

## SCHEDULE 1

### GREAT WESTERN HIGHWAY UPGRADE – LITTLE HARTLEY

#### CONDITIONS OF APPROVAL

---

The following acronyms and abbreviations are used:

Average Recurrence Interval	refers to the average or expected period between exceedances of a flood of a given size
ASS	Acid Sulphate Soils
CLG	Community Liaison Group
Department, the	Department of Urban Affairs and Planning
Director-General, the	Director-General of the Department of Urban Affairs and Planning or delegate
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EMR	Environmental Management Representative
EPA	Environment Protection Authority
BLALC	Bathurst Local Aboriginal Land Council
Minister, the	Minister for Urban Affairs and Planning
NPWS	National Parks and Wildlife Service
Proponent	Roads and Traffic Authority

#### General

1. The project shall be carried out in accordance with:

- (i) the proposal contained in the Environmental Impact Statement (EIS) *Great Western Highway Upgrade Little Hartley* prepared for the Roads and Traffic Authority (RTA) by GHD and dated November 1999 and the Representations Report *Great Western Highway Upgrade, Little Hartley* prepared by RTA Technology for the RTA and dated November 2000;
- (ii) all identified procedures, safeguards and mitigation measures identified in the EIS and Representations Report; and
- (iii) the Conditions of Approval granted by the Minister.

Despite the above, in the event of any inconsistency with the project as described in the EIS and Representations Report, the Conditions of Approval granted by the Minister shall prevail.

These conditions do not relieve the Proponent of the obligation to obtain all other approvals and licences from all relevant authorities required under any other Act. Without affecting the generality of the foregoing, the Proponent shall comply with the terms and conditions of such approvals and licences.

It shall be the ultimate responsibility of the RTA to ensure compliance with all conditions of approval granted by the Minister.

## **Compliance**

### *General*

2. The Proponent shall comply with, or ensure compliance with all requirements of the Director-General in respect of the implementation of any measures arising from the conditions of this approval. The Proponent shall bring to the attention of the Director-General any matter that may require further investigation and the issuing of instructions from the Director-General. The Proponent shall ensure that these instructions are implemented to the satisfaction of the Director-General within such time that the Director-General may specify.

### *Pre-Construction Compliance Report*

3. At least one month prior to commencement of substantial construction (or within such period as otherwise agreed by the Director-General), the Proponent shall submit for approval of the Director-General a compliance report detailing compliance with all relevant conditions that apply prior to commencement of substantial construction and shall address:
  - (i) the dates of submissions of the various studies and/or requirements of various relevant conditions, and their approval and terms of approval; and,
  - (ii) action taken or proposed to implement the recommendations made in terms of approvals and/or studies.

### *Pre-Operation Compliance Report*

4. At least one month prior to commissioning of the proposal (or discrete sections of the proposal as agreed by the Director-General), the Proponent shall submit for approval of the Director-General a compliance report detailing compliance with all relevant conditions that apply prior to commencement of operation and shall address:
  - (i) the dates of submissions of the various studies and/or requirements of various relevant conditions, and their approval and terms of approval; and
  - (ii) action taken or proposed to implement the recommendations made in terms of approvals and/or studies.

The Period of one month referred to in this Condition may be altered as agreed by the Director-General).

The Director-General shall provide a response to Condition 3 and 4 within 1 month of receipt of all relevant information from the Proponent. If a request is made by the Director-General for additional information, the period of time that elapses between the date on which the Proponent receives the request and the date on which the additional information is provided to the Director-General shall not be taken into account in the 1 month period referred to.

## **Dispute Resolution**

5. The Proponent shall endeavour, as far as possible, to resolve any dispute with relevant public authorities arising out of the implementation of the conditions of this approval. Should this not be possible, the matter shall be referred firstly to the Chief Executives and Directors of Agencies

involved and, if the matter cannot be resolved at this level, to the Minister for resolution. The Minister's determination of the disagreement shall be final and binding on all parties.

