

# Project Approval

## Sections 75J and 75O of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Planning, under the *Environmental Planning and Assessment Act 1979*:

- a) approve the concept plan referred to in Schedule 1;
- b) determine, pursuant to section 75P(1)(c) of the *Environmental Planning and Assessment Act 1979*, that the concept plan referred to in Schedule 1 requires no further environmental assessment; and
- c) determine, pursuant to section 75J of the *Environmental Planning and Assessment Act 1979* to grant project approval to the development the subject of the concept plan referred to in Schedule 1, subject to the conditions in Schedule 2.



The Hon. Kristina Keneally MP  
Minister for Planning

Sydney 11 February 2009

File No: S06/00901

### SCHEDULE 1

- Application No:** 06\_0286
- Proponent:** Hunter Gas Pipeline Pty Ltd
- Approval Authority:** Minister for Planning
- Land:** In New South Wales, the pipeline will traverse the Moree Plains, Narrabri, Gunnedah, Liverpool Plains, Upper Hunter, Muswellbrook, Singleton, Maitland, Port Stephens and Newcastle Local Government Areas.
- Project:** Construction and operation of an approximately 820 kilometre high pressure natural gas pipeline from the Wallumbilla area in Queensland to the Newcastle area in New South Wales, consisting of:
- the construction of pigging stations, valve stations and connection points (to other pipelines and facilities);
  - erection of perimeter security fences, security and service lighting and signage;
  - installation of communication and telemetry towers;
  - installation of cathodic protection devices; and
  - construction of pipeline corridor access tracks.
- Major Project:** The project is development of a kind that is described in Schedule 1 of the *State Environmental Planning Policy (Major Projects) 2005* – namely clause 26A being “Development for the purposes of a pipeline in respect of which a licence is required under the *Pipelines Act 1967*”, and is thus declared to be a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies for the purpose of section 75B of that Act.

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**SCHEDULE 2**

<b>Act, the</b>	<i>Environmental Planning and Assessment Act, 1979 (EP&amp;A Act)</i>
<b>CEMP</b>	Construction Environmental Management Plan
<b>Conditions of Approval</b>	The Minister's conditions of approval for the project.
<b>Councils</b>	Councils of the following local government areas: Moree Plains; Narrabri; Gunnedah; Liverpool Plains; Upper Hunter; Muswellbrook; Singleton; Maitland; Port Stephens; and Newcastle.
<b>DECC</b>	Department of Environment and Climate Change
<b>Department, the</b>	Department of Planning
<b>Director-General, the</b>	Director-General of the Department of Planning (or delegate).
<b>Director-General's Approval</b>	A written approval from the Director-General (or delegate) where the Director-General's Approval is required under a condition. The Director-General may ask for additional information if the approval request is considered incomplete.
<b>DPI</b>	Department of Primary Industries
<b>Director-General's Report</b>	The report provided to the Minister by the Director-General of the Department under section 75I of the EP&A Act.
<b>Dust</b>	any solid material that may become suspended in air or deposited
<b>DWE</b>	Department of Water and Energy
<b>EA</b>	Environmental Assessment
<b>EEC</b>	Endangered Ecological Community under the <i>Threatened Species Conservation Act 1995</i> and the <i>Environment Protection Biodiversity Conservation Act 1999</i> .
<b>Minister, the</b>	Minister for Planning
<b>Proponent</b>	Hunter Gas Pipeline Pty Ltd
<b>Publicly Available</b>	Available for inspection by a member of the general public (for example available on an internet site or at a display centre).
<b>RTA</b>	Roads and Traffic Authority
<b>Site</b>	Land to which Major Project Application 06_0286 applies.
<b>Submissions Report</b>	<i>Queensland Hunter Gas Pipeline, Submissions Report, November 2008</i>

