



**lindsaytaylorlawyers**

planning • environment • local government

## Proponent's Statement of Commitments

**lindsaytaylorlawyers**

Level 7, 1 O'Connell Street, Sydney NSW 2000, Australia

**T** 02 8235 9700 • **F** 02 8235 9799 • **W** [www.lindsaytaylorlawyers.com.au](http://www.lindsaytaylorlawyers.com.au) • **E** [mail@lindsaytaylorlawyers.com.au](mailto:mail@lindsaytaylorlawyers.com.au)

**ABN** 15 695 894 345

## 1 Introduction

- 1.1 This Statement of Commitments contains commitments made by the proponent, Hanson Construction Materials Pty Ltd (**Hanson**), in respect of the carrying out of the proposal (**Proposal**) described in the *Concept Plan Application for the redevelopment of Lot 11 DP 558723, Lot 1 DP 400697 and Lot 2 DP 262213, Eastern Creek*, prepared for Hanson Construction Materials Pty Ltd by Planning Workshop Australia (**Concept Plan Application**).

## 2 Planning Agreement

- 2.1 The Hanson has, as part of the Concept Plan Application, made an offer to enter into a planning agreement within the meaning of section 93F of the *Environmental Planning & Assessment Act 1979* (**EPA Act**) in the terms of the draft planning agreement contained in the Concept Plan Application (**draft PA**) pursuant to which Hanson agrees to carry out stormwater drainage works and road works if the carrying out of the Proposal is subject to a condition imposed pursuant to section 93I(3) of the EPA Act, requiring entry into the draft PA, and if the draft PA is entered into. Hanson therefore agrees to a condition on any project approval for the Proposal requiring entry into the draft PA.

## 3 Air Quality

- 3.1 During the construction phase of the Proposal, Hanson commits to implementing site management, vehicle maintenance, and dust mitigation measures to control any potential atmospheric emissions.
- 3.2 During the operational phase, Hanson's intention is that if the emulsion plant produces polymer modified bitumen, particularly using scrap rubber as an input, then appropriate technology will be fitted to the plant to address the potential for odour generation. Hanson commits to providing technical reports, and/or manufacturer's performance guarantees for all odour mitigation plant and equipment, prior to commissioning of that equipment, demonstrating that emissions of odour from the plant will comply with the *Protection of the Environment Operations Act 1997* (**POEO Act**).

## 4 Noise

- 4.1 Hanson will commit to confining construction activities to between 7am and 6pm Monday to Friday, and 7am to 1pm Saturday.

## **5 Contamination**

- 5.1 Hanson will commit to implementing a Stage 2 sampling program and, if necessary, preparing a remediation action plan as recommended in the *Preliminary (Stage 1) Land Contamination Assessment: Concept Plan for the redevelopment of Lot 11 DP 558723, Lot 1 DP 400697 and Lot 2 DP 262213, Eastern Creek, NSW* prepared by Martens Consulting Engineers dated October 2006.

## **6 Wastewater Management**

- 6.1 Hanson will commit to implementing the recommendations of the *Wastewater Management Assessment: Concept Plan for the redevelopment of Lot 11 DP 558723, Lot 1 DP 400697 and Lot 2 DP 262213, Eastern Creek, NSW* prepared by Martens Consulting Engineers dated October 2006.

## **7 Water Cycle Management**

- 7.1 Hanson will commit to implementation of a reclaimed stormwater re-use scheme concept design and stormwater re-use operations and management plan, generally in accordance with the recommendations of the *Water Cycle Management Strategy: Concept Plan for the redevelopment of Lot 11 DP 558723, Lot 1 DP 400697 and Lot 2 DP 262213, Eastern Creek NSW* prepared by Martens Consulting Engineers dated October 2006.

## **8 Stormwater Management**

- 8.1 Hanson will commit to implementation of the recommendations of the *Concept Stormwater Management Strategy: Concept Plan for the redevelopment of Lot 11 DP 558723, Lot 1 DP 400697 and Lot 2 DP 262213, Eastern Creek, NSW* prepared by Martens Consulting Engineers dated November 2006.
- 8.2 Hanson has committed to construction of the new sedimentation basin referred to in paragraph 5.1.5 of the Concept Stormwater Management Strategy in the draft PA referred to in paragraph 2 of this Statement of Commitments.

## **9 Erosion and Sediment Control**

- 9.1 Hanson will commit to implementation of erosion and sediment control measures generally consistent with the recommendations of the *Erosion and Sediment Control Plan: Concept Plan for the redevelopment of Lot 11 DP*



*558723, Lot 1 DP 400697 and Lot 2 DP 262213, Eastern Creek, NSW*  
prepared by Martens Consulting Engineers dated October 2006.