

Project Approval

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

I approve the project referred to in Schedule 1, subject to the conditions in Schedules 2 to 4.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the on-going environmental management of the project.



The Hon Kristina Keneally MP
Minister for Planning

Sydney

12 June

2009

SCHEDULE 1

Project Application:	08_0009
Proponent:	Port Kembla Coal Terminal
Approval Authority:	Minister for Planning
Land:	Lot 22 DP 1128396, Lot 1 DP 1125445 and Lot 3 DP 1125445, located near Port Kembla Road, Port Kembla
Project:	Port Kembla Coal Terminal Project

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DEFINITIONS

AEMR	Annual Environmental Management Report
BCA	Building Code of Australia
Council	Wollongong City Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
DECC	Department of Environment and Climate Change
Department	Department of Planning
Director-General	Director-General of Department of Planning, or delegate
EA	Environmental assessment titled <i>Environmental Assessment Existing Operations and Increased Road Reveal Hours, Port Kembla Coal Terminal, Volumes 1-2</i> , dated September 2008
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence issued under the <i>Protection of the Environment Operations Act 1997</i>
Evening	The period from 6pm to 10pm
Land	Land means the whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this approval
Minister	Minister for Planning, or delegate
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Project	The development described within the EA
Proponent	Port Kembla Coal Terminal, or its successors in title
Reasonable and feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build
Response to Submissions	The Proponent's response to issues raised in submissions, dated December 2008
RTA	Roads and Traffic Authority
Site	The land referred to in Schedule 1 and shown in Appendix 1
Statement of Commitments	The Proponent's commitments in Appendix 2

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

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

Terms of Approval

2. The Proponent shall carry out the project generally in accordance with the:
 - (a) EA;
 - (b) Response to Submissions;
 - (c) Statement of Commitments (see Appendix 2); and
 - (d) conditions of this approval.
3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.
4. The Proponent shall prepare revisions of any strategies, plans or programs required under this consent if directed to do so by the Director-General. Such revisions shall be prepared to the satisfaction of, and within a timeframe approved by, the Director-General.
5. The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
 - (a) any reports, plans, programs, strategies or correspondence that are submitted in accordance with this approval; and
 - (b) the implementation of any actions or measures contained in these reports, plans, programs, strategies or correspondence.

Limits on Approval

6. The Proponent shall not receive more than 7.5 million tonnes of coal and bulk products at the site by public road in any calendar year without the written approval of the Director-General. In seeking this approval, the Proponent shall submit a report to the Director-General that:
 - (a) reviews the transport related impacts associated with the trucks being used to deliver coal and bulk products to the terminal;
 - (b) demonstrates that these impacts are generally consistent with the predicted and/or approved impacts; and
 - (c) examines whether there any other reasonable and feasible measures that could be implemented to minimise these impacts.Once this approval has been obtained, the Proponent shall not receive more than 10 million tonnes of coal and bulk products at the site by public road in any calendar year.
7. The Proponent shall only receive coal dispatched from NRE No 1 Colliery at Russell Vale if that coal has been dispatched between the hours of:
 - (a) 7 am to 10 pm Monday to Friday; and
 - (b) 8 am to 6 pm Saturday and Sunday or Public Holidaysunless in accordance with a project approval granted to that Colliery under Part 3A of the EP&A Act.
8. Subject to conditions 6 and 7 of this schedule, coal and bulk products may be received by the Proponent at the site by road delivery twenty four hours per day, seven days per week.

Management Plans/Monitoring Programs

9. With the approval of the Director-General, the Proponent may submit any management plan or monitoring program required by this approval on a progressive basis.

Surrender of Consents

10. Within 12 months of the date of this approval, the Proponent shall surrender all existing development consents and existing use rights associated with operations at the site in accordance with clause 97 of the *EP&A Regulation*.

Structural Adequacy

11. The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.

Notes:

- *Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.*
- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.*

Demolition

12. The Proponent shall ensure that all demolition work is carried out in accordance with *Australian Standard AS 2601-2001: The Demolition of Structures*, or its latest version.

Operation of Plant and Equipment

13. The Proponent shall ensure that all plant and equipment used on site is:
 - (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

Dispute Resolution

14. In the event that the Proponent and the Council or a Government agency, other than the Department, cannot agree on the specification or requirements of this approval, the matter may be referred by either party to the Director-General for resolution, whose determination of the disagreement shall be final and binding on the parties.
-

**SCHEDULE 3
SPECIFIC ENVIRONMENTAL CONDITIONS**

NOISE

Impact Assessment Criteria

1. The Proponent shall ensure that the noise generated by the project at any privately-owned residence does not exceed the criteria specified in Table 1 for the location nearest to that residence.

