Schedule 1

Conditions of Approval – New Crossing of the Murray River Between Corowa (NSW) and Wahgunyah (Victoria)

The following acronyms and abbreviations are used in this section:

Department, the	Department of Planning
Director-General, the	Director-General of the Department of Planning or delegate
DLWC	Department of Land and Water Conservation
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EMR	Environmental Management Representative
ENCM	Environmental Noise Control Manual
EP& A Act	*Environmental Planning and Assessment Act 1979*
EPA	Environment Protection Authority
Minister, the	Minister for Planning
NMSP	Noise Management Sub Plan
NPWS	National Parks and Wildlife Service
NVMSP	Noise and Vibration Management Sub Plan
Proponent, the	In these conditions, at the time of approval, the Proponent is the NSW Roads and Traffic Authority.
PSA	Planning Scheme Amendment

General

1. The proposal shall be carried out in accordance with:
   i. the proposal contained in the Environmental Impact Statement (EIS) and Planning Scheme Amendment "New Crossing of the Murray River" prepared for the Roads and Traffic Authority (RTA) and Vic Roads by PPK, August 2000, and the Representations Report "New Crossing of the Murray River – Between Corowa and Wahgunyah" prepared by RTA Environmental Technology for the RTA and dated March 2001;
   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.

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

3. 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.

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

Compliance

General

5. 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.

6. 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

7. 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

8. At least one month prior to commissioning of the proposal[1] (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.

Dispute Resolution

9. 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 to the Director-General and, if the matter cannot be resolved, then to the Minister for resolution. The Minister's determination of the disagreement shall be final and binding on all parties.

Contact Telephone Number

10. 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

[1] The Period of one month referred to in this condition may be altered as agreed by the Director-General.

member of the general public to reach a person who can arrange for an appropriate response to the complaint.

Complaints Register

11. 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.

12. 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

13. The Proponent shall notify the Director-General and all relevant authorities in writing of the project's:
    i. commencement of construction; and
    ii. commencement of operation.

Advertisement of Activities

14. 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.

15. 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.

16. The Proponent shall establish a project internet site prior to the commencement of construction and maintain the internet site until 12 months after commencement of operation of the project. The internet site shall contain monthly updates of work progress and consultation activities, including but not be limited to:
    i. a description of relevant approval authorities and their areas of responsibility;
    ii. a list of environmental management reports that are publicly available and the executive summaries of those reports;
    iii. minutes of community liaison group meetings;
    iv. bi-monthly newsletters;
    v. contract names and phone numbers of the project communications staff; and
    vi. 24 hour toll-free complaints contact telephone number.

    Updates of work progress and construction activities shall be provided more frequently where significant changes in the noise impacts are expected.

Community Liaison Group

17. A Community Liaison Group (CLG) 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 CLG shall include, unless otherwise agreed by the Director-General, the Environmental Management Representative, representatives from the Proponent, the contractor, relevant local community and business groups, any relevant State agency, and Corowa Shire Council.

Issues for discussion shall include, but not be limited to: business impacts; flora and fauna controls; noise control measures; access arrangements; air and water quality; landscaping requirements; hydrology and flooding issues; 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. In the event of any dispute between the Group and the Proponent, the Proponent's decision shall be considered as final so long as it is not inconsistent with the Conditions of Approval.

Environmental Management Representative

18. Prior to the commencement of construction, the Director- General shall approve the appointment of the person nominated to serve as the Environmental Management Representative (EMR). In considering the appointment, the Director- General shall take into account:
    i. the qualifications and experience of the EMR including demonstration of general compliance with the principles of AS/NZS ISO 14012:1996 *Guidelines for Environmental Auditing : Qualification criteria for environmental auditors*;
    ii. the role and responsibility of the EMR; and,
    iii. the authority and independence of the EMR including details of the Proponent's internal reporting structure. This shall include the authority to stop work immediately 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.

19. The EMR shall have responsibility for:
    i. consideration and advice on matters specified in the conditions of approval;
    ii. compliance with these conditions; and
    iii. facilitation of an induction and training program for all persons involved with the construction works.

20. The EMR shall immediately advise the Proponent and the Director-General of any major issues resulting from the construction of the project that have not been dealt with expediently or adequately by the Proponent.

21. The EMR shall be available during construction activities at the site and be present on-site during any critical construction activities as defined in the relevant Environmental Management Plan (EMP).

Environmental Management System

22. The Proponent will only approve 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 proved environmental management performance record.

