# Activity Approval

Section 115B of the Environmental Planning & Assessment Act 1979

I, the Minister for Infrastructure and Planning approve under section 115B of the *Environmental Planning and Assessment Act 1979* the Activity referred to in Schedule 1, subject to the conditions in Schedule 2.

Craig Knowles MP Minister for Infrastructure and Planning Minister for Natural Resources

Dated this day of	2004	S99/01835
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# SCHEDULE 1: DESCRIPTION OF ACTIVITY

The Activity is the Mulgoa, Wallacia & Silverdale Sewerage Scheme as described in the:

- 1. Environmental Impact Statement (EIS) for the Mulgoa, Wallacia & Silverdale Priority Sewerage Program prepared by CH2M Hill for the Sydney Water Corporation dated December 1999 and the Representations Report for the Mulgoa, Wallacia & Silverdale Priority Sewerage Program prepared by the Sydney Water Corporation dated April 2001; as modified by the
- Supplement to the Representations Report dated November 2003 and Addendum to the Representations Report – Relocation of Sewage Pumping Station WL1 in Wallacia dated March 2004.

# SCHEDULE 2: CONDITIONS OF APPROVAL – MULGOA, WALLACIA & SILVERDALE PRIORITY SEWERAGE PROGRAM

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# DEFINITIONS

Activity	The Activity described in Schedule 1 of this Approval	
Approved Activity Area	The footprint of the Activity covered by the Conditions of Approval	
Conditions of Approval (the Conditions)	The Minister's Conditions of Approval for the Activity	
Construction	Includes all work in respect of the Activity <b>other</b> than survey, acquisitions, fencing, investigative drilling or excavation, building/road dilapidation surveys, minor clearing (except where threatened species, populations or ecological communities would be affected), establishing site compounds (in locations meeting the criteria of these Conditions), office work, servicing equipment, activities not involving noise and vibration or other activities certified by the EMR to have minimal environmental impact (e.g. minor access roads, minor adjustments to services/utilities, etc.)	
Department, the	Department of Infrastructure, Planning and Natural Resources	
Definition of times	Daytime is 7am to 6pm Monday to Saturday, and 8am to 6pm Sundays and Public Holidays	
	Evening is 6pm to 10pm	
	Night-time is 10pm to 7am Monday to Saturday, and 10pm to 8am Sundays and Public Holidays	
Directly Affected Landowner	Property owner identified in any of the EIS, Representations Report or CEMP to require a mitigation measure to ameliorate an identified impact to their property	
Director-General, the	Director-General of the Department (or delegate)	
Director- General's Agreement	A written advice from the Director-General (or delegate)	
Director- General's Approval	A written approval from the Director-General (or delegate)	
	Where the Director-General's approval is required under any Minister's Condition the Director-General will endeavour to provide a response within one month of receiving an approval request. The Director-General may ask for additional information if the approval request is considered incomplete. When further information is requested the time taken for the Proponent to respond in writing will be added to the one month period.	

Director- General's Report	The report provided to the Minister by the Director-General of the Department under section 115C of the EP&A Act	
Dry weather	As defined in the POEO Act Licence for Warragamba STP	
Effluent	Treated sewage from the Warragamba STP	
EIS	Mulgoa, Wallacia & Silverdale Priority Sewerage Program Environmental Impact Statement prepared by CH2M Hill for Sydney Water Corporation, dated December 1999	
Minister, the	Minister for Infrastructure and Planning	
Operation	Means the Operation of the Activity but <b>does not</b> include commissioning trials of equipment or temporary use of parts of the Activity during Construction	
POEO Act Licence	The Environment Protection Licence for the Mulgoa, Wallacia & Silverdale Sewerage Scheme including the new Warragamba STP at the junction of Silverdale Road and Nortons Basin Road	
Proponent	Sydney Water Corporation	
Publicly Available	Available for inspection by a member of the general public (for example available on an internet site or at a display centre)	
Reasonable and feasible	Consideration of best practice taking into account the benefit of proposed measures and their technological and associated operational application in the NSW/Australian context. <b>Feasible</b> relates to engineering considerations and what is practical to build. <b>Reasonable</b> 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 nature and extent of potential improvements	
Relevant Councils	Penrith City Council and Wollondilly Shire Council	
Relevant Government Departments	A government authority with a licensing or approval role for the Activity's construction or operation. This refers to the DEC, the RTA, and the Department.	
Representations Report	Mulgoa, Wallacia & Silverdale Priority Sewerage Program Representations Report prepared by the Sydney Water Corporation, dated April 2001	
River	Has the meaning given under the <i>Water Management Act 2002</i> . In summary this is "any watercourse, whether perennial or intermittent and whether comprising a natural channel or a natural channel artificially improved". A detailed description of river or waterway types is available in the classification provided in the <i>Policy and Guidelines for Bridges, Roads, Causeways, Culverts and Similar Structures</i> (NSW Fisheries 1999)	

Structure	Any fixed artificial object including residences, farm sheds, fences, dams, cable support structures, etc.
Sensitive Receiver	Residence, education institution (e.g. school, TAFE college), health care facility (e.g. nursing home, hospital) and religious facility (e.g. church)
Supplement Report	Mulgoa, Wallacia and Silverdale Priority Sewerage Scheme Supplement to the Representations Report, dated November 2003

# ABBREVIATIONS

ADWF	average dry weather flow
ARI	average recurrence interval
BOD	biochemical oxygen demand
CLG	community liaison group(s)
CMS	construction method statements
CEMP	construction environmental management plan
dB(A)	Decibel, "A" weighted scale
DEC	Department of Environment and Conservation
EIS	environmental impact statement
EMP	environmental management plan
EMR	Environmental Management Representative
ENCM	Environmental Noise Control Manual
EPA	Environment Protection Authority (now part of the DEC)
EP&A Act	Environmental Planning and Assessment Act 1979
L <sub>A90</sub>	The noise level exceeded for 90% of a monitoring period, also referred to as the background noise level
LAeq (15 mins)	Equivalent sound pressure level over a 15 minute interval
LA10 (15 mins)	Sound pressure level exceeded for 10 per cent of the time over a 15 minute period
mg/L	milligrams per litre
ML/day	Megalitres a day
OEMP	operation environmental management plan
PDWF	Peak dry weather flow
POEO Act	Protection of the Environment Operations Act 1997
RTA	Roads and Traffic Authority
SPS	sewage pumping station
STP	sewage treatment plant