Table 1: Noise impact assessment criteria dB(A) L_{Aeq} (15 min)

Location	Time Period	Noise Criteria $L_{Aeq,15min}$(dBA)
Cnr of Swan/Kembla Sts	Day	51
	Evening	50
	Night	49
Cnr of Swan/Corrimal Sts	Day	51
	Evening	50
	Night	49
Cnr of Keira/Fox Sts	Day	55
	Evening	49
	Night	45

Notes:

- a) To determine compliance with the L_{Aeq} (15 minute) noise level limits in the above table, noise from the project is to be measured at the most affected point within the residential boundary. Where it can be demonstrated that direct measurement of noise from the project is impractical, the DECC may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.
- b) The noise emission limits identified in the above table apply under meteorological conditions of:
 - o wind speeds of up to 3 m/s at 10 metres above ground level; or
 - o temperature inversion conditions of up to 3°C/100m, plus a 2 m/s source-to-receiver component drainage flow wind at 10 metres above ground level for those receivers where applicable in accordance with the NSW Industrial Noise Policy.

However, if the Proponent has a written negotiated noise agreement with any landowner of the land listed in Table 1, and a copy of this agreement has been forwarded to the Department and DECC, then the Proponent may exceed the noise limits in Table 1 in accordance with the negotiated noise agreement.

Noise Monitoring Program

2. The Proponent shall prepare and implement a Noise Monitoring Program for the project to the satisfaction of the Director-General. This program must:
 - (a) be developed in consultation with DECC;
 - (b) be submitted to the Director-General for approval within 6 months from the date of this approval, or as otherwise agreed by the Director-General; and
 - (c) include a:
 - combination of attended and unattended noise monitoring measures;
 - noise monitoring protocol for evaluating compliance with the noise impact assessment criteria in this approval; and
 - reasonable and feasible best practice noise mitigation measures to ensure project specific noise criteria are met.

Continuous Improvement

3. The Proponent shall:
 - (a) continue to implement all reasonable and feasible best practice noise mitigation measures;
 - (b) continue to investigate ways to reduce the noise generated by the project, including maximum noise levels which may result in sleep disturbance; and
 - (c) report on these investigations and the implementation and effectiveness of these measures in the AEMR to the satisfaction of the Director-General.

TRANSPORT

Monitoring of Coal Transport

4. The Proponent shall keep records of the amount of coal and bulk products received at the site each year, and include these records in the AEMR.

Traffic Management

5. The Proponent shall ensure that vehicles waiting to deliver coal or bulk products to the site do not queue or park on public roads other than Port Kembla Road.

Driver's Code of Conduct

6. The Proponent shall, in consultation with affected mines and principal haulage operators, develop a program to implement the Driver's Code of Conduct (see Appendix 3) to the satisfaction of the Director-General. This program must:
 - (a) be submitted to the Director-General for approval within 6 months from the date of this approval, or as otherwise agreed by the Director-General;
 - (b) include a driver induction program to cover (but not be limited to) speed limits, compression braking, truck washing, load covering and queuing on local roads; and
 - (c) include measures to ensure the Driver's Code of Conduct is enforced.

AIR QUALITY

Impact Assessment Criteria

7. The Proponent shall ensure that dust generated by the project does not cause additional exceedances of the criteria listed in Tables 3 to 5 at any residence.

Table 3: Long term impact assessment criteria for particulate matter

Pollutant	Averaging period	Criterion
Total suspended particulate (TSP) matter	Annual	90 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³

Table 4: Short term impact assessment criteria for particulate matter

Pollutant	Averaging period	Criterion
Particulate matter < 10 µm (PM ₁₀)	24 hour	50 µg/m ³

Table 5: Long term impact assessment criteria for deposited dust

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month

Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.

However, if the Proponent has a written negotiated air quality agreement with any landowner to exceed the air quality limits in Table 3, 4 and/or 5, and a copy of this agreement has been forwarded to the Department and DECC, then the Proponent may exceed the air limits in Table 3, 4 and/or 5 in accordance with the negotiated air quality agreement.

Operations

8. The Proponent shall:
 - (a) ensure any visible air pollution generated by the project is both minimised and recorded, and that operations are modified as required to minimise any resultant air quality impacts on nearby residences;
 - (b) ensure that the real-time air quality monitoring and meteorological monitoring data is assessed regularly; and
 - (c) where dust is generated by the project, that operations are modified and/or stopped as required to ensure compliance with the relevant air quality criteria

to the satisfaction of the Director-General.

9. During carrying out of the project, the Proponent shall ensure that:
 - (a) all loaded trucks entering or leaving the site have their loads covered; and
 - (b) trucks associated with the project pass through a truck wash before entering the public road network to the satisfaction of the Director-General.

Air Quality Monitoring Program

10. The Proponent shall prepare and implement an Air Quality Monitoring Program for the project to the satisfaction of the Director-General. This program must:
 - (a) be developed in consultation with DECC;
 - (b) be submitted to the Director-General for approval within 6 months from the date of this approval, or as otherwise agreed by the Director-General; and
 - (c) include:
 - real-time sampling to monitor the dust emissions of the project;
 - an air quality monitoring protocol for evaluating compliance with the air quality impact assessment criteria in this approval; and
 - reasonable and feasible best practice emissions mitigation measures to ensure project specific assessment criteria are met.