### **Contact Telephone Number**

6. Prior to the commencement of construction, the Proponent shall institute, publicise and list with a telephone company a 24 hour complaints contact telephone number, which would enable any member of the general public to reach a person who can arrange appropriate response action to the complaint.

### **Complaints Register**

7. The Proponent shall record details of all complaints received during construction and ensure that an initial response to the complaint is provided within 24 hours and a detailed response within 10 days. Information on all complaints received shall be made available on request to the Director-General and all relevant government agencies. The Proponent shall nominate an appropriate person(s) to receive, log, track and respond to complaints within the specified timeframe. The name and contact details of this person(s) shall be provided to the relevant Council(s) and the Director-General upon appointment or upon any changes to that appointment.

### **Project Commencement**

8. The Proponent shall notify the Director-General and all relevant authorities in writing of the project commencement both in terms of construction and operation (ie commissioning).

### **Advertisement of Activities**

9. Prior to the commencement of construction and then at three-monthly intervals, the Proponent shall advertise in relevant local newspapers the nature of the works proposed for the forthcoming three months, the areas in which these works are proposed to occur, the hours of operation and a contact telephone number.

The Proponent shall ensure that the local community is kept informed (by way of local newsletters, leaflets, newspaper advertisements, and community noticeboards, etc.) of the progress of the project, including any traffic disruptions and controls, construction of temporary detours and work required outside the nominated working hours, prior to such works being undertaken.

### **Community Liaison Group**

10. A Community Liaison Group shall be formed prior to the commencement of construction to discuss detailed design issues and methods for minimising the impact on the local community and businesses during the construction stage. The Group shall include the Environmental Management Representative, representatives from the RTA, the contractor, relevant local community, agricultural and business groups, and Greater Lithgow City Council unless otherwise agreed by the Director-General.

Issues for discussion shall include, but not be limited to, local vehicle, pedestrian and cyclist requirements; construction stage traffic diversions; noise control measures; farm access

arrangements, air and water quality; landscaping requirements and any other issues considered relevant by the Group.

Appropriate facilities and information shall be provided by the Proponent to assist the Group in carrying out its functions. The Group may make comments and recommendations about the design and implementation of the proposal, which shall be considered by the Proponent.

### **Environmental Management Representative**

11. A suitably qualified Environmental Management Representative (EMR) shall be approved by the Director-General, be available during construction activity at the site, and be present on-site during any critical construction activities as defined in the Environmental Management Plan (EMP). The EMR shall have responsibility for considering and advising on matters specified in the conditions of approval and compliance with such and facilitation of an induction and training program for all persons involved with the construction activities. The following information shall be provided to the Director-General:

- qualifications of the EMR and demonstration of compliance with AS/NZS ISO 14012:1996 *Guidelines for Environmental Auditing : Qualification criteria for environmental auditors*;
- role and responsibility of the EMR in accordance with the Conditions of this Approval; and,
- authority of the EMR, including details of the Proponent's internal reporting structure. This shall include the authority to stop work immediately or place hold points on work(s) if in the view of the EMR an unacceptable impact is likely to occur, or to require other reasonable steps to be taken to avoid or minimise any adverse impacts

The EMR shall be approved by the Director-General prior to the commencement of any EMR approval roles specified under this consent.

12. Every six months from the commencement of construction (or within such a period as otherwise agreed to by the Director-General) the EMR shall submit to the Director-General a Project Progress Report detailing:

- (i) general progress of construction and any major issues;
- (ii) any instances of non-compliance with the Conditions of this Approval over the six month period; and,
- (iii) the actions taken to address such non-compliance.

13. If at any stage during construction, the Director-General considers that the performance of the EMR is ineffective, the Director General may request an independent audit of the environmental management processes followed by the EMR. This audit shall be carried out at the expense of the Proponent by an independent person or team approved by the Director-General and shall:

- (i) address the requirements included in the Director-General's Audit Request;
- (ii) assess the suitability and effectiveness of the environmental management processes followed by the EMR, using the performance of the project against the Conditions of this Approval as key performance indicators; and,
- (iii) recommend changes/alternatives to the current environmental management processes followed by the EMR to enhance the suitability and effectiveness these processes.

