent and registered persons shall carry out removal.
  - b. Removal of asbestos or materials containing asbestos fibres shall be in accordance with the NOHSC code of practice.
  - c. Precautions to be observed and procedures to be adopted during the removal of dangerous or hazardous materials other than asbestos, shall be in accordance with the relevant State regulations pertaining to those materials.
56. All works, storage of materials, equipment and associated activities involved with the demolition process are to be contained wholly within the subject property with no encroachment to adjoining properties.
57. The handling or removal of any asbestos product from the building/site must be carried out in accordance with SafeWork NSW provisions. A person/contractor licensed for asbestos removal must carry out all work.

### ***Rehabilitation***

58. A Rehabilitation Plan is to be submitted to Council addressing the proposed end use and rehabilitation works. The rehabilitation plan must:
- a) Assess the quantity and availability of materials on site that can be applied to rehabilitation (including overburden, tailings and put walls etc).
  - b) Consider likely flood behavior and impacts on the landscape as proposed to be rehabilitated (including during each of the various rehabilitated stages),
  - c) Develop clear rehabilitation objectives for the whole site, including the following:
  - d) Stabilisation of disturbed areas to prevent the emission of dust following closure; and
  - e) Landscaping the site with native species endemic to the locality.
  - f) Develop clear, progressive rehabilitation staging for the whole site, including specific milestone dates for rehabilitation works and a program for monitoring progress against these dates;
  - g) Describe in detail the measures that would be implemented over the next 5 years to rehabilitate and manage the landscape on the site
  - h) It is to further clearly identify finished contours, top soil depths, drainage/siltation controls, plant and grass materials to be used.

### ***Community Information and Complaints Management***

59. Prior to the commencement of the project, the Proponent shall establish and maintain a website for the provision of electronic information associated with the project. The Proponent shall, subject to confidentiality, publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to:
- a) the documents referred to under condition 1.1 of this approval;
  - b) this project approval, Environment Protection Licence and any other relevant environmental approval, licence or permit required and obtained in relation to the project;
  - c) all strategies, plans and programs required under this project approval, or details of where this information can be viewed;

d) information on construction and operational progress;

### ***Complaints and Enquiries Procedure***

60. Prior to the commencement of the project, the Proponent shall ensure that the following are available for community complaints and enquiries during construction and operation:
- a) a 24-hour contact number(s) on which complaints and enquiries about construction and operational activities may be registered;
  - b) a postal address to which written complaints and enquiries may be sent; and
  - c) an email address to which electronic complaints and enquiries may be transmitted.

The telephone number, postal address and email address shall be published in a newspaper circulating in the local area prior to the commencement of the project. The above details shall also be provided on the website.

61. The Proponent shall record the details of all complaints received in an up-to-date **Complaints Register**. The Register shall record, but not necessarily be limited to:
- a) the date and time of the complaint;
  - b) the means by which the complaint was made (e.g. telephone, email, mail, in person);
  - 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) the time taken to respond to the complaint;
  - f) any investigations and actions taken by the Proponent in relation to the complaint;
  - g) any follow-up contact with, and feedback from, the complainant; and
  - h) 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 upon request.

### ***Environmental Incident Reporting***

62. The Proponent shall notify Council of any environmental incident within 12 hours of becoming aware of the incident. The Proponent shall provide full written details of the incident to Council within seven days of the date on which the incident occurred.

### ***Environmental Requirements***

63. An Environmental Management Plan is to be submitted and approved by Council prior to works commencing on site. The plan is to outline management strategies/plans to mitigate and manage potential environmental impacts associated with the project.

### **ENVIRONMENTAL PROTECTION AUTHORITY (EPA)**

64. That the development be undertaken in accordance with the environmental safeguards to minimise any adverse impacts, as identified under Section 5 within the Wallerawang Power Station Demolition Statement of Environmental Effects (SEE) – Reference 253776 dated 26 September 2018.
65. That the hours of operation be restricted to daytime hours in accordance with the Interim Construction Noise Guideline 2009 'recommended standard hours for construction work.'
66. That the proponent should apply all feasible and reasonable work practices to mitigate noise as described under Section 4.2.4 'safeguards and mitigation measure' in the project SEE.