METEOROLOGICAL MONITORING

11. During the life of the project, the Proponent shall ensure that there is a suitable meteorological station on or in the vicinity of the site that generally complies with the requirements in the *Approved Methods for Sampling of Air Pollutants in New South Wales* guideline.

SURFACE WATER

Discharge Limits

12. Except as may be expressly provided in an EPL for the project, the Proponent shall comply with Section 120 of the *Protection of the Environment Operations Act 1997*.

Water Management Plan

13. The Proponent shall prepare and implement a Water Management Plan to the satisfaction of the Director-General. This Plan must:
 - (a) be prepared in consultation with DECC;
 - (b) be submitted to the Director-General for approval within 12 months of this approval or as otherwise agreed by the Director-General; and
 - (c) include:
 - a site water balance, which includes details of sources of water supply, on-site water use and management and off-site water discharges and investigates and describes measures to minimise water use by the project;
 - a sediment control plan for surface works on the site that is consistent with the requirements of the *Managing Urban Stormwater: Soils and Construction Manual* (Landcom 2004, or its latest version);
 - a surface water monitoring program that includes:
 - stormwater effluent discharge criteria;
 - a monitoring protocol for evaluating compliance with the stormwater effluent discharge criteria; and
 - reasonable and feasible mitigation measures to ensure the stormwater effluent discharge criteria are met.

BIODIVERSITY

Green and Golden Bell Frog Management Plan

14. The Proponent shall prepare and implement a Green and Golden Bell Frog Management Plan for the project to the satisfaction of the Director-General. This program must:
 - (a) be developed in consultation with DECC; and
 - (b) be submitted to the Director-General for approval within 12 months from the date of this approval, or as otherwise agreed by the Director-General.

VISUAL AMENITY

Lighting Emissions

15. The Proponent shall:
- (a) ensure no external lights shine above the horizontal;
 - (b) ensure that all external lighting associated with the project complies with *Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting*, or its latest version, and
 - (c) take all reasonable and feasible measures to mitigate off-site lighting impacts from the project to the satisfaction of the Director-General.

Landscape Management Plan

16. The Proponent shall prepare and implement a Landscape Management Plan to the satisfaction of the Director-General. This Plan must:
- (a) be submitted to the Director-General for approval within 12 months of this approval, or as otherwise agreed by the Director-General; and
 - (b) include;
 - details of screening trees to be planted on the road receive earth bund and along the northern site boundary; and
 - an implementation program.

GREENHOUSE & ENERGY EFFICIENCY

Operating Conditions

17. The Proponent shall implement all reasonable and feasible measures to minimise:
- (a) energy use on site; and
 - (b) greenhouse gas emissions from the project
- to the satisfaction of the Director-General.

Greenhouse and Energy Efficiency Plan

18. Within 12 months of this approval or as otherwise agreed by the Director-General, the Proponent shall prepare and implement a Greenhouse and Energy Efficiency Plan for the project. This plan must:
- (a) be prepared generally in accordance with the *Guidelines for Energy Savings Action Plans* (DEUS 2005, or its latest version);
 - (b) be submitted to the Director-General for approval;
 - (c) include a program to estimate/monitor greenhouse gas emissions and energy use generated by the project;
 - (d) include a framework for investigating and implementing measures to reduce greenhouse gas emissions and energy use at the project;
 - (e) describe how the performance of these measures would be monitored over time; and
 - (f) report on the project's greenhouse gas emissions and minimisation measures in the AEMR to the satisfaction of the Director-General.

WASTE

Operating Conditions

19. The Proponent shall:
- (a) monitor the amount of waste generated by the project;
 - (b) investigate ways to minimise waste generated by the project;
 - (c) implement reasonable and feasible measures to minimise waste generated by the project; and
 - (d) report on waste management and minimisation in the AEMR to the satisfaction of the Director-General.

HAZARDS

Dangerous Goods

20. The Proponent shall ensure that storage, handling and transport of dangerous goods are done in accordance with the relevant *Australian Standards*, particularly *AS1940* and *AS1596*, and the *Dangerous Goods Code*.

Fire Control

21. During the project, the Proponent shall:
 - (a) ensure that it maintains suitable equipment to respond to any fires on site; and
 - (b) assist the fire and emergency services as much as possible if there is a fire on site.
 22. The Proponent shall ensure that it maintains a Fire Management Plan for the site.
-

SCHEDULE 4
ENVIRONMENTAL MANAGEMENT, MONITORING, AUDITING AND REPORTING

ENVIRONMENTAL MANAGEMENT

1. The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must:
 - (a) be submitted to the Director-General for approval within 12 months of this project approval or otherwise agreed by the Director-General;
 - (b) provide for the strategic context for the environmental management of the project;
 - (c) identify the statutory requirements that apply to the project;
 - (d) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the project;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the project;
 - respond to any non-compliance;
 - manage cumulative impacts; and
 - respond to emergencies;
 - (e) include an environmental monitoring program for the project that includes all the monitoring requirements of this approval;
 - (f) describe how the various incident and approval reporting requirements of the project would be integrated into a single reporting system; and
 - (g) describe the role, responsibility, authority and accountability of all the key personnel involved in the environmental management of the project.