Construction Environmental Management Plan

23. Prior to the commencement of construction, a Construction Environmental Management Plan (EMP) shall be prepared, following consultation with the EPA, DLWC, NPWS, NSW Fisheries, and Corowa Shire Council. Where construction activities may be undertaken in discrete stages, the Proponent may prepare individual EMPs relating to specific stages of construction.

24. The Construction EMP shall be prepared in accordance with the conditions of this approval and accepted best practice management procedures, and shall be made publicly available.

25. The Construction EMP shall be certified as being in accordance with the conditions of approval by the EMR prior to seeking approval of the Director-General.

26. The Construction EMP shall require approval by the Director-General prior to substantial construction works.

27. The Construction EMP shall be made publicly available after approval by the Director-General.

28. The Construction EMP shall:
    i. address construction activities associated with all key construction sites, including staging and timing of the proposed works;
    ii. 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 and acid sulfate soils, 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; and utilities[2]; and
    iii. address, but not be limited to:
        a. 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;
        b. definition of the role, responsibility, authority, accountability and reporting of personnel relevant to compliance with the EMP;
        c. measures to avoid and/or control the occurrence of environmental impacts;
        d. measures (where possible and cost effective) to provide positive environmental offsets to unavoidable environmental impacts
        e. the role of the EMR;
        f. environmental management procedures for all construction processes which are important for the quality of the environment in respect of permanent and/or temporary works;
        g. 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;
        h. 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;
        i. steps the Proponent intends to take to ensure that all plans and procedures are being complied with;
        j. consultation requirements with relevant government agencies; and
        k. community consultation and notification strategy (including local community, relevant government agencies, and Corowa Shire Council), and complaints handling procedures.

Construction Environmental Monitoring

29. The Proponent shall submit to the Director-General reports in respect of the environmental performance of the construction works and compliance with the Construction EMP and any other

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[2] Specific requirements for some of the main environmental system elements shall be as required under the conditions of this approval and/or as required under any licence or approval.

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:

i. applications for consents, licences and approvals, and responses from relevant authorities;
ii. implementation and effectiveness of environmental controls and conditions relating to the work undertaken;
iii. 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;
iv. details and analysis of results of environmental monitoring;
v. 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
vi. 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 the EPA, DLWC and Corowa Shire 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

30. An Operational Environmental Management Plan shall be prepared prior to the commencement of operation. The Operational EMP shall be prepared in consultation with the EPA, DLWC, NPWS, Corowa Shire Council and any other relevant government agency nominated by the Director-General. The Operational EMP shall be prepared in accordance with the conditions of this approval, all relevant Acts and Regulations and accepted best practice management procedures.

31. The Operational EMP shall be certified as being in accordance with the conditions of approval by the EMR prior to seeking approval of the Director-General.

32. The Operational EMP shall be approved by the Director-General prior to commissioning.

    The Director-General shall provide a response to the Operational EMP within one (1) month of receipt of all relevant information from the Proponent assuming receipt of adequate and sufficient information. 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 one (1) month period referred to above.

33. The Operational EMP shall include but not be limited to:
    i. 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;
    ii. identification of environmental performance criteria;
    iii. a description of the sampling strategies and monitoring protocols (eg. specific monitoring requirements, and sampling frequency and locations, including any requirements of the EPA, NPWS, and DLWC) proposed to be used to test the environmental performance criteria.
    iv. steps the Proponent intends to take to ensure compliance with all plans and procedures;
    v. description of the consultation requirements/arrangements with relevant government agencies, the local community, and relevant Councils including complaints handling procedures; and
    vi. management strategies for the environmental system elements including but not limited to: noise; water; air quality; erosion and sedimentation; access and traffic; groundwater;

waste/resource management/removal/disposal; flora and fauna; hydrology and flooding; visual screening, landscaping and rehabilitation; and hazards and risks.

Specific requirements for some of the environmental system elements referred to in Condition of Approval No. 33 vi shall be as detailed under the conditions of this approval and/or as required under any licence or approval.

34. The Operational EMP shall be made publicly available after approval by the Director-General.

35. All sampling strategies and protocols undertaken as part of the Operational EMP shall include a quality assurance/quality control plan and shall be approved by the relevant regulatory agencies to ensure the effectiveness and quality of the monitoring program. Only accredited laboratories can be used for laboratory analysis.

Environmental Impact Audit Report

36. An Environmental Impact Audit Report shall be prepared by an independent person at the Proponent's expense and submitted to the Director-General, the EPA, DLWC, and, upon request by the Director-General, to any other relevant government authority after commissioning and operation of the proposal.