# ADMINISTRATIVE CONDITIONS

#### General

- 1. The Activity must be carried out consistent with the:
  - (a) the procedures, safeguards and mitigation measures identified in the EIS and Representations Report, as modified by the Supplement to the Representations Report and Addendum to the Supplement ("Relocation of Sewage Pumping Station WL1 in Wallacia");
  - (b) the Mulgoa, Wallacia and Silverdale Sewerage Scheme, Environmental Assessment, Mulgoa Park, Littlefields Road, Mulgoa – Reticulation Extension, prepared by Sydney Water, dated October 2008;
  - (c) the Request for Modification to Minister's approvals for the Jamberoo; Mulgoa, Wallacia and Silverdale; and Picton Sewerage Schemes prepared by Sydney Water, dated 24 November 2008; and
  - (d) these Conditions.

Despite the above in the event of any inconsistency the later document shall prevail. The conditions of this approval shall prevail over any other document in the event of an inconsistency.

#### Limits of Approval:

- 1A Nothing in conditions 1(b) or 1(c) authorises any additional connections where any resultant additional flows would result in the capacity of the collection system and Sewage Treatment Plant, as permitted by condition 1(a) being exceeded.
- 1B Sydney Water must, prior to authorising any additional connections under conditions 1(b) and 1(c), review the uncommitted spare capacity and ensure that this capacity is sufficient to cater for proposed additional connections.
- 2. These Conditions do not relieve the Proponent of the obligation to obtain all other approvals and licences required under any other Act. The Proponent must comply with the terms and conditions of such approvals and licences.
- Nothing in this approval permits the Proponent to implement land application of treated effluent as part of the activity, except for revegetation of the STP site. This condition does not prohibit the inclusion of an effluent off-take point at the STP to facilitate supplying treated effluent by road tanker.

#### Compliance

#### General

4. The Proponent must notify in writing the Director-General, Relevant Government Departments and Relevant Councils of the start of the Activity's Construction and Operation. Such notification must be provided at least four weeks before the relevant start date unless otherwise agreed to by the Director-General.

- 5. It is the responsibility of the Proponent to ensure compliance with all of these Conditions and to implement any measures arising from these Conditions.
- 6. The Proponent must comply with any requirements of the Director-General arising from the Department's assessment of:
  - (a) any reports, plans or correspondence that are submitted to satisfy these Conditions of Approval; and
  - (b) the implementation of any actions or measures contained in these reports, plans or correspondence.

# Staging Report

- 7. The Proponent may elect to construct the Activity in discrete work packages or defined stages provided that such stages or work packages are consistent with these Conditions of Approval. Where discrete work packages or defined stages are proposed, the Proponent must submit a Staging Report to the Director-General at least four weeks before Construction commences (or within any other time agreed to by the Director-General). The Staging Report must:
  - (a) describe the work packages or defined stages; and
  - (b) identify how the Conditions will be addressed in each work package or defined stage.

#### Pre-Construction Compliance Report

8. The Proponent must submit a *Pre-Construction Compliance Report* to the Director-General at least four weeks before Construction commences (or within any other time agreed to by the Director-General).

The Pre-Construction Compliance Report must include:

- (a) details of how the Conditions of Approval required to be addressed before Construction were responded to;
- (b) the time when each relevant Condition of Approval was complied with including dates of submission of any required reports and/or approval dates; and
- (c) details of any approvals or licences required to be issued by Relevant Government Departments before Construction commences.

#### Pre-Operation Compliance Report

9. The Proponent must submit a *Pre-Operation Compliance Report* to the Director-General at least four weeks before Operation commences (or within any other time agreed to by the Director-General).

The Pre-Operation Compliance Report must include:

- (a) details of how the Conditions of Approval required to be addressed before Operation were responded to;
- (b) the time when each relevant Condition of Approval was complied with including dates of submissions of any required reports and/or approval dates; and

(c) details of any approvals or licences issued by Relevant Government Departments for the Activity's Operation.

# Construction Compliance Reports

10. The Proponent must provide the Director-General, Relevant Councils and any other Government department nominated by the Director-General with *Construction Compliance Reports*. The EMR must review the *Construction Compliance Reports* before they are submitted to the Director-General and bring to the Director-General's attention any errors or qualifications.

The first *Construction Compliance Report* must be submitted a maximum eight months after Construction commences and subsequent reports at maximum intervals of six months (or at any other time interval agreed to by the Director-General) for the duration of Construction. The first *Construction Compliance Report* must cover at least the first six months of Construction.

The Construction Compliance Reports must include information on:

- (a) compliance with the CEMP and the Conditions of Approval;
- (b) compliance with any approvals or licences issued by Relevant Government Departments for the Construction phase;
- (c) the implementation and effectiveness of environmental controls. The assessment of effectiveness should be based on a comparison of actual impacts against identified performance criteria;
- (d) environmental monitoring results presented as a results summary and analysis;
- (e) the number and details of any complaints, including a summary of main areas of complaint, action taken, response given and intended strategies to reduce complaints of a similar nature;
- (f) details of any review and amendments to the CEMP resulting from Construction during the six months; and
- (g) any other matter relating to the compliance with the Conditions of Approval or as requested by the Director-General.

The Construction Compliance Reports must also be made Publicly Available.

#### **Environmental Impact Audits**

#### Environmental Impact Audit Report - Construction

11. An *Environmental Impact Audit Report - Construction* must be prepared and submitted to the Director-General a maximum three months after the Activity in its entirety begins Operation. The *Environmental Impact Audit Report - Construction* must also be submitted to other Government departments upon the request of the Director-General.

The Environmental Impact Audit Report - Construction must:

- (a) identify the major environmental controls used during Construction and assess their effectiveness;
- (b) summarise the main environmental management plans and processes implemented during Construction and assess their effectiveness;
- (c) identify any innovations in Construction methodology used to improve environmental management; and

(d) discuss the lessons learnt during Construction, including recommendations for future Activities.

# Environmental Impact Audit Report - Operation

12. An *Environmental Impact Audit Report - Operation* must be submitted to the Director-General a maximum 24 months after the Activity in its entirety begins Operation and at any additional periods that the Director-General may require. The *Environmental Impact Audit Report - Operation* must also be submitted to other Government departments upon the request of the Director-General.