REPORTING

Incident Reporting

2. Within 24 hours of detecting the occurrence of an incident that causes (or may cause) material harm to the environment, the Proponent shall notify the Department and other relevant agencies of the incident.
3. Within 21 days of notifying the Department and other relevant agencies of such an incident, the Proponent shall provide the Department and these agencies with a written report that:
 - (a) describes the date, time, and nature of the incident;
 - (b) identifies the cause (or likely cause) of the incident;
 - (c) describes what action has been taken to date; and
 - (d) describes the proposed measures to address the incident.

Annual Reporting

4. Within 12 months of this approval, and annually thereafter, the Proponent shall submit an AEMR to the Director-General and all relevant agencies. This report must:
 - (a) identify the standards and performance measures that apply to project;
 - (b) describe the works carried out in the last 12 months;
 - (c) describe the works planned to be carried out in the next 12 months;
 - (d) include a summary of the complaints received during the past year, and compare this to the complaints received in previous years;
 - (e) include a summary of the monitoring results for the project during the past year;
 - (f) include an analysis of these monitoring results against the relevant:
 - impact assessment criteria/limits;
 - monitoring results from previous years; and
 - predictions in the EA or other documents listed in condition 2 of schedule 2;
 - (g) identify and discuss all exceedances of approval and licence conditions and other applicable standards and performance measures;
 - (h) identify any trends in the monitoring results over the life of the project;
 - (i) identify any non-compliance during the previous year; and
 - (j) describe what actions were, or are being, taken to ensure compliance.

INDEPENDENT ENVIRONMENTAL AUDIT

5. By 31 March 2011, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:
 - (a) be conducted by a suitably qualified, experienced, and independent team of experts whose appointment has been endorsed by the Director-General;
 - (b) include consultation with the relevant agencies;

- (c) assess the environmental performance of the project and whether it is complying with the relevant requirements in this approval and any relevant EPL (including any strategy, plan or program required under these approvals); and
- (d) review the adequacy of strategies, plans and/or programs required under these approvals; and, if appropriate,
- (e) recommend measures or actions to improve the environmental performance of the project, and/or any strategy, plan or program required under these approvals.

Note: This audit team should be led by a suitably qualified auditor, and include experts in the field of noise, air quality and traffic management.

- 6. Within 6 weeks of completing this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General with a response to any recommendations contained in the audit report.
- 7. Within 3 months of submitting the audit report to the Director-General, the Proponent shall review and if necessary revise the strategies/plans/programs required under this approval, to the satisfaction of the Director-General.

ACCESS TO INFORMATION

- 8. Within 3 months of the approval of any strategy/plan/program required under this approval (or any subsequent revision of these strategies/plans/programs), or the completion of the audits or AEMR, required under this approval, the Proponent shall:
 - (a) provide a copy of the relevant document/s to the relevant agencies;
 - (b) place a copy of the document/s on its website; and
 - (c) remove superseded copies of strategies/plans/programs from its website.
 - 9. During the project, the Proponent shall:
 - (a) make a summary of monitoring results required under this approval publicly available on its website; and
 - (b) update these results on a regular basis (at least every 6 months).
-

**APPENDIX 1
SITE PLANS (CONTINUED)**



Surrounding Land Use

PORT KEMBLA COAL TERMINAL

Legend

- Stacker
- Reclaimer
- Reclaimer Long Travel Rail
- Stacker Long Travel Rail
- Cadastre (LPI)

PKCT Lease Area

- Site Boundary
- Sub Areas



Scale 1:17,000 (at A4)



Meters
0 50 100 200 300 400 500

FIGURE 36



Map Produced by Cardno Forbes Rigby
Date: 13 June 2018
Coordinate System: Zone 56 MGA/GDA 94
Map Reference: A4, Rev. P3.mxd
198004.01 - 1802_Site_Proj_A4_Rev_P3.mxd
Imagery supplied from Google Earth Pro
and associated third party suppliers