67. That the proponent should inform all potentially impacted residents of the nature of the works to be carried out and a readily accessible contact point for complaints as described in Section 4.2.4 'safeguards and mitigation measure' in the project SEE.
68. That the activity be undertaken in compliance with environment protection licence 766.

## **Water NSW**

### ***General***

69. The demolition works and staging shall be as outlined in the Statement of Environmental Effects (Reference: 253776, Revision: 2, dated 26 September 2018) prepared by Aurecon Australasia Pty Ltd. No revisions to site layout, works or staging that will have any impacts on water quality, shall be permitted without the agreement of Water NSW.

*Reason for the above Condition - Water NSW has based its assessment under State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 on this version of the development.*

### ***Demolition and Deconstruction Activities***

70. Any contaminated materials shall be disposed of at an appropriate licensed facility as soon as possible after identification with the correct waste classification.
71. All existing stormwater drainages and management measures (such as settling ponds, sedimentation basins) shall be inspected weekly, maintained and protected from all works until demolition and deconstruction is completed.
72. A Soil and Water Management Plan shall be prepared for all works at each stage progressively by a person with knowledge and experience in the preparation of such plans. The Plan shall meet the requirements outlined in Chapter 2 of NSW Landcom's Soils and Construction: Managing Urban Stormwater (2004) manual - the "Blue Book". The Plan shall be prepared in consultation with WaterNSW prior to issuance of a Construction Certificate and shall be to the satisfaction of Council. The Plan shall include controls to:
  - prevent sediment or polluted water leaving the demolition site or entering any natural drainage system or stormwater drains, and
  - ensure that the demolition site is regularly inspected, monitored and maintained until works have been completed and site stabilised.
73. The Soil and Water Management Plan shall be implemented, and effective erosion and sediment controls shall be installed prior to any demolition activity. The controls shall be progressively updated according to the staged works.

Reason for the above Conditions – To manage adverse environmental and water quality impacts during the demolition phase of the development so as to minimise the risk of erosion, sedimentation and pollution within or from the site during this phase.

## **ROADS AND MARITIME SERVICES (RMS)**

74. The applicant is to prepare and implement a driver code of conduct for the task of transporting materials on public roads. This may include, but not limited to:
  - Details of transportation hours and vehicle types.
  - Procedure for the transport of hazardous materials.
  - Requirement for drivers to operate vehicles in a safe, professional and courteous manner.

75. A Blast Management Plan and a Traffic Control Plan is to be developed in consultation with Roads and Maritime. These plans should provide management protocols and measure employed to manage the risks and impacts the proposed blasting activities may have on road users along the Castlereagh and Great Western Highways. These are to be provided and approved by Roads and Maritime prior to any blasting being undertaken.
76. Should any temporary closures of the highways be required during blasting operations these are to be conducted in accordance with a Road Occupancy Licence (ROL). Further information regarding a ROL can be obtained by contacting Roads and Maritime's Field Traffic Manager on 1300 656 371.
77. Prior to the commencement of demolition work, a dilapidation survey is to be undertaken on all local roads impacted by the development. On completion of works, all damage attributable to the development is required to be rectified by the applicant.
78. The proposed traffic and access environmental safeguards and mitigation measures are to be outlined as part of a Traffic Management strategy which is to be prepared as part of the demolition Environmental Management Plan (EMP).
79. Roads and Maritime supports the provision of this Plan, however requests that in accordance with methodology set out in Section 2 of the *RTA's Guide to Traffic Generating Developments 2002* the following items are also included:
  - For the demolition and deconstruction, road transport volumes and vehicle types broken down into:
    - o Origin and destination.
    - o Travel routes.
    - o Peak hours.
    - o Expected traffic generation
  - The study is to provide details of projected transport operations including:
    - o Traffic volumes, both proposed and cumulative, and, both input and output traffic.
    - o Materials to be transported and vehicle types used for transport.
    - o Physical constraints, risks and hazards on the haulage route.
    - o Measure to be employed to ensure a high level of safety for all road users interacting with deconstruction traffic. In particular, any local school bus pick up/drop off locations.
    - o Any over size and over mass vehicles and loads expected throughout the project.
    - o Temporary and permanent staff numbers (including employees and contractors) and staff parking arrangements during the project.
    - o Measures to be employed to ensure traffic efficiency and safety on the public road network during the project, taking into consideration all road users (pedestrians, cyclists, vehicles)
    - o Local climate conditions that may affect road safety during the project (e.g. dust, fog, wet weather, etc.) and appropriate measures to mitigate the impacts of such conditions.