The Environmental Impact Audit Report - Operation must:

- (a) be certified by an independent person at the Proponent's expense. The certifier must be advised to the Director-General before the *Environmental Impact Audit Report – Operation* is prepared;
- (b) compare the Operation impact predictions made in the EIS, Representations Report and any supplementary studies with the actual impacts;
- (c) assess the effectiveness of implemented mitigation measures and safeguards;
- (d) assess compliance with the systems for operational maintenance and monitoring;
- (e) discuss the results of consultation with the local community particularly any feedback or complaints; and
- (f) be made Publicly Available.

#### ENVIRONMENTAL MANAGEMENT

#### **Construction Environmental Management**

#### Environmental Management Plan

13. A Construction Environmental Management Plan (CEMP) must be prepared in accordance with the Conditions of Approval, all relevant Acts and Regulations and accepted best practice management procedures. The Proponent must obtain the Director-General's approval for the CEMP before Construction commences or within any other time agreed to by the Director-General. The CEMP must be certified by the EMR to comply with the Conditions of Approval before the Proponent seeks the Director-General's approval for the CEMP.

The Proponent must ensure that the mitigation measures identified in the EIS, Representations Report and in these Conditions are incorporated into the CEMP.

The CEMP must:

- (a) identify the Construction activities associated with the Activity including Construction sites and the staging and timing of proposed works;
- (b) cover any other relevant environmental elements identified by the Proponent, or its contractor, from their environmental due diligence investigations;
- (c) contain the Construction Sub Plans required by the Conditions of Approval;
- (d) be prepared following consultation with Relevant Government Departments and Relevant Councils;
- (e) be Publicly Available;

- (f) include a community consultation and notification strategy (including local community, Relevant Government Departments, Relevant Councils), and complaint handling procedures;
- (g) include environmental management details such as:
  - i. identification of the statutory obligations which the Proponent is required to fulfil during Construction, including all approvals and licences;
  - ii. an environmental management structure indicating the responsibility, authority and accountability for personnel relevant to the CEMP;
  - iii. the role of the EMR;
  - iv. details of how the Construction personnel induction and training program will be managed;
  - v. emergency response procedures;
- (h) include implementation details such as:
  - i identification of relevant environmental elements;
  - ii measures to avoid and/or control environmental impacts;
  - iii the tools to be used to implement the CEMP such as plans, schedules and work instructions;
- (i) include monitoring and review details such as:
  - i. performance monitoring plans for all relevant measurable environmental elements;
  - ii. auditing and corrective actions procedures;
  - iii. CEMP review procedures.

#### **Operation Environmental Management**

#### **Operation Environmental Management Plan**

14. An Operation Environmental Management Plan (OEMP) must be prepared in accordance with the Conditions of Approval, all relevant Acts and Regulations and accepted best practice management procedures. The OEMP must be certified by the EMR to comply with the Conditions of Approval.

The OEMP must:

- (a) identify the Operation activities;
- (b) include the Operation Sub Plans required under these Conditions of Approval;
- (c) be prepared in consultation with Relevant Government Departments and Relevant Councils;
- (d) cover any relevant environmental elements identified by the Proponent either from its environmental due diligence investigations or required to satisfy any other licence or approval;
- (e) be made Publicly Available;
- (f) include environmental management details such as:
  - i identification of statutory obligations which the Proponent is required to fulfil during Operation, including all approvals and licences;
  - ii an environmental management structure indicating the responsibility, authority and accountability for personnel relevant to the OEMP;
  - iii details of a personnel induction and training program;
  - iv emergency response procedures;
- (g) include implementation details such as:
  - i identification of relevant environmental elements;
  - ii measures to avoid and/or control environmental impacts;

- iii the tools to be used to implement the OEMP such as plans, schedules and work instructions;
- (h) include monitoring and review details such as:
  - i performance monitoring plans for all environmental elements;
  - ii auditing and corrective actions procedures;
  - iii OEMP review procedures.

If the Proponent has an Operation Environmental System which is applicable to this Activity then that system may be used as an alternative to the OEMP required under this Condition provided all key operational issues identified in the EIS, Representations Report and Director-General's Report are addressed.

#### Environmental Management Representative

- 15. The Proponent must request the Director-General's approval for the appointment of an Environmental Management Representative (EMR) at least one month before Construction commences (or within any other time agreed to by the Director-General). In its request the Proponent must provide the following information, the:
  - (a) qualifications and experience of the EMR including demonstration of capability to undertake environmental auditing;
  - (b) role and responsibility of the EMR;
  - (c) authority and independence of the EMR from the project team including details of the Proponent's internal reporting structure; and
  - (d) resourcing of the EMR role. The EMR must be available:
    - i for sufficient time to undertake the EMR role This timing shall be agreed between the Proponent and the EMR and advised to the Department in the request for approval;
    - ii at any other time requested by the Department; and
    - iii during any Construction activities identified in the CEMP to require the EMR's attendance.
- 16. The Director-General may at anytime revoke the approval of an EMR appointment by providing written notice to the Proponent explaining the justification for the decision. Interim arrangements for EMR responsibility following the cancellation notice must be agreed in writing between the Department and the Proponent within such a period so as not to impact on the effective management of the project.
- 17. The Department may at anytime conduct an audit of any actions undertaken by the EMR. The Proponent must:
  - (a) facilitate and assist the Department in any such audit; and
  - (b) include in the conditions of the EMR's appointment the need to facilitate and assist the Department in any such audit.
- 18. The EMR is authorised to:
  - (a) consider and advise the Department and the Proponent on matters specified in the Conditions of Approval and compliance with such;
  - (b) determine whether work falls within the definition of Construction where clarification is requested by the Proponent;

- (c) certify the CEMP;
- (d) certify the OEMP;
- (e) review the Proponent's induction and training program for Construction personnel and monitor its implementation;
- (f) periodically monitor the Proponent's activities to evaluate compliance with the CEMP. Periodic monitoring must involve site inspections of active work sites at least fortnightly;
- (g) provide a written report to the Proponent of non-compliance with the CEMP. Noncompliance must be managed as identified in the CEMP;
- (h) direct the Proponent to stop work immediately if, in the view of the EMR, an unacceptable impact on the environment is occurring or is likely to occur. The EMR may also require that the Proponent initiate reasonable actions to avoid or minimise adverse impacts;
- (i) review corrective and preventative actions to ensure the implementation of recommendations made from audits and site inspections;
- (j) certify that minor revisions to the CEMP are consistent with the approved CEMP; and
- (k) provide regular (as agreed with the Department) reports to the Department on matters relevant to the carrying out the EMR role including notifying the Director-General of any stop work notices.