**APPENDIX 2
STATEMENT OF COMMITMENTS**

Objective	Commitment
Traffic & Transportation	
<ul style="list-style-type: none"> • Transport of coal and bulk products to PKCT to be conducted in a manner which does not adversely impact on public safety or amenity of road users. • Safety standards to be maintained by trucks following designated routes procedures. • Internal PKCT roadways to be maintained to minimise coal and bulk products spillage and carry over onto public roadways. 	<ul style="list-style-type: none"> • Public road haulage of coal and bulk products to PKCT will not exceed 10 million tonnes per annum. • Publication of annual throughput tonnages, including in-loading method (ie road and rail received coal and bulk products). • All trucks delivering coal and bulk products to PKCT must follow designated heavy vehicle transport routes. • A driver's code of conduct will be utilised for all transport companies delivering product to PKCT. • Review effectiveness of truck wash facilities to be undertaken. • Unless further or alternative Approval for NRE No 1 Colliery at Russell Vale is in place, PKCT will only receive coal from the NRE No 1 Colliery if that coal has been dispatched from that Colliery by public road between the hours of 7am to 10pm Monday to Friday and 8am to 6pm Saturday and Sunday or Public Holidays.
Air Quality	
<ul style="list-style-type: none"> • Minimise dust emissions from activities carried out on the PKCT site. 	<ul style="list-style-type: none"> • Installation of two continuous dust monitors to monitor airborne dust emissions. • Maintain appropriate dust suppression systems on site to effectively manage dust both on stockpiles and roadways.
Water Management	
<ul style="list-style-type: none"> • Minimise use of potable water on site. • Effective management of on site stormwater. 	<ul style="list-style-type: none"> • Reduction in freshwater use on site to be achieved through the implementation of recycled water (Tertiary Treated Effluent) for dust suppression on stockpiles and other non-domestic uses e.g. fire, spillage washdown, conveyor sprays. Staged approach to be implemented which will result in a 360 Megalitre per annum reduction by the end of 2010.
Noise Management	
<ul style="list-style-type: none"> • Responsible management of PKCT site operational noise. 	<ul style="list-style-type: none"> • Ensure that ongoing compliance is maintained to the New South Wales Industrial Noise Policy. • Development and implementation of a noise management plan for the PKCT site.
Community Relations	
<ul style="list-style-type: none"> • PKCT to be regarded as a responsible corporate citizen by the community. 	<ul style="list-style-type: none"> • Continued operation of the PKCT Community Consultative Committee. • Continued advertisement and operation of the telephone hotline.
Environmental Monitoring	
<ul style="list-style-type: none"> • To ensure compliance to the conditions of PKCT's Department of the Environment and Climate Change licence. 	<ul style="list-style-type: none"> • Development and implementation of a management plan which documents the environmental monitoring requirements for PKCT.
Environmental Management System	
<ul style="list-style-type: none"> • PKCT to maintain certification to ISO 14001. 	<ul style="list-style-type: none"> • PKCT will continue to be certified to ISO 14001 and will be externally audited against the certification criteria on an annual basis.
Greenhouse Gases	
<ul style="list-style-type: none"> • Minimise the production of greenhouse gas emissions associated with PKCT operations. 	<ul style="list-style-type: none"> • PKCT to review onsite electricity use and identify and implement economically viable opportunities for reduced electricity usage.

Landscaping

- Improve the visual amenity of PKCT on surrounding community.
- Improve onsite soft landscaping through the planting of trees on the road receival earth bund and along the northern site boundary.

Flora and Fauna

- Management of Green and Golden Bell Frogs (GGBF).
- Implement Interim Management Plan.
- Undertake a GGBF Survey and then develop a Long Term Plan of Management.

Waste

- Minimise waste generated at the site to reduce the volume of waste requiring disposal to landfill.
 - Prevent dispersal of waste from the site to receiving environments.
 - Develop a Waste Management Plan for the site.
-

Signed: _____

Peter Green
General Manager

Dated: _____

14 April 2009

**APPENDIX 3
DRIVER'S CODE OF CONDUCT**



PKCT Driver's Code of Conduct

I, the undersigned, hereby agree to abide by the Port Kembla Coal Terminal's Driver's Code of Conduct for the transportation of coal and bulk products and to comply with the:

- a) Haulage Routes;
- b) Noise Minimisation Controls;
- c) Road Delivery Standards;
- d) Incident Management and Reporting;
- e) Participate in Compliance Monitoring; and
- f) Provide the Driver Summary Sheet to Drivers.

Reference: *Port Kembla Coal Terminal Driver's Code of Conduct
February 2009, Version 3, (20 February 2009)*

Signature: _____

Name: _____

ANDREW GRAY

Organisation: _____

BHP BILLITON - ILLAWARRA COAL

Date: _____

2.4.2009.



PKCT Driver's Code of Conduct

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- a) Haulage Routes;
- b) Noise Minimisation Controls;
- c) Road Delivery Standards;
- d) Incident Management and Reporting;
- e) Participate in Compliance Monitoring; and
- f) Provide the Driver Summary Sheet to Drivers.

*Reference: Port Kembla Coal Terminal Driver's Code of Conduct
February 2009, Version 3, (20 February 2009)*

Signature:



Name:

ROBERT COULTINARD

Organisation:

BULKTRANS PTY LTD

Date:

2/4/09



PKCT Driver's Code of Conduct

On behalf of Gujarat NRE Minerals Limited

I, the undersigned, hereby agree to abide by the Port Kembla Coal Terminal's Driver's Code of Conduct for the transportation of coal and bulk products and to comply with the:

- a) Haulage Routes;
- b) Noise Minimisation Controls;
- c) Road Delivery Standards;
- d) Incident Management and Reporting;
- e) Participate in Compliance Monitoring; and
- f) Provide the Driver Summary Sheet to Drivers.

Reference: *Port Kembla Coal Terminal Driver's Code of Conduct
February 2009, Version 3, (20 February 2009)*

Signature: _____

C. R. Harvey

Name: _____

CHRISTOPHER ROYCE HARVEY.

Organisation: _____

GUJARAT NRE MINERALS LIMITED.