37. The Environmental Impact Audit Report shall be submitted 12 months after commissioning of the project and after the first 1 in 2 year, 1 in 20 year, and 1 in 100 year flood episode, or at any additional periods thereafter as the Director-General may require.

38. The Environmental Impact Audit Report shall:
    i. assess the key impact predictions made in the EIS/PSA and any supplementary studies including upstream flood levels (afflux), the extent of inundation, duration of inundation, and velocity of flows within the floodplain and main river channel;
    ii. detail the extent to which actual impacts reflect the predictions;
    iii. provide details on actual versus predicted impact for all key impact issues identified in the EIS/PSA;
    iv. assess the suitability of implemented mitigation measures and safeguards;
    v. 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; and
    vi. assess compliance with the Construction EMP.

39. The Proponent shall comply with all reasonable requirements of the Director-General, EPA, DLWC and other relevant authorities with respect to any reasonable measure arising from, or recommendations in, the report.

40. The Report shall be made publicly available.

Economic Impacts

41. The Proponent shall, in consultation with Corowa Shire Council, VicRoads, and the Community Liaison Group established in accordance with Condition of Approval No. 17:
    i. provide advance signage at the NSW and Victorian intersection of the proposal to indicate the turn-off to both Corowa and Wahgunyah respectively;
    ii. provide a boat entry facility to the Murray River for Rivergum Caravan Park residents and visitors, downstream of the proposal;
    iii. at its own expense, prepare and undertake the planting of trees along Honour Avenue to provide an attractive gateway feature to the Corowa;
    iv. provide advance signage that describes a range of tourist facilities and services available in Corowa and Wahgunyah; and

v. provide visual signals at the intersections with Honour Avenue and Rutherglen Road of the turn-off to Corowa and Wahgunyah by way of feature plantings.

Property and Land Use

42. The Proponent shall ensure that access to properties fronting the highway and the service road are maintained throughout the construction period. The Proponent shall ensure that any access way affected by the proposal is reinstated to an equivalent standard or that adequate compensation is negotiated with the relevant landowner(s).

43. The Proponent shall consult on a regular basis with all affected landowners regarding any practical and cost effective measures to minimise impacts which may be implemented prior to the commencement of construction or within such time as agreed with the relevant landowner.

Traffic and Access

44. The Proponent shall consult with Corowa Shire Council to develop management techniques for construction traffic on local roads, prior to commencement of construction.

45. The Proponent shall monitor the use of local roads by construction heavy vehicle traffic in consultation with Corowa Shire Council and shall consult with Council to develop measures to minimise and/or restrict the use of local roads by heavy vehicle traffic if so required.

46. 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. A copy of the report shall be provided to Corowa Shire Council. Any damage resulting from the construction of the project, aside from that resulting from normal wear and tear shall be repaired at the cost of the Proponent.

    Note: Nothing in Condition of Approval No. 44 or Condition of Approval No. 46 shall be interpreted as restricting the Proponent from negotiating an alternative payment for damage to local roads with Corowa Shire Council, subject to the agreement of Council.

47. All local service roads affected by the proposal shall be brought to standards as negotiated with Corowa Shire Council. The Proponent shall negotiate with Council regarding contributions to costs for these works.

Flora and Fauna

48. If, during the course of construction, the Proponent becomes aware of the presence of any threatened species which are likely to be significantly affected and are not recognised in the flora and fauna studies presented in the EIS/PSA then 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.

49. The Proponent shall implement all mitigation measures identified in Chapter 8.2.5 of the EIS/PSA.

50. The Proponent shall employ a qualified ecologist to undertake a pre-clearance survey; and to search for, trap, and release fauna that may be impacted by construction activities.

51. Any tree hollow roosts for bats in the areas to be cleared are to be relocated. If this is not possible, then an artificial bat roost shall be provided in adjacent vegetation prior to clearing.

52. Remnant patches of native vegetation adjacent to the areas proposed to be cleared shall be clearly marked and sediment fences erected to protect against accidental damage during construction activities.

53. Where possible, seeds of locally native species shall be collected prior to the commencement of construction to provide seed stock for revegetation purposes. This shall be to the satisfaction of a qualified bushland regeneration officer acceptable to the NPWS. Topsoil and leaf mulch shall be stripped and stored for placement back in the vegetation zone from where it was removed.

54. The Proponent shall monitor and maintain the proposed vegetation rehabilitation for a minimum of three years and undertake measures to control weeds.