## **1. ADMINISTRATIVE CONDITIONS**

### **Terms of Approval**

- 1.1 The Proponent shall carry out the project generally in accordance with the:
- a) Major Project Application 06\_0286;
  - b) *Queensland Hunter Gas Pipeline, Environmental Assessment*, prepared by Manidis Roberts Pty Ltd and dated September 2008;
  - c) *Submissions Report*, prepared by Manidis Roberts Pty Ltd and dated November 2008;
  - d) the conditions of this approval.
- 1.2 In the event of an inconsistency between:
- a) the conditions of this approval and any document listed from condition 1.1a) to 1.1c) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
  - b) any document listed from condition 1.1a) to 1.1c) inclusive, and any other document listed from condition 1.1a) to 1.1c) inclusive, the most recent document shall prevail to the extent of the inconsistency.
- 1.3 The Proponent shall comply with any reasonable requirement(s) of the Director-General arising from the Department's assessment of:
- a) any reports, plans or correspondence that are submitted in accordance with this approval; and
  - b) the implementation of any actions or measures contained in these reports, plans or correspondence.

### **Limits of Approval**

- 1.4 This project approval shall lapse ten years after the date on which it is granted, unless the works subject of this approval are physically commenced on or before that time.

### **Statutory Requirements**

- 1.5 The Proponent shall ensure that all licences, permits and approvals are obtained and maintained as required throughout the life of the project. No condition of this approval removes the obligation for the Proponent to obtain, renew or comply with such licences, permits or approvals. The Proponent shall ensure that a copy of this approval and all relevant environmental approvals are available on the gas pipeline sites during the project.

## **2. PROJECT DESIGN REQUIREMENTS**

### **Route Alignment**

- 2.1.1 The Proponent shall submit, as part of the Construction Environmental Management Plan required under condition 6.2, route alignment sheets for the project identifying the final 30-metres Construction Right of Way. The route alignment sheets shall, except as provided below, demonstrate the avoidance of Endangered Ecological Communities.
- 2.1.2 The route may only be aligned within an Endangered Ecological Community if the Proponent has:
- a) demonstrated to the satisfaction of the Director-General, in consultation with the DECC, that there will only be minimal impacts; and
  - b) provision has been made for biodiversity offsets, consistent with condition 3.20 of this Approval.
- 2.2 The Proponent shall consult with all landowners potentially affected by the final 30-metres Construction Right of Way during the preparation of the route alignment sheets.
- 2.3 During the process of finalising the route alignment, the Proponent shall ensure consultation with relevant companies and titleholders of mineral and petroleum resource licences in relation to the potential for conflict between the route of the project and current and future resource exploration and extraction activities. The consultation shall aim to resolve any identified potential conflict where practicable.

- 2.4 The route alignment of the project shall be within the corridor identified in the document referred to under condition 1.1c) of this approval. Any deviations in route alignment outside this corridor shall only occur for the purpose of:
- a) reducing impacts to biodiversity, cultural heritage or human amenity;
  - b) avoiding geological or topographical constraints, providing the deviations do not increase impacts to those areas referred to under a); and
  - c) after consultation with potentially affected landholders and relevant agencies.

### **Watercourse Crossings**

- 2.5 The Proponent shall prepare, in accordance with *APIA Code of Environmental Practice – Onshore Pipelines*, site-specific watercourse crossings and details of associated methods of construction. These documents shall be submitted for the endorsement of DWE prior to the commencement of the relevant construction works. The Construction Environmental Management Plan required under condition 6.2 shall include:
- a) a copy of DWE's endorsement (s) for the documents required under this condition;
  - b) details of the duration and timing of works associated with watercourse crossings;
  - c) details of mitigation measures to protect riparian and aquatic habitats in and around watercrossings.

In preparing the documents required under this condition, the Proponent shall consult with DPI and the relevant Catchment Management Authority with regard to watercourse crossing methodologies and site-specific mitigation measures for watercourses.