The Report shall be forwarded to the Director-General no later than six weeks from the date the Director-General requests the audit, unless otherwise agreed by the Director-General.

Should the Director-General consider that the audit has identified that the processes being followed by the EMR are inadequate, the Director-General may request that an alternative EMR be nominated for the approval of the Director-General, and/or that steps be taken to rectify the inadequate processes identified.

### **Environmental Management System**

14. The Proponent shall ensure the appointment of contractors that have a demonstrated capability and experience in the implementation of an Environmental Management System prepared in accordance with the AS/NZS ISO 14000 series or BS7750-1994 certified by an accredited certifier and/or have a proven environmental management performance record.

### **Construction Environmental Management Plan**

15. Prior to the commencement of construction, a Construction Environmental Management Plan (EMP) shall be prepared, following consultation with Greater Lithgow City Council, and the EPA. Where construction activities may be undertaken in discrete stages, the Proponent may prepare individual EMPs relating to specific stages of construction.

The Construction EMP shall be prepared in accordance with the conditions of this approval, all relevant Acts and Regulations and accepted best practice management procedures. **The Construction EMP shall require certification by the EMR prior to commencement of substantial construction works or within such time as otherwise agreed to by the Director-General.**

The Construction EMP shall:

- a) address construction activities associated with all key construction sites, including staging and timing of the proposed works;
- b) cover specific environmental management objectives and strategies for the main environmental system elements and include, but not be limited to: noise and vibration; air quality; water; erosion and sedimentation; access and traffic; property acquisition and/or adjustments; heritage and archaeology; groundwater; contaminated spoil, spoil stockpiling and disposal; waste/resource management; flora and fauna; flooding and stormwater control; geotechnical issues; visual screening, landscaping and rehabilitation; hazards and risks; energy use, resource use and recycling; vermin; and utilities; and
- c) address, but not be limited to:
  - i) identification of the statutory and other obligations which the Proponent is required to fulfil during project construction, including all approvals and consultations/agreements required from other authorities and stakeholders, and key legislation and policies which control the Proponent's construction of the project;
  - ii) definition of the role, responsibility, authority, accountability and reporting of personnel relevant to compliance with the EMP;
  - iii) measures to avoid and/or control the occurrence of environmental impacts;
  - iv) measures (where possible and cost effective) to provide positive environmental offsets to unavoidable environmental impacts;

- v) environmental management procedures for all construction processes which are important for the quality of the environment in respect of permanent and/or temporary works including access tracks;
  - vi) monitoring, inspection and test plans for all activities and environmental qualities which are important to the environmental management of the project, including performance criteria, specific tests, protocols (eg. frequency and location) and procedures to follow;
  - vii) environmental management instructions for all complex environmental control processes which do not follow common practice or where the absence of such instructions could be potentially detrimental to the environment;
  - viii) steps the Proponent intends to take to ensure that all plans and procedures are being complied with;
  - ix) consultation requirements with relevant government agencies; and,
  - x) community consultation and notification strategy (including local community, relevant government agencies, and Greater Lithgow City Council), and complaint handling procedures; and,
- d) the management sub plans detailed in this approval.

Specific requirements for some of the main environmental system elements referred to in (b) shall be as required under the conditions of this approval and/or as required under any licence or approval.

The Construction EMP shall be made publicly available and forwarded to the Director-General within two weeks of the EMR certifying the EMP.

### **Environmental Monitoring - Construction**

16. The Proponent shall submit to the Director-General, a report(s) in respect of the environmental performance of the construction works and compliance with the Construction EMP and any other relevant conditions of this approval. The reports shall be prepared six months after the start of substantial construction and thereafter at six monthly intervals or at other such periods as requested by the Director-General to ensure adequate environmental performance over the duration of the construction works. The report(s) shall include, but not be limited to, information on:

- a) applications for consents, licences and approvals, and responses from relevant authorities;
- b) implementation and effectiveness of environmental controls and conditions relating to the work undertaken;
- c) identification of construction impact predictions made in the EIS and any supplementary studies and details of the extent to which actual impacts reflected the predictions;
- d) details and analysis of results of environmental monitoring;
- e) number and details of any complaints, including summary of main areas of complaint, action taken, response given and intended strategies to reduce complaints of a similar nature; and
- f) any other matter relating to the compliance by the Proponent with the conditions of this approval or as requested by the Director-General.