The EMR must immediately advise the Proponent and the Director-General of any incidents relevant to these Conditions resulting from Construction that were not dealt with expediently or adequately by the Proponent.

# COMMUNICATION AND CONSULTATION

# Advertisement of Activities

19. Before construction commences, and then at maximum six monthly intervals, the Proponent must advertise in relevant local newspapers the nature of the works proposed for the next six months, areas in which these works are proposed, Construction hours and a contact telephone number.

The Proponent must ensure that the local community and businesses are advised (by means such as newsletters, leaflets, newspaper advertisements, community notice boards, etc.) of the Activity's progress. Information to be provided must include:

- (a) details of any traffic disruptions and controls;
- (b) construction of temporary detours; and
- (c) work approved to be undertaken outside the normal Construction hours, in particular noisy works, before such works are undertaken.
- 20. The Proponent must establish an Activity internet site before Construction commences and maintain the internet site for a minimum 12 months after Construction ends. This internet site must contain:
  - (a) periodic updates of work progress, consultation activities and planned work schedules. The site must indicate the date of the last update and the frequency of the internet site updates;
  - (b) a description of relevant approval authorities and their areas of responsibility;
  - (c) a list of reports and plans that are Publicly Available under this Approval and details of how these can be accessed; and
  - (d) the 24 hour toll-free complaints contact telephone number.

# Community Liaison Plan

- 21. As part of the CEMP the Proponent must describe the community consultation for Activity.
- 22. The Proponent must consult all Directly Affected Landowners regarding any reasonable and feasible measures to minimise impacts. Measures identified in the EIS, Representations Report or Supplement to the Representations Report (as relevant) and the CEMP must be implemented according to a program agreed between the Directly Affected Landowner and the Proponent.

#### **Complaints Management System**

- 23. The Proponent must implement a Complaints Management System before Construction commences. The System must include:
  - (a) the name and contact details of the person(s) responsible for implementing and maintaining the Complaint Management System;
  - (b) adequate resources including people, communication facilities, transport etc.;
  - (c) a 24 hour, toll free telephone number listed with a telephone company and advertised. This telephone number must enable any member of the public to reach a person who can arrange a response to their complaint;
  - (d) a system to receive, record, track and respond to complaints within the specified timeframe. When a complaint cannot be responded to immediately, a follow-up verbal response on what action is proposed must be provided to the complainant within two hours during any night-time works and 24 hours at other times;
  - (e) a process for the provision of a written response to the complainant within 10 days, if the complaint cannot be resolved by the initial or follow-up verbal response; and
  - (f) any complaint that is unable to be resolved must be referred to the Energy and Water Ombudsman (EWON).

Information on all complaints received, including the means by which they were addressed and whether resolution was reached with or without mediation, must be included in the Construction Compliance Reports and must be made available to the Director-General on request.

#### FLORA AND FAUNA

#### Construction

- 24. As part of the CEMP, the Proponent must prepare a Flora and Fauna Management Sub Plan in consultation with Relevant Government Departments and Relevant Councils. The Sub Plan must include:
  - (a) methods to reduce and manage impacts on flora and fauna (terrestrial and aquatic) and their habitat which may be directly or indirectly affected by the Activity;
  - (b) performance goals against which to measure the success of the methods;
  - (c) ecological details including:
    - i plans showing: vegetation communities highlighting important fauna habitat areas and threatened species locations; areas to be cleared; and a clearing program. The plan must cover the Approved Activity Area and extend to vegetation in adjoining areas where this is both contiguous with the Approved Activity Area and contains important fauna habitat areas and/or threatened species;
    - ii procedures for vegetation clearing and soil management during Construction;

- iii strategies for minimising vegetation clearance within the Approved Activity Area and protection of vegetated areas outside that area;
- iv a habitat tree management program including fauna recovery procedures, potential for relocation of hollow bearing trees, compensatory management measures (such as replacement of lost hollows with nesting boxes);
- where possible, strategies for re-using individuals or populations of any threatened plant species that would otherwise be destroyed by the Activity in rehabilitation works;
- (d) rehabilitation details including:
  - i identification of the locally native species to be used in rehabilitation and landscaping works, including flora species suitable as a food resource for threatened fauna species;
  - ii the source of all seed or tubestock to be used in rehabilitation and landscaping works including the identification of seed sources within the Approved Activity Area. Seed of locally native species within the Approved Activity Area should be collected before Construction commences to provide seed stock for revegetation;
  - iii methods to re-use topsoil and cleared vegetation;
  - iv methods to ensure topsoils, and where relevant subsoils, are stripped, stored and placed back in their original sequence;
  - measures to re-use surplus vegetation such as donation to community groups or distribution to the local community;
  - vi strategies for the translocation of relevant understorey species that would otherwise be directly impacted upon by the Activity from the Approved Activity Area into rehabilitation areas;
  - vii a program for the active management and maintenance of all preserved, planted and rehabilitated vegetation (including aquatic vegetation) including watering regimes, fencing, replacement of vegetation that may have died and weed management;

Rehabilitation shall apply in particular, but not limited, to the following areas:

- areas identified to the east of the STP site on Figure 2 of Appendix B of the Supplement to the Representations Report;
- the excavation corridor for the transfer pipeline from Silverdale Road to the STP;
- ancillary construction sites including the bored pipeline entry and exit pit; and
- landscape plantings disturbed within the Mulgoa Primary School grounds.
- (e) a Weed Management Plan including:
  - i weed identification;
  - ii weed eradication methods and protocols for the use of herbicides;
  - iii methods to treat and re-use weed infested topsoil.

The Plan shall apply in particular, but not limited, to the following areas:

- Blaxland Crossing;
- Bushland area along Jerrys Creek and Megarittys Creek;
- Cumberland Plain Woodland remnants along Mulgoa Road.
- (f) a program for reporting on the effectiveness of terrestrial and aquatic flora and fauna management measures against performance goals. Management methods must be reviewed where found to be ineffective.