## **ENDEAVOUR ENERGY**

### **Easement Management/Network Access**

80. The following is a summary of the usual/main terms of Endeavour Energy's electrical easements requiring that the land owner:
  - o Not install or permit to be installed any services or structures within the easement site.
  - o Not alter the surface level of the easement site.
  - o Not do or permit to be done anything that restricts access to the easement site without the prior written permission of Endeavour Energy and in accordance with such conditions as

Endeavour Energy may reasonably impose.

Endeavour Energy's preference is for no activities or encroachments to occur within its easement areas. However, if any proposed works (other than those approved/certified by Endeavour Energy's Network Connections Branch as part of an enquiry/application for load) will encroach/affect Endeavour Energy's easements or protected assets, contact must first be made with Endeavour Energy.

81. It is imperative that the access to the existing electrical infrastructure on and in proximity of the site be maintained at all times. To ensure that supply electricity is available to the community, access to the electricity infrastructure may be required at any time. Restricted access to electricity infrastructure by maintenance workers causes delays in power restoration and may have severe consequences in the event of an emergency.

### ***Removal of Electricity Supply***

82. Approval for the permanent disconnection and removal of supply must be obtained from Endeavour Energy's Network Connections Branch, by Accredited Service Providers (ASP) with the relevant class of Authorisation for the type of work being carried out. The work could involve:
- The disconnection and removal of an underground service cable or overhead service line,
  - Removal of metering equipment.
83. The written request must be submitted to Endeavour Energy using Form FPJ4603 'Permission to Remove Service/Metering by Authorised Level 2 Accredited Service Provider' which must be accompanied by Notification of Service Works (NOSW) forms provided as a result of service work activity performed by a Level 2 ASP. The retailer must also provide written agreement for the permanent removal of supply.

The ASP scheme is administered by NSW Planning & Environment and details are available on their website via the following link or telephone 13 77 88:

<https://energysaver.nsw.gov.au/households/you-and-energy-providers/installing-or-altering-your-electricity-service>.

### ***Earthing***

84. The construction of any building or structure (including fencing, signage, flag poles, hoardings etc.) whether temporary or permanent that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with Australian/New Zealand Standard AS/NZS 3000:2018 'Electrical installations'. This Standard sets out requirements for the design, construction and verification of electrical installations, including ensuring there is adequate connection to the earth. Inadequate connection to the earth to allow a leaking/fault current to flow into the grounding system and be properly dissipated places persons, equipment connected to the network and the electricity network itself at risk from electric shock, fire and physical injury.

### ***Dial Before You Dig***

85. Before commencing any underground activity the applicant is required to obtain advice from the ***Dial Before You Dig 1100*** service in accordance with the requirements of the *Electricity Supply Act 1995* (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.

### ***Demolition***

86. Demolition work is to be carried out in accordance with Australian Standard AS 2601—2001: 'The demolition of structures'. All electric cables or apparatus which are liable to be a source of danger, other than a cable or apparatus used for the demolition works shall be disconnected ie. the existing customer service lines will need to be isolated and/or removed during demolition. Appropriate care must be taken to not otherwise interfere with any electrical infrastructure on or in the vicinity of the site eg. streetlight columns, power poles, overhead power lines and underground cables etc.