- 2.6 The project shall avoid any disturbance to, or crossing of, wetlands mapped under *State Environmental Planning Policy 14 (SEPP 14)*. Where the project route lies within 100 metres of a mapped SEPP 14 wetland, an appropriate buffer around these wetlands shall be defined and illustrated in the Construction Environmental Management Plan required under condition 6.2, to ensure no adverse effects to the wetland result from the project.
- 2.7 The Proponent shall, where practicable, avoid temporary watercourse crossings for heavy machinery.
- 2.8 The Proponent shall consult with DPI in relation to any temporary infrastructure or works in and around watercourses that may result in the blockage of fish passage.

### **Provision of Off-take Points for Current and Future use**

- 2.9 The Proponent shall provide off-take points (valves) from the project at the following locations to service those specific areas where the off-take would be located:
- a) Narrabri and Boggabri;
  - b) Port Stephens LGA and Gunnedah;
  - c) Murrurundi, Scone and Aberdeen; and
  - d) Quirindi.

The Proponent shall consult with the relevant local council in identifying locations for off-take points referred to under this condition and in relation to any requirements for servicing relevant areas. The outcomes of this consultation shall be provided to the Department prior to the commencement of construction of the relevant part of the project, unless otherwise agreed by the Director-General.

### **Pipeline Construction**

- 2.10 The project shall be constructed in accordance with the *APIA Code of Environmental Practice – Onshore Pipelines*.

### 3. SPECIFIC ENVIRONMENTAL CONDITIONS

#### Noise Impacts

##### **Construction Noise**

- 3.1 The Proponent shall only undertake construction activities associated with the project, other than blasting, that would generate an audible noise at any residential or sensitive receiver during the following hours:
- 7:00 am to 6:00 pm, Mondays to Fridays, inclusive;
  - 8:00 am to 1:00 pm on Saturdays; and
  - at no time on Sundays or public holidays.

Subject to the Director-General's approval of the Construction Environmental Management Plan (under condition 6.2), construction activities may occur outside these hours (for example a 28-day construction, 9 day respite construction schedule approach).

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, or to avoid immediate environmental harm.

*NOTE: the 28-day on/ 9-day off cycle is generally accepted as appropriate construction hours, however it is important that recognition is given to noise sensitive areas and an alternative schedule be developed for these areas through the Construction Environmental Management Plan.*

##### **Construction Blasting**

- 3.2 Blasting associated with the construction of the project shall only be undertaken during the following hours:
- 9:00 am to 5:00 pm, Mondays to Fridays, inclusive;
  - 9:00 am to 5:00 pm on Saturdays; and
  - at no time on Sundays or public holidays.
- 3.3 The Proponent shall ensure that air blast overpressure generated by blasting associated with the project does not exceed the criteria specified in Table 1 when measured at the most-affected residential or sensitive receiver.

**Table 1 – Airblast Overpressure Criteria**

Airblast Overpressure (dB(Lin Peak))	Allowable Exceedance
115	5% of total number of blasts over a 12 month period
120	Never

- 3.4 The Proponent shall ensure that the ground vibration generated by blasting associated with the project does not exceed the criteria specified in Table 2 when measured at the most-affected residential or sensitive receiver.

**Table 2 – Peak Particle Velocity Criteria**

Peak Particle Velocity Criteria	Allowable Exceedance
5	5% of total number of blasts over a 12 month period
10	Never

- 3.5 Prior to each blasting event, the Proponent shall notify the relevant local council and potentially-affected landowners, including details of time and location of the blasting event and providing a contact point for inquiries and complaints.

#### **Air Quality Impacts**

- 3.6 The Proponent shall construct the project in a manner that minimises dust emissions from the site, including wind-blown and traffic-generated dust. All activities on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should such visible dust emissions occur at any time, the Proponent shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease.
- 3.7 The Proponent shall not permit any offensive odour, as defined under section 129 of the *Protection of the Environment Operations Act 1997*, to be emitted beyond the boundary of the site.