- 25. If during the course of Construction, the Proponent becomes aware of the presence of threatened species not identified and assessed in the EIS or Representations Report and which are likely to be affected, the Proponent must:
  - (a) immediately cease all work likely to affect the threatened species;
  - (b) inform the Director-General of the DEC and/or Director of NSW Fisheries as relevant; and
  - (c) not recommence work likely to affect the threatened species until receiving advice from the DEC and/or NSW Fisheries to do so.

As part of the OEMP, the Proponent must prepare a Bushland Restoration and Maintenance Report. The Report must describe long-term regeneration, weed control, fire management and monitoring strategies.

# HERITAGE

#### Indigenous Heritage Management

- 26. An Indigenous Heritage Management Sub Plan must be prepared as part of the CEMP. The Sub Plan must be prepared in consultation with the relevant Councils, Local Aboriginal Land Councils and DEC and include:
  - (a) details of the archaeological investigations to be undertaken (if any) and any associated licences or approvals required;
  - (b) procedures to be implemented if previously unidentified Aboriginal objects are discovered during Construction; and
  - (c) an education program for all personnel on their obligations for Aboriginal cultural materials.

#### Aboriginal Objects

27. If during the course of Construction the Proponent becomes aware of any unexpected Aboriginal object(s), all work likely to affect the object(s) must cease immediately and the DEC informed in accordance with the *National Parks and Wildlife Act 1974*.

#### **Historical Relics**

- 28. An Historical Relic Management Sub Plan must be prepared as part of the CEMP. The Sub Plan must be prepared in consultation with the Heritage Office and Relevant Councils and include:
  - (a) procedures to be implemented if previously unidentified historical relics are discovered during Construction; and
  - (b) an education program for all personnel on their obligations for historic relics.
- 29. If during the course of Construction the Proponent becomes aware of any unexpected historical relic(s), all work likely to affect the site(s) must cease immediately and the Heritage Council notified in accordance with the *Heritage Act* 1977.

# NOISE AND VIBRATION

# Construction Noise and Vibration Management Sub Plan

- 30. The Proponent must prepare a detailed Construction Noise and Vibration Management Sub Plan as part of the CEMP. The Sub Plan must be prepared in consultation with the Relevant Councils and must include:
  - (a) identification of each work area, site compound and Construction depot;
  - (b) identification of the specific activities that will be carried out and associated noise sources for each work area, site compound and Construction depot;
  - (c) identification of all potentially affected noise sensitive receivers;
  - (d) the Construction noise objective specified in the Conditions of Approval;
  - (e) the Construction vibration criteria specified in the Conditions of Approval;
  - (f) determination of appropriate noise and vibration objectives for identified noise sensitive receivers;
  - (g) noise and vibration monitoring, reporting and response procedures;
  - (h) assessment of potential noise and vibration from the proposed Construction methods including noise from Construction vehicles and any traffic diversions;
  - (i) analysis of feasible noise mitigation measures such as:
    - i maximising the separation distance between noisy plant items and sensitive receivers;
    - ii Construction timetabling, in particular for works outside standard hours, to minimise noise impacts. This may include time and duration restrictions and respite periods;
    - iii avoiding using noisy plant simultaneously and/or close together, adjacent to sensitive receivers;
    - iv orienting equipment away from sensitive receivers;
    - v carrying out loading and unloading away from sensitive receivers;
    - vi use of dampened tips on rock breakers;
    - vii use of portable enclosures around mobile and fixed plant where noise impacts are likely to be unacceptable;
    - viii using noise source controls, such as the use of residential class mufflers, to reduce noise from all plant and equipment including bulldozers, cranes, graders, excavators and trucks;
    - ix selection of plant and equipment based on noise emission levels;
    - x use of alternative Construction methods;
    - xi alternative arrangements with directly affected landowners or residents of such properties such as temporary relocation;
    - xii selecting site access points and roads as far as possible away from sensitive receivers; and
    - xiii use of spotters, Closed Circuit Television Monitors and 'smart' reversing alarms in place of traditional reversing alarms.
  - (j) a description of management methods and procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during Construction;
  - (k) justification for any activities outside the Construction hours specified in the Conditions of Approval. This includes identifying areas where Construction noise would not be audible at any sensitive receiver;
  - (I) internal noise audit systems including recording of daily hours of Construction, progressive impact assessments as the work proceeds and site inspections by the EMR;
  - (m) procedures for notifying residents of Construction activities that are likely to affect their noise and vibration amenity;

- (n) contingency plans to be implemented in the event of non-compliances and/or noise complaints; and
- (o) education of Construction personnel about noise minimisation.

#### **Construction Hours**

31. Construction activity must be restricted to between 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 may be undertaken outside these hours where:

- (a) the delivery of materials is required outside these hours by the Police or other authorities for safety reasons;
- (b) it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or
- (c) the work is identified in the Construction Noise and Vibration Management Sub Plan and approved as part of the CEMP. This includes the identification of Construction areas where work could be undertaken that would be inaudible at sensitive receivers.

Local residents should be informed of the timing and duration of work approved under item (c) at least 48 hours prior to commencement of that work.

#### **Construction Noise Objective**

- 32. Construction noise shall aim to meet the following guideline levels:
  - For a construction period of four weeks and under, the L<sub>10</sub> level, measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 20 dB(A).
  - For a construction period of greater than four weeks and not exceeding 26 weeks, the L<sub>10</sub> level, measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the background level by more than 10 dB(A).
  - For a construction period greater than 26 weeks, the L<sub>10</sub> level, measured over a period of not less than 15 minutes when the construction site is in operation, must not exceed the existing background noise level by more than 5 dB(A).

If the noise from a Construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the *NSW Industrial Noise Policy*), 5dB(A) must be added to the measured Construction noise level when comparing the measured noise with the Construction noise objective.

Background noise levels are those identified in the EIS or Representations Report or otherwise identified in the Construction Noise and Vibration Management Sub Plan.

Any potential activities that may cause noise emissions that exceed the objective must be identified and managed in accordance with the Construction Noise and Vibration Management Sub Plan. The Proponent must implement all feasible noise mitigation and management measures with the aim of achieving the Construction noise objective.