The report(s) shall be provided to Greater Lithgow City Council and any other relevant government agency nominated by the Director-General. The report(s) shall also be made publicly available.

## **Operational Environmental Management Plan**

17. An Operational Environmental Management Plan (EMP) shall be prepared prior to the commencement of operation. The Plan shall be prepared in consultation with Greater Lithgow Shire Council and any other relevant government agency. The Plan shall be prepared in accordance with the conditions of this approval, all relevant Acts and Regulations and accepted best practice management procedures. **The Operational EMP shall require certification by the EMR prior to commissioning or within such time as otherwise agreed to by the Director-General.**

The Operational EMP shall address at least the following issues:

- a) identification of the statutory and other obligations which the Proponent is required to fulfil, including all licences/approvals and consultations/agreements required from authorities and other stakeholders, and key legislation and policies which control the Proponent's operation of the project;
- b) sampling strategies and protocols to ensure the quality of the monitoring programme;
- c) monitoring, inspection and test plans for all activities and environmental qualities which are important to the environmental performance of the project during its operation, including description of potential site impacts, performance criteria, specific tests and monitoring requirements, protocols (eg. frequency and location) and procedures to follow;
- d) steps the Proponent intends to take to ensure compliance with all plans and procedures;
- e) consultation requirements, including relevant government agencies, the local community and Council, and complaints handling procedures;
- f) strategies for the main environmental system elements and including but not limited to: noise and vibration; water; air quality; erosion and sedimentation; access and traffic; property acquisition and/or adjustments; heritage and archaeology; groundwater; settlement; waste/resource management/removal/disposal; flora and fauna; hydrology and flooding; visual screening, landscaping and rehabilitation; hazards and risks; energy use, resource use and recycling; and utilities; and,
- g) the management procedures detailed in this approval.

Specific requirements for some of the main environmental system elements referred to in (f) shall be as detailed under the conditions of this approval and/or as required under any licence or approval.

The Operational EMP shall be made publicly available and forwarded to the Director-General within one week of the EMR certifying the EMP.

## **Environmental Impact Audit Report**

18. An Environmental Impact Audit Report shall be submitted to the Director-General and upon request by the Director-General to any other relevant government authority 12 months after commissioning of the project and at any additional periods thereafter as the Director-General may require. An independent person at the Proponent's expense shall prepare the Report. The Report shall assess the key impact predictions made in the EIS and any supplementary studies and detail the extent to which actual impacts reflect the predictions. The Report shall provide details on actual versus predicted impacts on local residences and nearby buildings, and all other key impact issues identified in the EIS. The suitability of implemented mitigation measures and

safeguards shall also be assessed. The Report shall also assess compliance with the Operational EMP.

The Report shall discuss results of consultation with the local community in terms of feedback/complaints on the construction and operation phases of the project and any issues of concern raised. The Proponent shall comply with all reasonable requirements of the Director-General, and other relevant authorities with respect to any reasonable measure arising from, or recommendations in the Report.

The Report shall be made publicly available.

### **Project Alignment**

19. The upgrade shall be constructed in accordance with Option A (as detailed in Figures 6.2 a-b of the Director-General's Report) and follow the alignment of the existing Highway.

### **Economic Impact on Little Hartley**

20. Prior to the commencement of construction, the Proponent shall undertake consultation with Great Lithgow Shire Council and the Community Liaison Group to develop appropriate mitigation measures relating to business and tourism including, but not limited to, the following:
  - (i) development of landscape strategies for a 'gateway' to Little Hartley; and,
  - (ii) implementation of appropriate signage for Great Western Highway traffic.