### ***Public Safety***

87. Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. Endeavour Energy's public safety training resources, which were developed to help general public/workers to understand why you may be at risk and what you can do to work safely is available via Endeavour Energy's website via the following link:

<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures>.

### ***Emergency Contact***

88. In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours/7 days.

### **NATURAL RESOURCES ACCESS REGULATORS**

89. **The attached GTA issued by NRAR do not constitute an approval under the Water Management Act 2000.** The development consent holder must apply to NRAR for a Controlled Activity approval **after consent** has been issued by Council **and before** the commencement of any work or activity.
90. A completed application form must be submitted to NRAR together with any required plans, documents, application fee, security deposit or bank guarantee (if required) and proof of Council's development consent. Finalisation of an approval can take up to eight (8) weeks from the date the application and all required supporting documentation is received.

### **JOHN HOLLAND RAIL (JHR)**

#### ***Demolition Impacts***

91. The Applicant is to submit to JHR a Risk Assessment/Management Plan and detailed Safe Work Method Statements for its review and comment prior to the commencement of the works.

#### ***Excavation in, above, below or adjacent to rail corridors***

92. The applicant is to consult with John Holland Rail (JHR) in any event if the demolition works are to be within 25m of the Rail Corridor to ensure compliance with Clause 86 of the State Environmental Planning Policy (Infrastructure) 2007. The Applicant is to also provide JHR with a geotechnical assessment confirming that the Proposal will have no adverse impact on the stability of the rail corridor land and the existing rail infrastructure.

#### ***Noise, vibration & air quality***

93. The Applicant is to consult with John Holland during the preparation of the demolition EMP to ensure blasting activities are planned for times which would minimise impact to rail traffic and that noise, vibration and air quality impacts from rail operations and blasting activities are adequately addressed.

## ***Cranes***

94. In the event that cranes will be required to be used in the air space above the rail corridor then the Applicant will need to consult with John Holland Rail and seek the necessary authorisations.

It is noted that the use of Equipment must be in accordance with the AS 2550 series of Australian Standards, Cranes, Hoist and Winches, including AS2550 15-1994 Cranes – Safe Use- Concrete Placing Equipment.

## ***Access to the rail corridor and Work Access & Possessions***

95. The Applicant is to prepare the demolition EMP in consultation with John Holland Rail to ensure any potential impacts from blasting are minimised and appropriate permits and authorisations are obtained as required.

## ***Procedures for blasting operations in close proximity to the CRN infrastructure***

96. a. The Applicant is required to submit an application to JHR for approval in principle (AIP) for JHR's endorsement and for TfNSW's approval with conditions/no conditions or non-approval.
- b. The Applicant is to engage an appropriate qualified consultant to undertake a dilapidation survey of the rail corridor prior to any blasting activities and on completion of blasting activities. A copy of the dilapidation survey is to be provided to JHR for JHR's acceptance prior to and at completion of blasting activities.
- c. Once an AIP is obtained, a Blasting Risk Management Workshop will be held between representatives of JHR and the Applicant to develop and agree with a Risk Management Plan.
- d. Once a Risk Management Plan is agreed, a JHR Maintenance Superintendent will sign it off prior to a blasting operation.
- e. The blasting operation should be undertaken during pre-planned Track Occupancy Authority possession.
- f. The relevant Maintenance Superintendent must be notified at least 7 days prior to the blasting operation.
- g. Once the blasting operation is performed, the Applicant is required to carry out a post-blasting inspection of the rail corridor and to prepare an inspection report confirming that the rail track and the relevant rail infrastructure remain fit for traffic.
- h. Prior to a post-blasting inspection, the Applicant is required to submit an application to JHR for its endorsement and if endorsed, for TfNSW's approval in order to access to the rail corridor for the post-blasting inspection. Once it is approved by TfNSW, the Applicant is further required to enter into a licence on terms suitable to TfNSW in relation to the access to the rail corridor. Terms of the licence may include provisions which allow TfNSW to terminate the licence at any time, will require the licensee to pay an annual licence fee, obligates the licensee to comply with certain safety requirements specifically in relation to accessing the rail corridor to perform maintenance on the rail infrastructure (e.g. engaging rail protection officers) etc. The licence will require the Applicant to hold relevant levels of insurance, bank guarantees etc. Further information can be found at <http://www.jhrcrn.com.au/what-we-do/property-services/third-party-work-enquiries/>.
- i. Any changes/damage to the rail infrastructure must be reported immediately to the relevant Maintenance Superintendent. Any costs associated with repairs should be fully borne by the Applicant.
- j. Each blasting operation must be assessed in accordance with the JHR's Blasting Guideline on a case by case.