#### **Construction Noise Management**

- 33. The Proponent must ensure that public address systems used at any Construction site are not used outside the Construction hours detailed in the Conditions of Approval unless otherwise specified in the Construction Noise and Vibration Management Sub Plan. Public address systems must be designed to minimise noise spillage off-site (for example by using directional speakers, volume control with background noise adjustments, locating and pointing speakers away from sensitive receivers etc.).
- 34. The Proponent must schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours unless otherwise approved in the Construction Noise and Vibration Management Sub Plan:
  - (a) 9 am to 12 pm and 2 pm to 5 pm Monday to Friday; and
  - (b) 9 am to 12 pm, Saturday
- 35. The Proponent must consult with education institutions and minimise the impact of noise generating Construction works in their vicinity. The Proponent must ensure that Construction works audible at an institution are not timetabled during important events, such as examination periods, unless arrangements acceptable to the affected institutions are made at no cost to the affected institutions.

#### **Vibration Criteria**

- 36. Vibration caused by Construction and received at any residence or structure outside the Approved Activity Area must be limited to:
  - (a) for structural damage vibration, be limited to German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures and/or BS7365-2:1993 Evaluation and Measurement of Vibration in Buildings. Where there is an inconsistency between these standards, the more stringent criteria shall apply.
  - (b) for human exposure to vibration, be limited to, the evaluation criteria presented in British Standard BS 6472 - *Guide to Evaluate Human Exposure to Vibration in Buildings* (1Hz to 80 Hz) for low probability of adverse comment.

These limits apply unless otherwise approved in the Construction Noise and Vibration Management Sub Plan.

#### **Operation Noise Management**

#### **Operational Noise Monitoring**

37. The Proponent must monitor the STP's operating noise at maximum intervals of six months for a minimum 12 months after Operation commences. Should monitoring indicate noise levels exceeding the amenity criteria specified in Table 3 of the Supplement to the Representations Report, the Proponent must implement further noise mitigation measures in consultation with the DEC.

#### PHYSICAL ISSUES

# Soil and Water Quality Management Sub Plan

- 38. As part of the Construction EMP, the Proponent must prepare a Soil and Water Management Sub Plan in consultation with the DEC, the Departments and Relevant Councils. The Sub Plan must:
  - (a) where relevant, be consistent with the Department of Housing's guideline *Managing Urban Stormwater - Soils and Construction and* the RTA's *Guidelines for the Control of Erosion and Sedimentation in Roadworks;*
  - (b) identify the Construction activities that could cause soil erosion or discharge sediment or water pollutants from the site;
  - (c) describe the management methods to minimise soil erosion or discharge of sediment or water pollutants from the site including a strategy to minimise the area of bare surfaces during Construction (such as progressive site rehabilitation);
  - (d) describe the location and capacity of all erosion and sediment control measures;
  - (e) identify the timing and conditions under which Construction stage controls will be decommissioned;
  - (f) include contingency plans to be implemented for events such as fuel spills; and
  - (g) identify how the effectiveness of the sediment and erosion control system will be monitored, reviewed and updated.

#### **Contaminated Soil**

39. Prior to construction of the sewage pumping station at the Warragamba STP site, the site must be investigated to confirm the presence or absence of contamination. If contamination is present, the site must be managed in accordance with the relevant legislative requirements approved by the DEC before the likely disturbance. The investigations and proposed measures shall be detailed in the Soil and Water Management Plan required in Condition 38.

#### **Directional drilling**

- 40. The Proponent must address management of Drilling Slurry for all directional drilling sites as part of the CEMP. The CEMP must cover monitoring of cutting fluid returns and actions to be taken in the event of losses in drilling fluid.
- 41. The Proponent shall conduct detailed geotechnical investigations such as core samples in the area of the proposed directional drill boreholes to determine the soundness of the strata. Details of the geotechnical investigations shall be included as part of the CEMP.

#### Effluent Discharge

- 42. After Operation commences, the average dry weather flow discharge to the Warragamba River is not to exceed 1.35 ML/day. This condition does not apply if the scheme is subject to a system licence issued by the DEC under the POEO Act, provided that any such licence specifically addresses the dry weather flow requirements consistent with the Supplement to the Representations Report.
- 43. Effluent discharged to Warragamba River must attain the effluent quality targets nominated in Table 1 of the Supplement to the Representations Report. The targets must be attained following Optimisation of the STP Process or within a maximum 18 months of Operation commencing whichever is shorter. These criteria are summarised in the Effluent Quality Table. The criterion unit for all parameters is milligrams per litre and testing protocols are as specified in the POEO

Act Licence. This condition does not apply if the scheme is subject to a system licence issued by the DEC under the POEO Act, provided that any such licence specifies parameter limits as identified in the Effluent Quality Table below, at the same or lower concentration limits.

Parameter	50 Percentile	90 Percentile
	concentration limit	concentration limit
Total Nitrogen (TN)	7.5	10
Total Phosphorus (TP)	0.15	0.3
Ammonia nitrogen (NH <sub>3</sub> -N)	0.5	1
Biological Oxygen Demand (BOD)	5	10
Faecal Coliforms (FC)	150	

# Effluent Quality Table

44. The Proponent shall ensure that Total Nitrogen (TN) and Total Phosphorous (TP) loads discharged from the Activity are consistent with the predictions in Section 3.2 of Appendix A of the Supplement to the Representations Report<sup>1</sup>. This condition does not apply if the scheme is subject to a system licence issued by the DEC under the POEO Act, provided that any such licence specifies TN and TP load limits and following any further analysis as required by the DEC.

# Effluent Re-use

- 45. The Proponent must provide an Effluent Re-use Report to the Director-General by 30<sup>th</sup> June 2006 (or within any other timeframe agreed to by the Director-General) on the potential for implementation of a re-use scheme for effluent from the new Warragamba STP. The report must include details of the:
  - (a) information on the implementation of the Proponent's Recycled Water Program across the Proponent's STP catchments and where the Mulgoa, Wallacia and Silverdale catchment features in this program;
  - (b) POEO Act Licence requirements;
  - (c) sites considered for effluent application and their status of implementation, and reasons for rejection of those sites considered to be unsuitable for effluent application;
  - (d) for any sites identified by the Proponent as suitable for effluent application, the Proponent shall prepare a suitability analysis including water balances, nutrient budgets, commercial viability, environmental and public health benefits and potable water savings. The analysis will also include:
    - i quantity of effluent to be reused;
    - ii monitoring requirements; and
    - iii amount of licensed extraction from the Hawkesbury-Nepean River potentially replaced by the effluent supply.