### **Property and Land Use**

21. The Proponent shall ensure that access to properties fronting onto the highway is maintained throughout the construction period. The Proponent shall ensure that any access way affected by the project is reinstated to an equivalent standard or that adequate compensation is negotiated with the relevant landowner.
22. The Proponent shall ensure that construction works have minimal impact on any funeral services held at Hartley Cemetery.

### **Traffic and Roadworks**

23. The Proponent shall consult with Greater Lithgow City Council to develop a traffic management plan for construction traffic on local roads, prior to commencement of construction. The Proponent shall monitor the use of local roads by construction heavy vehicle traffic in consultation with Greater Lithgow City Council and shall consult with the Greater Lithgow City Council to develop measures to minimise and/or restrict use of local roads by heavy vehicle traffic if so required. Truck access points from local roads to the site and truck routes on local roads shall be designated prior to commencement of bulk earthworks in consultation with Greater Lithgow City Council.
24. A road dilapidation report shall be prepared for all non-arterial roads likely to be used by construction traffic prior to commencement of construction and after construction is complete. Copies of the report shall be provided to Greater Lithgow City Council. Any damage aside from that resulting from normal wear and tear shall be repaired at the cost of the Proponent.



Note: Nothing in Condition 24 shall be taken as restricting the Proponent from negotiating an alternative payment for damage with Greater Lithgow City Council, subject to the agreement of Greater Lithgow City Council.

25. The Proponent shall ensure that existing approved parking facilities for businesses are maintained in consultation with Greater Lithgow City Council.
26. The upgraded highway section shall be speed sign posted in accordance with AUSTROADS standards.

## **Flora and Fauna**

### *Construction*

27. The Proponent shall ensure that any vegetated areas cleared for construction purposes and not utilised in the operation of the project are restored to at least original condition.
28. If, during the course of construction, the Proponent becomes aware of the presence of any threatened species listed under the *Threatened Species Conservation Act 1995*, which are likely to be significantly affected and are not recognised in the EIS for the proposal, the Proponent shall immediately advise the Director-General of the NPWS. No activity which places any of these species at risk shall be undertaken until advice has been received from the NPWS. All recommendations by the NPWS shall be complied with prior to any works likely to affect any threatened species.
29. Wherever possible, seed of locally endemic species shall be collected prior to the commencement of construction to provide seed stock for revegetation purposes to the satisfaction of a qualified bushland regeneration officer acceptable to the EMR. Topsoil and leaf mulch shall be stripped and stored for placement back in the vegetation zone from where it was removed.
30. Weed infested topsoil as identified by a qualified ecologist shall not be used in the rehabilitation works unless it is to be sterilised or treated as specified by the bushland regeneration officer. Measures to control invasion of weeds during operation of the proposal, including aquatic weed species, shall also be addressed.
31. Cleared vegetation must be reused or recycled to the greatest extent practicable. Reuse option including removing millable logs, recovering fence posts, mulching and chipping unusable vegetation waste for on-site use. All reasonable measures to use any surplus vegetation shall be undertaken including donation to community groups, distribution to the local community, etc.

## **Hydrology and Flooding**

### *Flood Design Criteria*

32. The project shall be designed for a minimum 1 in 100 year Average Recurrence Interval.

### *Drainage*

33. During operation, stormwater between *Nioka* and Coxs River Road shall be captured in catch

drains at the top of cuts and table drains at the edge of the carriageway formation and directed into existing watercourses.

## **Noise and Vibration**

### *Construction Noise and Vibration Management Sub Plan*

34. A detailed Construction Noise and Vibration Management Sub Plan shall be prepared as part of the Construction EMP in consultation with the EPA. The Sub Plan shall provide details of noise and vibration control measures to be undertaken during the construction and shall include, but not be limited to:

- a) compliance standards;
- b) community consultation;
- c) complaints handling monitoring/system;
- d) site contact person to follow up complaints;
- e) mitigation measures;
- f) the design/orientation of the proposed mitigation measures demonstrating best practice;
- g) construction times;
- h) contingency measures to be implemented when noise complaints are received; and
- i) monitoring methods and program.