### **Traffic and Transport Impacts**

- 3.8 Where directional drilling/boring is proposed under roads or where trenching is proposed to cross roads or where trenching is proposed to occur within the road reserve in close proximity to the road pavement, the Proponent shall obtain a licence under Section 138 of the *Roads Act 1993* for any such works. The following information must be provided to these authorities, prior to the commencement of construction, when seeking such a licence:
- detailed plans of the pipeline including vertical and horizontal alignment;
  - plant and equipment proposed to be used and construction compound locations;
  - construction schedule and hours of construction;
  - mitigation measures proposed to reduce impacts to traffic and pedestrian safety; and
  - indicative maintenance arrangements during operation.

This information shall also be provided as part of the Traffic Management Protocol required for the Construction Environmental Management Plan (refer to condition 6.3b)).

- 3.9 The Proponent shall ensure that any measures to restore or reinstate roads affected by the project are undertaken in a timely manner, in accordance with the requirements and to the satisfaction of the relevant road authority, including the Department of Lands and at the full expense of the Proponent.
- 3.10 The Proponent shall ensure that all crossings of the council-maintained roads are constructed using construction methods and depth of cover determined in consultation with the relevant local council.

### **Existing Infrastructure and Resources**

- 3.11 The Proponent shall undertake all reasonable and feasible measures to minimise the impact of the project on all existing infrastructure in the vicinity of the project route. The Proponent shall consult with the appropriate owner of such infrastructure with regard to measures to mitigate or manage any potential impact. The Proponent shall bear the cost of repairing or relocating any infrastructure directly impacted or damaged as a result of the project.
- 3.12 The Proponent shall consult with Gunnedah Shire Council regarding any existing leases and access/occupation rights that may exist within the Pullaming Stock Route, in order to determine and manage any potential impacts to this area from the installation and ongoing maintenance of the project.
- 3.13 Prior to the commencement of relevant construction works, the Proponent shall consult with holders of mineral, mining and coal tenements with respect to measures to be applied during construction and operation of the project so as to minimise the potential for any sterilisation of resources on the tenement. This must include, but is not limited to, Namoi Valley Coal Pty Limited, the owner of mining tenements CL316 and AUTH406 and Muswellbrook Coal Company Ltd, the owner of coal tenements AUTH176 and ML1304.
- 3.14 Prior to the commencement of construction, the Proponent shall consult with each landholder, whose property is directly impacted by the project, the terms and conditions relating to construction activities on their land, including:
- access to land;

- b) measures to control spread of weeds, genetically modified organisms and methods to ensure security of livestock on the land during construction; and
- c) acquiring of necessary easements, including terms of the easement agreement and compensation to the landowner for the proposed easement on their land.



## Ecological Impacts

3.15 The Proponent shall:

- a) submit, as part of the Construction Environmental Management Plan required under condition 6.2, a study of the potential impacts from the construction of the project on potential koala habitat.
- b) monitor open trench areas for any fauna and any sightings of fauna shall be actively managed to minimise actual and potential impacts on those species. Any fauna found in the open trench shall be recorded and managed in consultation with DECC.
- c) for a period of two years after construction (or as otherwise required by the Director-General) monitor the areas along the project alignment, after construction is complete, for weed infestation and any infestations shall be actively managed to remove or minimise the spread of infestations.

3.16 Clearing of native vegetation shall be limited to the minimal extent practicable required for the construction of the project. This shall be achieved by both location of the pipeline in previously cleared areas where possible, and where clearing cannot be avoided a minimal width clearing corridor.

3.17 The construction activities of the pipeline shall not disrupt to the extent practicable, the previous vegetation rehabilitation works conducted by the Kooragang Wetland Rehabilitation Project and Hunter Bird Observers Club, on the western part of Kooragang Island (also referred to as Ash Island).