The Effluent Re-use Report must consider the:

- (a) Statement of Joint Intent for the Hawkesbury-Nepean River System;
- (b) outcomes of the Healthy Rivers Commission Inquiry into the Hawkesbury-Nepean River;
- (c) Integrated Effluent Management Strategy for Hawkesbury-Nepean STPs;

<sup>&</sup>lt;sup>1</sup> Appendix A of the Supplement to the Representations Report predicted that TN would be approximately 3096 kg/year and TP would be approximately 64 kg/year.

- (d) Final Report of the Hawkesbury-Nepean River Management Forum titled "Water and Sydney's Future" (March 2004);
- (e) Water Management Plan for the Hawkesbury-Nepean River; and
- (f) the environmental issues and goals set out in relevant guidelines including EPA (1995) Environmental Guidelines for Industry – The Utilisation of Treated Effluent by Irrigation and the National Water Quality Management Strategy (2000) Guidelines for Sewerage Systems – Use of Reclaimed Water, or as updated;
- (g) requirements specified by the Operating Licence issued to the Proponent under the Sydney Water Act 1994.

#### **Overflow Management**

- 46. Each Sewage Pumping Station shall be designed to contain a minimum of four (4) hours peak dry weather flow. This condition does not apply if the scheme is subject to a system licence issued by DEC under the POEO Act, provided that any such licence specifically addresses sewage storage requirements at the SPSs consistent with the EIS.
- 47. The Mulgoa, Wallacia and Silverdale Sewerage Scheme is to be designed and constructed such that when it is operational:
  - a) dry weather overflows from the sewerage reticulation system (excluding sewage pumping stations) are not to occur, if a cause of the overflow is a failure to operate and maintain any part of the system in a proper and efficient manner;
  - b) no sewage overflows are to occur from sewage pumping stations in dry weather;
  - c) there shall be no more than 10 wet weather overflows in a ten year period from the sewerage reticulation system. The adequacy of this standard for wet weather overflows shall be monitored for environmental performance and reported as part of the Environmental Impact Audit Report – Operation.

This condition does not apply if the scheme is subject to a system licence issued by the DEC under the POEO Act, provided that any such licence specifically addresses the sewerage system's overflow performance consistent with the EIS.

For the purpose of this condition, the Mulgoa, Wallacia and Silverdale Sewerage Scheme does not include the reticulation system of the Warragamba village.

#### Flooding

48. All electrical equipment associated with the SPSs shall be located above the 100 ARI flood level.

#### **Spoil and Fill Management**

49. All material excavated from the works must be re-used or recycled where suitable and costeffective. The Proponent must ensure that the re-use of material generated from Construction activities is maximised in preference to importing fill.

#### Air Quality

#### Dust Management Sub Plan

50. A Dust Management Sub Plan must be prepared as part of the CEMP. The Sub Plan must identify:

- (a) potential sources of dust;
- (b) dust management objectives consistent with EPA guidelines;
- (c) a monitoring program to assess compliance with the identified objectives;
- (d) mitigation measures to be implemented, including measures during weather conditions where high level dust episodes are probable (such as strong winds on hot, sunny days); and
- (e) a progressive rehabilitation strategy for exposed surfaces with the aim of minimising exposed surfaces.

#### Construction

- 51. Construction vehicles using public roads must be maintained to prevent any loss of load, whether in the form of dust, liquid or soils. Construction vehicles must be maintained to minimise tracking of any mud, dirt or other material onto any street which is opened and accessible to the public. In the event of any spillage, the Proponent must remove the spilled material as soon as practicable within the working day that the spillage is known.
- 52. The Proponent must ensure that all plant and equipment used in connection with the Activity are:
  - (a) maintained in a proper and efficient condition; and
  - (b) operated in a proper and efficient manner.

#### Odour Management

- 53. The Proponent must prepare an Odour Management Plan for the final design layout of the STP as part of the OEMP. The Odour Management Plan must:
  - (a) be prepared in consultation with the Relevant Councils;
  - (b) identify all point and diffuse sources of odour at the STP and establish odour emission concentrations and rates from each source;
  - (c) present the results of odour dispersion modelling for the operations of the STP. Odour dispersion modelling must be carried out in accordance with the EPA document *Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in New South Wales* (August 2001, or as amended); and
  - (d) contain details of a monitoring program to be implemented to verify the modelling.
- 54. The Proponent must outline in the OEMP any contingency measures to deal with odour occurrences at the SPSs.

#### Greenhouse Gases

#### Construction Stage

- 55. The Proponent must promote the reduction of greenhouse gases by adopting energy efficient work practices including:
  - (a) developing and implementing procedures to minimise energy waste;
  - (b) conducting awareness programs as part of induction for all site personnel regarding energy conservation methods; and
  - (c) conducting regular energy audits during the Activity to identify and address energy consumption.

## SOCIAL AND ECONOMIC ISSUES

#### Property Damage and Access

- 56. Subject to landowner agreement, building condition surveys must be conducted on all structures within:
  - (a) 200 metres of blasting; or
  - (b) 50 metres of Construction activities that generate vibration impacts; or
  - (c) any other locations identified by the EMR.

Building condition surveys must be undertaken at least 30 days before Construction occurs within the distance limits described in this Condition.

The owners of all properties for which building condition surveys are to be conducted must be advised at least 14 days before the survey of its scope and methodology and of the process for making a property damage claim. A copy of the survey must be given to each affected owner at least three weeks before Construction that could affect the property commences. A register of all properties surveyed must be maintained by the Proponent indicating whether the owner accepted or refused the survey offer. A copy of the register must be provided to the Director-General upon request.

- 57. Building condition surveys need not be undertaken if a risk assessment indicates structures will not be affected. The risk assessment must be undertaken before Construction commences by geotechnical and construction engineering experts with appropriate registration on the National Professional Engineers Register.
- 58. The Proponent must consult all Affected Landowners regarding any practical and cost-effective measures to minimise impacts. Mitigation measures should be implemented according to a program discussed between the Affected Landowner and the Proponent if consistent with the Conditions of Approval.
- 59. The Proponent where liable must ensure rectification of property damage caused by the Activity's Construction or Operation. Alternatively, the Proponent may negotiate compensation for the property damage with the landowner.