For avoidance of doubt, this does not constitute an approval from TfNSW in respect of any blasting operations.

### ***Fencing***

97. Boundary fences along the rail corridor including the southern and western boundaries of the Land should be installed and remain installed in accordance with JHR's engineering standards.

In addition, the Applicant is required to submit an application to install the boundary fences to JHR for its endorsement and for TfNSW's approval.

### ***Heritage Management***

98. The Applicant must prepare and provide to JHR a Heritage Management Strategy prior to commencement of any works involved in the Proposal. The Strategy must contain information identifying each heritage items that are currently managed by JHR and potential impacts on each item due to the demolition activities including blasting and dust emission. In addition, the Strategy must provide information the extent of damage to each item and hold points associated with damage to ensure that they are not irreparably damaged. Finally, it must provide the Applicant's commitments to repair all damage to each item in consultation with the relevant heritage authorities.

### ***Derailment protection and other potential impacts of adjacent development on railway***

99. The Applicant prepare a risk assessment and will prepare the demolition EMP in consultation with John Holland to ensure any potential impacts from its activities are minimised and appropriate permits and authorisations are obtained as required.

### ***Lighting, external finishes and design***

100. The lighting and external finishes of temporary/or permanent buildings required for the demolition do not temporarily blind or cause distraction to the railway corridor. Additionally, the use of red and green lights should be avoided in all signs, lighting building colour schemes on any part of a building which faces the rail corridor.

### ***Access to the Land***

101. Access to the rail corridor is strictly prohibited unless otherwise permitted in writing.

### **TRANSGRID**

102. TL 70/71 traverses the demolition site between the power station and the coal plant. The proponent needs to be made aware that all works within the easement needs to be conducted in accordance with the WorkCover Guidelines on Working Near Overhead Power Lines and particular attention will need to be paid to vehicle and load heights when traversing the easement.
103. There is to be no excavation within 30m of the towers or changes to ground levels within the easement without prior approval from TransGrid and any blasting on the site should limit particle velocity within the easement to 50ppv.
104. TransGrid should be advised prior to any blasting which could impact the easement.
105. Airborne dust and other pollutants should be kept away from the transmission line. If the transmission line does become exposed to airborne pollutants TransGrid should be advised so that the need for cleaning or decontamination can be assessed.
106. TransGrid access to the easement and towers shall be maintained at all times during the demolition process for both routine maintenance/inspection and emergency repairs.

## **NEW SOUTH WALES HERITAGE COUNCIL**

107. The 'safeguard and mitigation measures' outlined in the Statement of Environmental Effects (SEE) are to be adhered too to prevent damage to listed heritage items.
108. A Heritage Management Strategy (for conservation, future ownership, maintenance, interpretation) and archival recording of the site, as outlined in the SEE, is to be undertaken, submitted and approved by Council prior to any works commencing on the site.

## **ADVISORY NOTES**

### ***Threatened Species***

- AN1. No Threatened Species or Endangered Ecological Community listed under the Threatened Species Conversation Act 1995, the Environment Protection and Biodiversity Conservation Act 1999 or the associated Regulations are to be cleared as result of this Approval. This includes for fencing or accessways.

**Schedule B- Natural Resources Access Regulator  
General Terms of Approval**