3.18 The Proponent shall develop and submit for the approval of the Director-General, a **Biodiversity Offset Needs Study**. The study shall be developed in consultation with the DECC and shall include a methodology for determining biodiversity offset requirements. The study shall:

- a) quantify vegetation clearing, considering condition of vegetation, loss of potential habitat, and resulting consequences of this loss (short and long term);
- b) detail the significance of impacts to biodiversity as a result of the loss quantified in 3.18 a);
- c) inform the quantification of biodiversity offset requirements;
- d) consider the biodiversity management measures or activities identified in the documents set out in condition 1.1 or elsewhere in these Conditions of Approval, including:
  - i) revegetation measures;
  - ii) relevant construction measures to reduce terrestrial and aquatic impacts;
  - iii) any other fauna mitigation measures such as nest boxes; and
  - iv) any ongoing biodiversity or threatened species monitoring requirements;
- e) describe the decision-making framework used in determining the level of impact to biodiversity;
- f) detail the final methodology used to determine the biodiversity offset requirements; and
- g) include a program (timeline) to achieve the implementation of the final suite of measures to mitigate and or manage impacts to biodiversity.

Unless otherwise agreed by the Director-General, the Biodiversity Offset Needs Study shall be submitted to the Director-General for approval prior to the commencement of any construction works.

## Hazards and Risk

3.19 At least one month prior to the commencement of construction of the project, or within such further period as the Director-General may agree, the Proponent shall prepare and submit for the approval of the Director-General a **Final Hazard Analysis** (FHA) confirming that the risks associated with the project are no greater than stated in Table 9.1 of the Preliminary Hazards Analysis (PHA) and that all relevant recommendations in the PHA have been implemented.

- 3.20 At least one month prior to the commencement of operation of the project, the Applicant shall provide details to the Department of the 'Safety and Operating Plan' (SOP) for the project, required under the *Pipelines Regulation 2005*.

### **Soil and Water Quality Impacts**

- 3.21 Except as may be expressively provided by an Environment Protection Licence for the project, the Proponent shall comply with section 120 of the *Protection of the Environment Operations Act 1997* which prohibits the pollution of waters.
- 3.22 Soil and water management controls shall be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities, in accordance with Landcom's *Managing Urban Stormwater: Soils and Conservation*.
- 3.23 The Proponent shall prepare a contingency plan for events that have the potential to pollute or contaminate the surface or groundwater sources of water. The plan is to include threshold levels, remediation actions and communication strategies for the effective management of such an event. This plan is to be included in the Construction Environmental Management Plan required under condition 6.2.
- 3.24 The Proponent shall notify the relevant local council should contaminated soil be uncovered during excavation works. The Construction Environmental Management Plan required under condition 6.2 shall include management measures for any contamination that may be uncovered during construction of the project.
- 3.25 Proponent shall ensure that all water supplies for construction, hydro-testing and operation are sourced from an authorised and reliable supply.
- 3.26 Any Acid Sulphate Soils encountered during construction of the project shall be treated and disposed of in accordance with the "Acid Sulphate Soils Manual" (Acid Sulphate Soil Management Advisory Committee, 1998) or update.

### **Heritage Impacts**

- 3.27 The Proponent shall prepare an oral histories study for determining significant Aboriginal heritage significant sites along the potential route. The study shall be informed by the views of the Traditional Owners and appropriate Aboriginal community. The Construction Environmental Management Plan (condition 6.2) protocols adopted in relation to avoidance, constraints and mitigation measures shall be informed by the oral histories. The results of this study shall be used to assist in the determination of the final project right of way (refer to condition 2.1.1).
- 3.28 If during the course of any ground fieldwork assessment, the Proponent uncovers any significant Aboriginal heritage sites, the Proponent shall consult the DECC with regard to an appropriate course of action for the management of these sites.
- 3.29 If during the course of construction the Proponent becomes aware of any previously unidentified significant Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the DECC informed in accordance with the *National Parks and Wildlife Act 1974*. Relevant works shall not recommence until written authorisation from the DECC advising otherwise is received by the Proponent.

### **Crown Lands Easement**

- 3.30 The Proponent shall liaise with the Department of Lands and negotiate measures to be applied during construction and operation of the project so as to minimise the potential for any impact to the environment on Crown lands.