#### **Access to Properties**

60. The Proponent must ensure that access to properties is maintained throughout Construction. The Proponent must ensure that any legal property access affected by the Activity is reinstated to an equivalent standard or that alternative arrangements are negotiated with the relevant landowner(s).

#### **Traffic and Roadworks**

61. Road dilapidation reports must be prepared for all roads likely to be used by Construction traffic before Construction commences and after Construction is complete. Copies of the reports must be provided to the Relevant Councils. Any damage resulting from Construction, aside from that resulting from normal wear and tear, must be repaired at the cost of the Proponent.

Nothing in this Condition shall be taken as restricting the Proponent from negotiating an alternative arrangement for road damage with either the RTA or Relevant Councils.

- 62. The Proponent must prepare a Construction Traffic Management Sub Plan as part of the CEMP in consultation with Relevant Councils and/or the Police and the RTA. The Sub Plan must include:
  - (a) identification of all public roads to be used by Construction traffic, in particular roads proposed for the transport of large quantities of Construction materials. The timing and duration of road usage must be stated;
  - (b) management methods to ensure Construction traffic uses identified roads. This must include actions to be taken in sensitive traffic areas such as in the vicinity of the Mulgoa Public School and Wallacia Public School;
  - (c) identification of all public roads which may be partially or completely closed during Construction. Consideration must be given to programming Construction works to minimise road closures during peak periods;
  - (d) impacts on existing traffic (including pedestrians, vehicles, cyclists and disabled persons);
  - (a) temporary traffic arrangements including property access;
  - (b) access to Construction sites including entry and exit locations and measures to prevent vehicles queuing on public roads;
  - (c) a response plan for any Construction traffic incident; and
  - (d) appropriate review and amendment mechanisms.
- 63. Prior to commencement of construction works at the STP, the need to widen Nortons Basin Road up to the STP access road to ensure traffic safety in this area must be assessed.

# LANDSCAPE DESIGN

#### **Pre-Construction Report**

- 64. The Proponent must prepare a Landscape Design Report for the new STP before Construction commences. The Proponent must provide the Landscape Design Report to the Director-General before Construction commences or within any other time agreed to by the Director-General. The Report must include design treatments for the following:
  - (a) landscape elements and built elements, including the proposed treatments, finishes and materials of exposed surfaces (including colour specifications and samples); and
  - (b) lighting.

The Report must also include the following information:

- (a) a schedule of species to be used in landscaping and revegetation of the STP site;
- (b) details of the timing and progressive implementation of landscape works; and
- (c) procedures and methods to monitor and maintain landscaped or rehabilitated areas at the STP site.

#### Construction

65. All rehabilitation works must be monitored and maintained by a suitably qualified landscape specialist at the Proponent's expense for a period of three years following completion of any revegetation or as otherwise identified in the Landscape Design Report. The Proponent must

implement any required remedial measures to maintain rehabilitation works to their design standard.

66. Before Construction commences, the Proponent must consult with all residents and landowners in the vicinity of each SPS regarding the final siting of the SPS and proposed rehabilitation works and screening following construction works. Mitigation measures should be implemented according to a program discussed with the Affected Landowner and the Proponent if consistent with the Conditions of Approval.

#### MISCELLANEOUS REQUIREMENTS

#### Hazards and Risk Management

- 67. As part of the Construction and Operation EMPs, the Proponent must prepare and implement a Hazards and Risk Management Sub Plan. These Sub Plans must include:
  - (a) details of the hazards and risks associated with the Activity. This must include the need at the STP to ensure appropriate separation distances between the Spent Pickle Liquor and Sodium Hypochlorite tanks, pumps and pipes to minimise the likelihood of accidental contact of one chemical with the other; and
  - (b) pro-active and reactive mitigation measures including contingency plans to be implemented in the event an identified hazard occurs.

#### Waste Management and Recycling

- 68. As part of the Construction and Operation EMPs the Proponent must prepare Waste Management and Re-use Sub Plans. The Sub Plans must address the management of wastes in accordance with the NSW Government's Waste Reduction and Purchasing Policy. The Sub Plans must identify requirements for:
  - (a) the application of the waste minimisation hierarchy principles of avoid-reduce-re-use-recycle-dispose;
  - (b) waste handling and storage;
  - disposal of wastes. Specific details must be provided for cleared vegetation, contaminated materials, glass, metals and plastics, hydrocarbons (lubricants and fuels) and sanitary wastes;
  - (d) any waste material that is unable to be re-used, re-processed or recycled must be disposed at a facility licensed by the DEC to receive that type of waste; and
  - (e) implementation of energy conservation best practice.

#### Utilities and Services

- 69. The Proponent must identify the utilities and services (hereafter "services") potentially affected by Construction to determine requirements for diversion, protection and/or support. Alterations to services must be determined by negotiation between the Proponent and the service providers. The Proponent in consultation with service providers must ensure that disruption to services resulting from the Activity are minimised and advised to customers.
- 70. The Proponent must consult with relevant councils and/or the RTA regarding the proposed attachment of any pipeline to bridge crossings within the local government area to ensure that their requirements are met.

#### **Location of Construction Facilities**

- 71. The sites for Construction compounds and ancillary sites, such as temporary concrete batching plants, must satisfy the following criteria unless otherwise identified in the CEMP:
  - (a) be located within the Approved Activity Area;
  - (b) have ready access to the local road network;
  - (c) be located to minimise the need for heavy vehicles to travel through residential areas;
  - (d) be sited on relatively level land;
  - (e) be separated from nearest residences by at least 200 m (or at least 250 m for a temporary concrete batching plant);
  - (f) not be within 100 m of, or drain directly to, SEPP 14 wetlands;
  - (g) not be located within 100 m of a river;
  - (h) be located above the 20 ARI flood level unless a contingency plan to manage flooding is prepared and implemented;
  - (i) have low conservation significance for flora, fauna or heritage and must not require any vegetation clearing beyond that already required for the Activity; and
  - (j) not affect the land use of adjacent properties.

The location of any Construction compounds and ancillary sites must be detailed in the CEMP and must include an analysis against the above criteria.