55. Weed infested topsoil, as identified by a qualified ecologist, shall not be used in the rehabilitation works unless it is sterilised or treated in an appropriate manner.

56. 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 Monitoring Program

57. The Proponent shall as a Sub-Plan to the Operational EMP of Condition of Approval No. 30, develop at its own expense, an appropriate flood monitoring program, in consultation with Council and to the satisfaction of the DLWC, in order to obtain reliable flooding data to assist in the verification of the flood model (refer Condition of Approval No. 38 i) and to accurately measure and record:
    i. the amplitude of all flood events;
    ii. levels upstream of the proposal to check gradients;
    iii. levels upstream and downstream of the embankments;
    iv. flood velocities (both across the floodplain and within the main river channel);
    v. extent of inundation; and
    vi. duration of inundation.

Local Flood Plan

58. The Proponent shall, at the request of Council, consult with Council on the development of any local flood plan that may be prepared by Council to the extent that the proposed bridge influences flood behaviour at this location[3].

Affects on Upstream Landowners

59. If the monitoring program required under Condition of Approval 57 indicates that the flood impacts are greater than calculated by the flood model, the Proponent shall develop, to the satisfaction of the DLWC and the Director-General, mitigation strategies to reduce any impacts and hazards to an acceptable level.

Bridge Design

60. The Proponent shall consult NSW Fisheries in relation to: the construction of temporary platforms for the construction of the piles and piers in the river; and the design and timing of bridge construction.

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[3] It is accepted practice to share the costs for the development of these plans.

61. The Proponent shall ensure that no earthen platforms are constructed or fill material placed in the River.

Noise and Vibration

Construction Noise and Vibration Management Sub Plan

62. A detailed Construction Noise and Vibration Management Sub Plan (NVMSP Construction) shall be prepared as part of the Construction EMP in consultation with the EPA and to the satisfaction of the Director-General. The Sub Plan shall include, but not be limited to:
    i. compliance standards;
    ii. community consultation;
    iii. complaints handling monitoring/system;
    iv. site contact person to follow up complaints;
    v. mitigation measures;
    vi. the design/orientation of the proposed mitigation methods demonstrating best practice;
    vii. construction times;
    viii. contingency measures where noise complaints are received; and
    ix. monitoring methods and program.

Construction Hours

63. All construction activities, including entry and departure of heavy vehicles are to be 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.

64. Blasting shall only be undertaken between the hours of 10:00 am and 3:00 pm (Monday to Friday) and 10:00 am to 1:00 pm (Saturday).

65. Works outside these hours that may be permitted include:
    i. any works which do not cause noise emissions to be audible at any nearby residential property;
    ii. the delivery of materials which is required outside these hours as requested by police or other authorities for safety reasons;
    iii. emergency work to avoid the loss of lives, property and/or to prevent environmental harm; and
    iv. any other work as agreed through negotiations between the Proponent and potentially affected noise receptors or as otherwise agreed by the EPA through the NVMP (Construction) process.

Construction Noise Criteria

66. Where practical the Proponent shall ensure that construction noise is within the following criteria unless otherwise agreed by the Director-General following consultation with the EPA.
    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).

67. Construction noise levels shall be monitored to verify compliance with the requirements specified in the NVMSP (Construction). Should monitoring indicate exceedance the Proponent shall implement any additional mitigation measures as required by the Director-General following consultation with the EPA.

68. In order to minimise noise impacts during construction, the Proponent shall, where practicable or as advised by the Director-General in consultation with the EPA, erect operational noise mitigation measures detailed in Section 9.5 of the EIS prior to the commencement of construction.

Vibration and Blasting

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

70. The vibration level due to construction activities, including both above ground and underground work and blasting activities shall meet the requirements of the Director-General following consultation with the EPA.

71. The Proponent shall ensure that vibration resulting from construction of the project is limited to:
    i. German Standard DIN 4150 and British Standard BS 7385: Part 2 – 1993 for structural damage vibration; and
    ii. British Standard BS 6472 and Australian Standard AS 2670 for human exposure to vibration.

    Where there is an inconsistency between these standards, the more stringent standard shall apply.

72. Dilapidation surveys shall be undertaken for all buildings located within 200 metres of the road construction area prior to the commencement of blasting or 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.

73. For any section of the project where blasting is proposed, the Proponent shall undertake a series of initial trials at reduced scale prior to commencement of the proposed blasting to determine site-specific blast response characteristics and to define allowable blast sizes to meet EPA criteria.