With respect to e) above, the Proponent shall consider the use of a range of structural and non-structural measures during construction including barriers, acoustic treatment of residences, scheduling of construction activities to minimise impacts and temporary relocation of affected residents.

### *Construction Hours*

35. All construction activities, including entry and departure of heavy vehicles are restricted to the hours of 7:00 am to 6:00 pm (Monday to Friday); 8:00 am to 1:00 pm (Saturday) and at no time on Sundays and public holidays.

Works outside these hours that may be permitted includes:

- 1) any works which do not cause noise emissions to be audible at any nearby residential property;
- 2) the delivery of materials which is required outside these hours as requested by police or other authorities for safety reasons
- 3) emergency work to avoid the loss of lives, property and/or to prevent environmental harm; and,
- 4) any other work as agreed through negotiations between the RTA and potentially affected noise receivers or as otherwise agreed by the EPA through the Construction Noise and Vibration Management Sub Plan process required by Condition 34

### *Construction Noise Criteria*

36. Where practicable the Proponent shall ensure that construction noise is within the following criteria unless otherwise agreed by the Director-General:

- (i) For a construction period of four weeks or less, the  $L_{10}$  level measured over a period of not less than 15 minutes when the construction site is in operation shall not exceed the background level by more than 20dB(A).
- (ii) For a construction period of greater than four weeks but less than 26 weeks, the  $L_{10}$  level measured over a period of not less than 15 minutes when the construction site is in operation shall not exceed the background level by more than 10dB(A).
- (iii) For a construction period greater than 26 weeks, the  $L_{10}$  level measured over a period of not less than 15 minutes when the construction site is in operation shall not exceed the background level by more than 5dB(A).

A value of 5 dB(A) shall be added to the sound pressure levels recorded from the construction activities if the noise is substantially tonal or impulsive in character.

Construction noise levels shall be monitored to verify compliance with the requirements specified in the Construction Noise and Vibration Management Sub Plan.

37. In order to minimise noise impacts during construction, the Proponent shall, where practicable or as advised by the EMR, erect operational noise mitigation measures prior to the commencement of construction.

#### *Vibration*

38. Vibratory compacters and rock breakers shall not be used closer than 50 m from residential buildings.

The vibration level due to construction activities, including both aboveground and underground work and blasting activities shall meet the requirements in the Guideline entitled *Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration* prepared by the Australian and New Zealand Environment and Conservation Council (ANZECC).

39. Dilapidation surveys shall be undertaken for all buildings located within 50 metres of the road construction area prior to the commencement of major vibration inducing construction activities. The Proponent shall be responsible for rectifying any damages occurring as a result of the construction with the cost to be borne by the Proponent.
40. The Proponent shall undertake vibration monitoring during construction in accordance with EPA requirements to confirm compliance with the limits referred to in Condition 38.

#### *Operation Noise*

41. A detailed Operational Noise and Vibration Management Sub Plan shall be prepared as part of the Operational EMP in consultation with the EPA. This Sub Plan shall include, but not be limited to:
- a) an operational noise assessment sufficient to address the technical requirements of the EPA's guideline *Environmental Criteria for Road Traffic Noise*;

- b) details of noise mitigation measures to be implemented for the operation stage;
- c) location, type and timing of the erection of any permanent noise barriers;
- d) noise monitoring, reporting and response procedures; and
- e) the urban design issues relating to noise control measures.

With respect to b) above, the Proponent shall consider the use of a range of structural and non-structural measures.

42. Monitoring of operational noise shall be undertaken as part of the Operational Noise and Vibration Management Sub Plan. The Proponent shall assess the adequacy of the traffic noise mitigation measures after six months of operation with regard to the EPA guideline '*Environmental Criteria for Road Traffic Noise*'. Should the assessment indicate a clear trend in traffic noise levels which are higher than the predictions made and exceed EPA noise criteria, the Proponent shall implement further mitigation measures including but not limited to consideration of inclusion of noise barriers, insulation of buildings and the potential for total acquisition of properties to reduce noise.