Date: _____

6th APRIL 2009



PKCT Driver's Code of Conduct

I, the undersigned, hereby agree to abide by the Port Kembla Coal Terminal's Driver's Code of Conduct for the transportation of coal and bulk products and to comply with the:

- a) Haulage Routes;
- b) Noise Minimisation Controls;
- c) Road Delivery Standards;
- d) Incident Management and Reporting;
- e) Participate in Compliance Monitoring; and
- f) Provide the Driver Summary Sheet to Drivers.

*Reference: Port Kembla Coal Terminal Driver's Code of Conduct
February 2009, Version 3, (20 February 2009)*

Signature: _____

Name: _____

SCOTT JONES

Organisation: _____

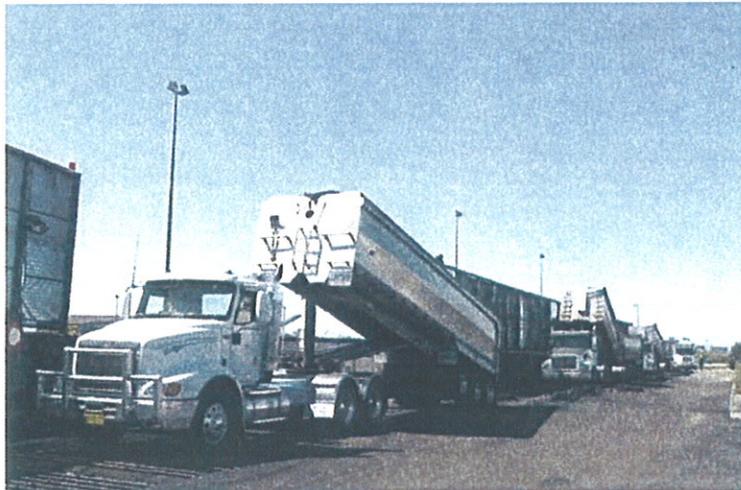
BRINDLES P/L

Date: _____

3/4/09.

Driver's Code of Conduct

Port Kembla Coal Terminal



February 2009
Version 3 (20 February 2009)



Port Kembla Coal Terminal

Drivers Code of Conduct

1. Introduction

As part of the Environmental Assessment for "Existing Operations and Increased Road Receiving Hours at Port Kembla Coal Terminal", a commitment was made that PKCT shall prepare and implement a Driver's Code of Conduct for haulage trucks delivering to the PKCT road receiving areas. The purpose of this document is to highlight specific requirements to minimise community impact and increase safety while delivering to PKCT. The code utilises industry best practice to minimise and manage the traffic impact associated with the project and the movement of heavy vehicles to and from the site.

The code has been developed in consultation with the PKCT road receiving customers, and their associated haulage contractors, Roads and Traffic Authority, Department of Environment & Climate Change and the PKCT Community Consultative Committee. The code is to be submitted to the Director General of the New South Wales Department of Planning by 28/2/09.

It is proposed that initially this Code of Conduct will be reviewed after 12 months of operation. Subsequent reviews will be as agreed by the relevant parties.

2. Scope

The Drivers Code of Conduct requires that specific measures are developed in consultation with the RTA, and the DECC to focus on opportunities to minimise, mitigate and manage traffic volume, traffic safety and acoustic impact.

The following documents have been reviewed in the formulation of this Driver's Code of Conduct.

1. PKCT Truck Driver's Rules Procedure
2. PKCT Traffic Management Plan
3. Bulktrans Driver's Handbook
4. Brindles Transport employment and Safety handbook for Drivers
5. Illawarra Coal haulage hazards awareness workbook
6. Port Kembla Port Corporation Transport Code of Conduct
7. Heavy Vehicle Driver's Handbook
8. Transport Accident Commission Safe Driving Policy
9. New South Wales road rules



PKCT Driver's Code of Conduct

3. Objectives

The objectives of the Code of Conduct are to:

1. Ensure compliance with the conditions associated with the Department of Planning consent with consideration of matters raised during the consultation process.
2. Encourage application of the Driver's Code of Conduct for all stakeholders associated with PKCT transport operations.
3. Minimise impacts on the community as much as possible.
4. Encourage an environment for safe operations associated with PKCT road delivery operations.
5. Maximise public safety by adhering to the Australian Road Rules and ensuring all potential road safety issues are reported to the Transport Management centre 131700.

4. Haulage Routes

All haulage trucks travelling to and from PKCT will do so by using major arterial roads as outlined in the sections below. The major arterial roads associated with deliveries to PKCT are as follows;

- Mt Ousley Rd
- Bellambi Lane
- Northern Distributor
- F6 Freeway
- Masters Rd
- Springhill Rd
- Port Kembla Rd

Haulage hazards and specific procedures for the above areas are highlighted below.

Appin Road

Appin Road is an undivided road with a speed limit of 100km/hr. Frequent overtaking lanes are found along this route. Special care should be taken when crossing Loddon River bridge which is narrow.