74. Should blasting take place within 500 metres of residences, with at least 48 hours notice including a schedule of times, the Proponent shall make all reasonable attempts to notify the occupants.

Operational Noise Management Sub Plan

75. A detailed Operational Noise Management Sub Plan (NMSP Operation) shall be prepared as part of the Operational EMP in consultation with the EPA. The NMSP (Operation) shall include, but not be limited to:
    i. details of noise mitigation measures to be implemented for the operation stage sufficient to address the technical requirements of the EPA's guideline – 'Environmental Criteria for Road Traffic Noise';
    ii. location, type and timing of erection of any permanent noise barriers;
    iii. specific physical and managerial measures for controlling noise and vibration;
    iv. noise monitoring, reporting and response procedures; and
    v. the urban design issues relating to noise control measures.

    With respect to 75 iii above, the Proponent shall consider the use of a range of structural and non-structural measures including speed controls and the use of open graded asphalt.

Operation Noise Management

76. Monitoring of operational noise shall be undertaken in accordance with the NMSP (Operation). The Proponent shall, in consultation with the EPA, assess the adequacy of the traffic noise mitigation measures after two 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.

Notwithstanding the above, the proposal shall comply with the noise assessment criteria described in chapter 7.6 of the EIS.

Soil and Water Management

Soil and Water Management Sub Plan

77. As part of the Construction and Operational EMPs, a detailed Soil and Water Management Sub Plan shall be prepared in consultation with the EPA, DLWC, NSW Fisheries, and Corowa Shire Council. The Sub Plan shall be prepared in accordance with the Department of Housing's guideline *Managing Urban Stormwater - Soils and Construction* and where appropriate, DLWC's *Constructed Wetlands Manual*. The Sub Plan shall be prepared prior to construction or operation as appropriate.

78. The Soil and Water Management Sub Plan shall contain, but not be limited to:
    i. management of stormwater from the development on the quality of surface and groundwater;
    ii. details of short and long term measures to be employed to minimise soil erosion and the discharge of sediment to land and/or waters including the locations of suitably sized sedimentation basins;
    iii. management of the impacts of the development on the Murray River;
    iv. management of the impacts of the Murray River on the development;
    v. 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 discharges of these pollutants from all sources within the subject site;
    vi. 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;
    vii. contingency plans for fuel and other spills; and
    viii. a program for reporting on the effectiveness of the soil and water management system against performance goals.

Erosion and Sediment Control Works

79. The Soil and Water Management Sub Plan shall incorporate detailed erosion and sedimentation controls including a strategy to manage the extent of exposed ground surface during construction and progressive site rehabilitation requirements (in accordance with Conditions 86 and 91). The Sub Plan shall be prepared to the satisfaction of DLWC and in consultation with the EPA and NSW Fisheries and sufficient to address the technical requirements for obtaining relevant EPA approvals/licences.

80. The DLWC, or other appropriately qualified soil conservationist shall be consulted on a regular basis to undertake inspections of temporary and permanent erosion and sedimentation control devices to ensure that the most appropriate controls are being implemented and that they are being maintained in an efficient condition at all times and meet the requirements of any relevant approval/licence condition(s).

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

82. All runoff from disturbed areas shall be contained within sedimentation basins designed in accordance with the Department of Housing's guideline *Managing Urban Stormwater - Soils and Construction.*

Operation Stage Control Measures

83. All stormwater drainage, erosion, sedimentation and water pollution control systems and facilities of the proposal shall be located, designed, constructed operated and maintained to meet the requirements of the relevant authorities including the EPA and the DLWC. All facilities including wetland filters, grass filter strips, gross pollutant traps and sedimentation basins shall be inspected regularly and maintained in a functional condition for the life of the project. Construction stage water quality structures shall be maintained for a minimum of six months after commissioning of the proposal or until revegetation has provided groundcover to at least 70% of the exposed surface.

84. The Proponent shall provide appropriate detention systems for containment of spills and materials arising from accidents that are consistent with the RTA's "Code of Practice for Water Management – Road Development and Management" in consultation with the EPA.

Groundwater

85. The Proponent shall identify the most appropriate measures to safeguard and/or mitigate impacts on the groundwater, or impacts arising from any groundwater dewatering operations, in consultation with the Department of Land and Water Conservation, prior to the commencement of construction. Measures may include:
    i. evaluation of aquifer characteristics including conductivity and salinity;
    ii. identification of suitable sites for the disposal of saline groundwater from dewatering activities; and
    iii. installation of monitoring bores.