## **Soil and Water Management**

### *Soil and Water Quality Management Sub Plan*

43. As part of the Construction and Operational EMPS, a detailed Soil and Water Quality Management Sub Plan shall be prepared in consultation with the EPA. The Sub Plan shall be prepared in accordance with the Department of Housing's guideline *Managing Urban Stormwater - Soils and Construction*.

The Soil and Water Quality Management Sub Plan shall contain, but not be limited to:

- (a) management of the cumulative impacts of the development on the quality and quantity of surface and groundwater, including stormwater in storage, sedimentation dams and flooding impacts;
- (b) details of short and long term measures to be employed to minimise soil erosion and the discharge of sediment to land and/or waters;
- (c) management of the impacts of the development on nearby creeks and water bodies;
- (d) identification of all potential sources of water pollution and a detailed description of the remedial action to be taken or management systems to be implemented to minimise emissions of these pollutants from all sources within the subject site;
- (e) detailed description of water quality monitoring to be undertaken during the pre-construction, construction and operation stages of the proposal including identification of locations where monitoring would be carried out;
- (f) contingency plans to be implemented in the event of fuel spills or turbid water discharge from the site; and,
- (g) a program for reporting on the effectiveness of the sediment and erosion control system against performance goals.

### *Erosion and Sediment Control Works*

44. All water collected during construction which is likely to be contaminated, shall be tested, treated, handled and disposed of to the satisfaction of the EMR.

45. All stormwater drainage, erosion, sedimentation and water pollution control systems and facilities of the proposal shall be located, designed and constructed to meet the requirements of the EMR. All facilities including grass filter strips and sedimentation basins shall be inspected regularly and maintained in a functional condition for the life of the project by the Proponent.

### **Visual Impacts**

46. As part of the Construction and Operational EMPs, the Proponent shall prepare a detailed Landscape Management Sub Plan in consultation with Greater Lithgow City Council, all affected landowners and the Community Liaison Group. The Sub Plan shall include, but not be limited to the following:

- (i) sections and perspective sketches;
- (ii) methodology of landscaping works;
- (iii) location and identification of existing and proposed vegetation including use of indigenous species;
- (iv) location of mounds, bunds, structures or other proposed treatments; and
- (v) monitoring and maintenance procedures.

The Proponent shall also include landscape strategies incorporating other environmental controls such as erosion and sedimentation controls, noise mitigation measures, drainage structures and lighting.

47. All landscaping and native revegetation works shall be monitored and maintained by a suitably qualified landscape specialist at the Proponent's expense for a period of not less than three years. The Proponent shall implement any required remediative measures to maintain landscaping works to a high standard. Any landscaping within the road reserve shall be maintained by the Proponent for the life of the project.

### **Heritage and Archaeology**

#### *Non-Indigenous Heritage*

48. As part of the Construction EMP, the Proponent shall prepare a Non-Indigenous Heritage Management Sub Plan in consultation with the NSW Heritage Office. The Sub Plan shall include, but not be limited to, the following:

- a) details of all mitigation measures to be applied in relation to the heritage items identified in the EIS;
- b) procedures for monitoring the impacts of the project on heritage items; and
- c) procedures to comply with Condition 50.

49. The Proponent shall ensure that the causeway entrance to *Billesdene Grange* is not impacted by the project.

#### *Unexpected items*

50. If during the course of construction the Proponent becomes aware of any heritage items or archaeological material, all work likely to affect the site(s) shall cease immediately and the relevant authorities, including NPWS, Heritage Office and the relevant Local Aboriginal Land

Council shall be consulted to determine an appropriate course of action prior to the recommencement of work at that site. Appropriate supporting documentation would need to accompany any application for required permit/consent(s).