Mt Ousley Rd

Mt Ousley Road traverses through hilly country with steep grades and tight curves. The speed limit is 80km/hr however the truck speed limit down Mt Ousley is 40km/hr, with trucks being restricted to the outer 2 lanes. Emergency stopping bays are provided in both directions. As Mt Ousley is close to residential receivers, drivers are requested to limit noise wherever possible.

RTA advise - Peak hour traffic 0600-0800 Mon -Fri northbound 1500-1900 Mon-Fri southbound.

In case of a breakdown all vehicles must be towed to the nearest breakdown bay as soon as possible.

All breakdowns must be reported to the RTA TMC (Transport Management Centre) 131700 and the vehicle protected in accordance with the Heavy Vehicle Drivers handbook.



Bellambi Lane

Road haulage of coal is only permitted from Gujarat NRE No 1 mine between 7am and 10pm Monday to Friday, and 8am to 6 pm on Saturday and Sunday.

The speed limit on Bellambi Lane is 60km/hr, however coal trucks have a self imposed speed limit of 50km/hr on Bellambi Lane. As Bellambi lane has a high number of commuter vehicles, drivers are required to be vigilant regarding separation distances. As Bellambi Lane is close to residential receivers, drivers are requested to limit noise wherever possible.

RTA advise - Peak hour traffic 0600-0900 Mon –Fri eastbound 1500-1800 Mon-Fri westbound.

Northern Distributor

The Northern Distributor links Bellambi Lane with the Southern Freeway. The speed limit along the Northern Distributor varies between 80km/hr & 90 Km/hr. Several traffic lighted intersections are found along this route.

RTA advise - Peak hour traffic 0600-0900 Mon –Fri southbound 1500-1800 Mon-Fri northbound.

Southern Freeway

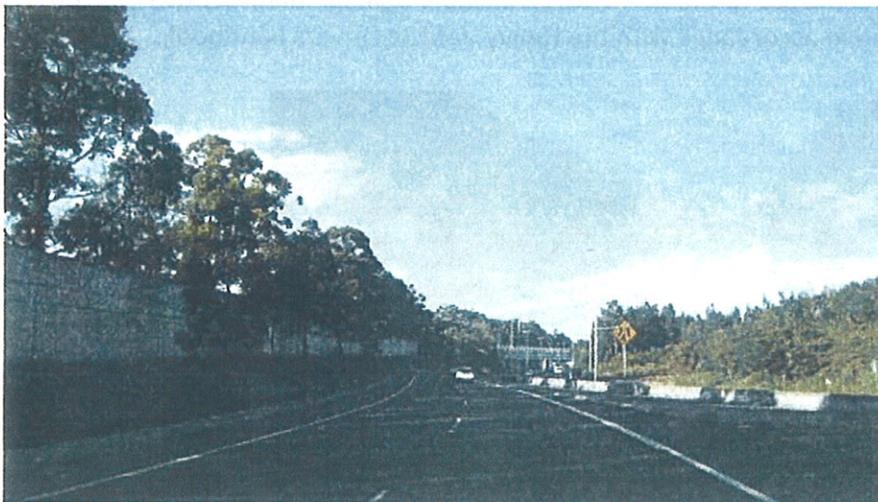
The Southern Freeway forms part of the arterial link between Sydney and Wollongong. The speed limit varies from 80km/hr to 100 km/hr on this route. Caution should be observed around merging lanes.

RTA advise - This section of freeway between North Wollongong and Masters Road is heavily congested between 0600 and 1000 and 1500- 1800 in both directions.

RTA advise - Wollongong University session 1 commences in March and potential traffic queues in lane 2 northbound and lane 1 southbound can be expected between 0815 and 0845 weekdays approaching the Gwynneville Interchange.

Masters Road Northbound on load ramp.

The northbound exit to Figtree and Wollongong is located within 200 metres of this on load ramp can experience morning peaks.



Masters Road

Masters Road is a 1.3 km road with three lanes in either direction separated by a centre median island. The speed limit on Masters Road is 80 Km/hr. Traffic lights are located in the left hand turning lane which allows vehicles to turn onto Springhill Road. Compression braking on this route should be avoided due to community disturbance. Interactions with other heavy vehicle users will be frequent in this area.



Springhill Rd

The section of Springhill Road between Masters Road and Port Kembla Road is 2.3 Km in length and is 3 lanes wide and divided by a median strip. The speed limit is 80km/hr. Several traffic lights and intersections are found along this section of road and drivers are required to pay particular attention to other vehicles crossing the traffic flow. Due to the close proximity to residents, compression brakes are not to be used on the approach to the lights at Springhill and Port Kembla Road. Interactions with other heavy vehicle users will be frequent in this area.



Port Kembla Road

Port Kembla Road is a two lane undivided road. The speed limit on Port Kembla Road is 50km/hr



PKCT Road Receiving area

The gates at the end of Port Kembla road denote the start of the PKCT Road Receiving Area. The speed limit is 40KM/hr in this area.



5. Noise Minimisation Controls

This section designates the specific noise mitigation measures which must be adhered to. This will include rules on compression braking, tipping practices and speed limits for the approach to PKCT, when travelling on the site, tipping and leaving the site.