Landscaping

86. As part of the Construction and Operational EMPs, the Proponent shall prepare a detailed Landscape Sub Plan in consultation with Corowa Shire 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, finishes of exposed surfaces (including paved areas), measures to preserve bio-diversity, colours and specifications, staging of works, methodology of landscaping;
    v. progressive landscape strategies incorporating other environmental controls such as erosion and sedimentation controls, dust mitigation, drainage, noise mitigation;
    vi. lighting; and
    vii. 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.

87. All landscaping 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.

88. The Proponent shall implement any required remediation measure(s) 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

89. The Proponent shall implement all mitigation measures identified in Chapter 7.4.2 of the EIS/PSA.

90. 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, NSW 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 Sub Plan

91. As part of the Construction EMP, a specific Construction Air Quality Sub Plan shall be prepared in consultation with the EPA. The Sub Plan shall provide details of all dust control measures to be implemented during the construction stage, sufficient to address the technical requirements for any EPA approvals/licences. The Procedure shall include, but not be limited to:
    i. pro-active measures to reduce dust from stockpiles and cleared areas and other exposed surfaces; and
    ii. progressive revegetation strategy for exposed surfaces in accordance with Conditions 79 and 95.

92. 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 soils. 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 Proponent is required to remove the spilt material within 24 hours.

93. In accordance with the *Protection of Environment Operations (Control of Burning) Regulation* 2000, no open burning or incineration shall be permitted on site unless otherwise approved by the EPA.

Hazards and Risk Management

94. The Proponent shall ensure that the land owners and tenants of aquaculture businesses potentially affected by any spillage of pollutants (either surface or airborne) resulting from construction or operation of the project are notified as soon as practicable as to the nature and extent of pollution incidences. The Proponent shall undertake all reasonable steps required to ensure that the potential impacts on such businesses are minimised to the greatest extent possible.

95. As part of the Construction and Operational EMPs, the Proponent shall prepare and implement a Hazards and Risk Management Sub Plan. This Sub Plan shall include, but not be limited to the following:
    i. details of the hazards and risks associated with the proposal;
    ii. pro-active and reactive mitigation measures including contingency plans to be implemented in the event of a pollution incident; and
    iii. notification procedures in accordance with Condition 94.

Spoil Disposal

Spoil Management Sub Plan

96. As part of the Construction EMP(s), the Proponent shall prepare a Spoil Management Sub Plan. The Sub Plan shall identify how spoil would be handled, stockpiled, reused and disposed. The Sub Plan shall be prepared in consultation with the EPA and Council before the commencement of construction at relevant sites.

97. 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

Waste Minimisation and Management Sub Plan

98. As part of the Construction and Operational EMP(s) as relevant, a detailed Waste Minimisation and Management Sub Plan shall be prepared in consultation with the EPA. The Sub Plan shall address the management of wastes during the construction and operation stages respectively in accordance with Government's *Waste Reduction and Purchasing Policy*. It shall be prepared prior to construction, and shall identify requirements for:
    i. waste avoidance;
    ii. reduction;
    iii. reuse; and
    iv. recycling;

and details of requirements for:
    v. handling;
    vi. stockpiling;
    vii. disposal of wastes: specifically contaminated soil or water, concrete, demolition material, cleared vegetation, oils, grease, lubricants, sanitary wastes, timber, glass, metal, etc.;
    viii. implementation of energy conservation best practice; and
    ix. identifying any site for final disposal of any material and any remedial works required at the disposal site before accepting the material.

99. 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.

Utilities and Services

100. 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).

101. The Proponent shall ensure that disruption to services resulting from the proposal are minimised and shall be responsible for advising local residents and businesses affected prior to any disruption of service.

Location of Construction Facilities

102. The Proponent shall only construct concrete and asphalt batching plants and construction compounds under this approval in those locations that satisfy the following criteria:

i. sites to be located within the road reserve wherever possible;
ii. sites to be located with ready access to the local road network;
iii. sites on relatively level land;
iv. sites 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 impacts;
v. sites are not to be located within 100m of waterways unless adequate erosion and sediment controls are implemented to protect water quality;
vi. sites above the 100 ARI flood level;
vii. sites are to have low conservation significance for flora, fauna or heritage and they are not to require any clearing of native vegetation beyond that which must be cleared for the proposal in any case; and
viii. sites are to be selected so that the operation of the plants does not impact on the land use of adjacent properties.

The location of all concrete and asphalt batching plants shall be detailed in the Construction EMP which shall include demonstration that the above criteria have been met.