## **Air Quality**

### *Construction Air Quality Management Sub Plan*

51. As part of the Construction EMP, a specific Construction Air Quality Management Sub Plan shall be prepared in consultation with the EPA and to the satisfaction of the EMR. The Sub Plan shall provide details of all dust control measures to be implemented during the construction stage. The Sub Plan shall include measures to reduce dust from stockpiles and cleared areas or other exposed surfaces.
52. Where there is a risk of losing material, construction vehicles using public roads shall be maintained and covered to prevent any loss of load, whether in the form of dust, liquid or solids. Construction vehicles shall be maintained in such a manner that they would not track mud, dirt or other material onto any street which is opened and accessible to the public. In the event of any spillage, the Applicant is required to remove the spilt material within 24 hours.
53. In accordance with *the Protection of the Environment Operations (Control of Burning) Regulation 2000*, cleared vegetation must not be burnt without prior consultation with the EPA.

## **Spoil Disposal and Waste Management**

### *Spoil Management Sub Plan*

59. As part of the Construction EMP, the Proponent shall prepare a Spoil Management Sub Plan. This Sub Plan shall identify how spoil would be handled, stockpiled, reused and disposed. The Sub Plan shall be prepared in consultation with Greater Lithgow City Council and approved by the EMR before the commencement of construction at relevant sites.
60. All clean and/or treated spoil shall be reused or recycled where possible and cost effective to do so. The Proponent shall ensure that spoil generated from construction activities is maximised in preference to any import of fill.

## **Waste Management and Recycling Sub Plan**

61. As part of the Construction and Operational EMPs a detailed Waste Management and Reuse Sub Plan shall be prepared to the satisfaction of the EMR. The Sub Plan shall address the management of wastes during the construction and operation stages respectively. It shall be prepared prior to construction, and shall identify requirements for:
  - a) waste avoidance;
  - b) reduction;
  - c) reuse; and
  - d) recycling;and details of requirements for:

- e) handling;
- f) stockpiling;
- g) disposal of wastes: specifically contaminated soil or water, concrete, demolition material, cleared vegetation, oils, grease, lubricants, sanitary wastes, timber, glass, metal, etc.; and
- h) identifying any site for final disposal of any material and any remedial works required at the disposal site before accepting the material.

Any waste material that is unable to be reused, reprocessed or recycled shall be disposed at a landfill licensed by the EPA to receive that type of waste. The Sub Plan shall be framed using the waste minimisation hierarchy principles of avoid-reduce-reuse-recycle-dispose. This shall also include the demand for water.

As part of the Sub Plan, an Action Plan shall be prepared to promote the use of recycled materials, including construction and landscape materials. The Plan shall detail how the proposal gives consideration and support to the Government's *Waste Reduction and Purchasing Policy*. The Plan shall also include details on measures to implement energy conservation best practice.

### **Utilities and Services**

- 62. The Proponent shall identify the services potentially affected by construction activities to determine requirements for diversion, protection and/or support. This shall be undertaken in consultation with the relevant service provider(s). Any alterations to utilities and services shall be carried out to the satisfaction of the relevant service provider(s), and unless otherwise agreed to, at no cost to the service/utility provider(s).
- 63. The Proponent shall ensure that disruption to services resulting from the project are minimised and shall be responsible for advising local residents and businesses affected prior to any disruption of service.

### **Location of Construction Compounds**

- 64. No concrete batching plants are to be established under this Approval.
- 65. The Proponent shall ensure that the construction compound(s) required under this Approval are located in area(s) that satisfy the following criteria, unless otherwise agreed to by the Director-General:
  - (a) site to be located within the road reserve wherever possible;
  - (b) site to be located with ready access to the main road network;
  - (c) site to be separated from nearest residences by at least 200m unless it can be demonstrated to the satisfaction of the Director-General that there will be no adverse impacts on noise, visual and air quality;
  - (d) site is not to be located within 100m of waterways unless adequate erosion and sediment controls are implemented to protect water quality;
  - (e) site is to have low conservation significance for flora, fauna and heritage and is not to require any clearing of native vegetation beyond that which must be cleared for the proposal in any case; and,
  - (f) site to be selected so that the operation of the construction plant does not impact on the land use of adjacent properties.

The location of the construction compound(s) shall be detailed in the Construction EMP and shall include demonstration that the above criteria have been met.