Due to the relatively close proximity to residential areas drivers are requested to limit the noise created in this area as much as possible.

Compression braking noise

Compression brakes can be extremely noisy and adversely impact on public amenity. Wherever possible, use of engine brakes near residences and in built up areas should be avoided. Compression brakes must not be used on the approach to Port Kembla Rd/ Springhill Rd lights when entering or exiting PKCT.

Tailgate Noise

Drivers must ensure that following tipping, the tailgate is locked before leaving PKCT.

Speed hump noise

When traversing the speed hump at the gate of PKCT, drivers are to approach slowly to ensure that excessive noise is not created.

6. PKCT Road Delivery Standards

Road delivery standards, as specified by PKCT and legislation, which require attention when delivering to the PKCT road receival are highlighted in this section.

A driver of a heavy vehicle (capacity greater than 4.5 tonnes) is required to have the appropriate Heavy Vehicle Class Licence and must comply with the various regulations related to the driving of heavy vehicles as well as all relevant road rules.

Heavy Haulage Drivers will observe the following while en route to PKCT or while on the PKCT site:

- **Queuing**
Queuing at the truck receival area is permitted on Tom Thumb Road and Port Kembla Road. No trucks are permitted to queue on Springhill Road.



PKCT Driver's Code of Conduct

- **Braking**
Brakes must be applied so as not to create excessive noise that could disturb local residents. Compression braking on Springhill and Masters Road should be avoided, and are not to be used at the intersection of Port Kembla Road and Springhill Road.
- **Speed Limits**
Always observe the posted speed limits with speed adjusted appropriately to suit the conditions. The vehicle speed must be appropriate to ensure the safe movement of the vehicle based on the vehicle configuration.
- **Tipping**
Trucks are to be positioned over the tipping grates before commencing tipping. Any spillage that occurs during tipping is to be reported to PKCT to enable efficient clean up.
- **Load Covering**
All trucks delivering to PKCT are required to have an effective cover over their load for the duration of the trip. The load cover may be removed upon arrival at the PKCT road receipt area.
- **Truck Wash**
All trucks are to pass through a truck wash when leaving the client mine and also after tipping at PKCT, before leaving the site. Any excess coal that is on the body must be cleaned off on site. The speed through the truck is 5 km/h, or as slow as possible.
- **Equipment Performance**
It is the driver's responsibility to report all vehicle faults and it is the owner's responsibility to ensure that the vehicle is maintained to ensure safe vehicle operations.

7. Incident Management and Reporting

To ensure that traffic impact are minimised in the event of an incident, rapid response from the haulage company is required. In order to ensure rapid response to incidents, drivers must contact the RTA TMC 131700 and their shift supervisor/PKCT Control Tower as soon as the stranded vehicle is safely secured. The following flowchart shows the steps that must be followed to ensure that any incident is cleared as quickly as possible



8. Compliance Monitoring

It is proposed that initially this Code of Conduct will be reviewed after 12 months of operation. Subsequent reviews will be as agreed by the relevant parties.

It is proposed that regular audits of the code of conduct will be carried out to monitor performance, particularly in relation to noise minimisation around PKCT.

Audits will be completed of the following activities annually:

- Speed of trucks
- Compression braking
- Truck washing
- Load covering

In addition to the above audits, formal observations will be made of compliance by the haulage companies, client mines and PKCT.



Driver Summary Sheet

The aim of the PKCT Driver's Code of Conduct is to minimise the impacts associated with deliveries to PKCT. As a professional driver engaged to deliver product to PKCT, you are required to drive in a responsible manner and adhere to all requirements of the Drivers Code of Conduct.

Travel Times

Gujarat NRE No 1 Mine: Road haulage of coal is permitted to PKCT between 7am and 10pm Monday to Friday, and 8am to 6 pm on Saturday and Sunday

West Cliff Coal Preparation Plant: Road haulage of coal is permitted to PKCT on a 24 hour 7 day per week basis.

Dendrobium Coal Preparation Plant: Road haulage of coal is permitted to PKCT on a 24 hour 7 day per week basis.

PKCT Road Delivery Standards

Heavy Haulage Drivers will observe the following while en route to PKCT or while on the PKCT site:

- Observe all road rules including speed limits
- Limit speed to 50km/hr on Bellambi Lane
- Hold a valid drivers license for the class of vehicle that you operate
- Not apply compression brakes approaching the intersection of Port Kembla Road and Springhill Road
- Utilise the truck wash at PKCT after tipping
- Have the load covered from the mine to the PKCT road recieval area
- Operate the vehicle in a manner that minimises vehicle noise

Incident Management

To ensure quick response, all incidents must be reported immediately to your shift supervisor. Contact Numbers:

- | | |
|-----------------------------------|-----------------------------|
| • Bulktrans Contact No | 02 46404109 |
| • NRE Contact Number | 02 4223 6837 |
| • PKCT Control Tower | 02 42211806 or 0408 426 123 |
| • RTA Transport Management Centre | 131700 |