- 3.31 The Proponent shall ensure the provision of long term access management measures, such as fences, gates and barriers to be installed at all pipeline entry points to minimise the opportunity of utility easements being utilised for illegal rubbish dumping, illegal trail bike riding, damaging 4WD use and bushfire ignition points.

#### **Waste Generation and Management**

- 3.32 All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.
- 3.33 The Proponent shall maximise the treatment, reuse and/ or recycling on the site of any waste oils, excavated soils, slurries, dusts and sludges associated with the project, to minimise the need for treatment or disposal of those materials outside the site.
- 3.34 The Proponent shall not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence under the *Protection of the Environment Operations Act 1997*, if such a licence is required in relation to that waste.
- 3.35 The Proponent shall ensure that all liquid and / or non-liquid waste generated and / or stored on the site is assessed and classified in accordance with *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes* (DEC, 2004), or any future guideline that may supersede that document.

#### **4. COMPLIANCE MONITORING AND TRACKING**

- 4.1 The Proponent shall develop and implement a **Compliance Tracking Program** to track compliance with the requirements of this approval. The Program shall be submitted to the Director-General for approval prior to the commencement of construction or operation as appropriate. The Program shall relate to both construction and operational stages of the project and shall include, but not necessarily be limited to:
- a) provisions for periodic review of the compliance status of the project against the requirements of this approval;
  - b) provisions for periodic reporting of compliance status to the Director-General;
  - c) mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance.

#### **5. COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT**

- 5.1 Subject to confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request.

##### **Complaints Procedure**

- 5.2 Prior to the commencement of construction of the project, the Proponent shall ensure that the following are available for community complaints for the life of the project (including construction and operation):
- a) a telephone number on which complaints about construction and operational activities at the site may be registered;
  - b) a postal address to which written complaints may be sent; and
  - c) an email address to which electronic complaints may be transmitted.

The telephone number, the postal address and the email address shall be displayed on signs, placed at appropriate locations, as defined in the CEMP. Project contact details on signage during operation are to be in accordance with AS 2885.

- 5.3 The Proponent shall record details of all complaints received through the means listed under condition 5.2 of this approval in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to:
- a) the date and time, where relevant, of the complaint;

- b) the means by which the complaint was made (telephone, mail or email);
- c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
- d) the nature of the complaint;
- e) any action(s) taken by the Proponent in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken.

The Complaints Register shall be made available for inspection by the Director-General upon request.

### **Provision of Electronic Information**

- 5.4 Prior to the commencement of construction of the project, the Proponent shall establish a dedicated website or maintain dedicated pages within its existing website for the provision of electronic information associated with the project subject to confidentiality. The Proponent shall publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to:
- a) information on the statutory context of project (including on any existing approvals obtained under the *Environmental Planning and Assessment Act 1979* and relationship to mining and petroleum leases) and the current implementation status of the project;
  - b) a copy of this approval and any future modification to this approval;
  - c) a copy of each relevant environmental approval, licence or permit required and obtained in relation to the project; and
  - d) details of the outcomes of compliance reviews and audits of the project.

## **6. ENVIRONMENTAL MONITORING AND MANAGEMENT**

### **Environmental Representative**

- 6.1 Prior to the commencement of any construction or operational activities, or as otherwise agreed by the Director-General, the Proponent shall nominate for the approval of the Director-General a suitably qualified and experienced Environmental Representative(s) independent of the design, construction and operation personnel. The Proponent shall engage the Environmental Representative(s) during any construction activities, and throughout the life of the project, or as otherwise agreed by the Director-General. The Environmental Representative(s) shall:
- a) oversee the implementation of all environmental management plans and monitoring programs required under this approval, and advise the Proponent upon the achievement of these plans/programs;
  - b) consider and advise the Proponent on its compliance obligations against all matters specified in the conditions of this approval and the Statement of Commitments as referred to under condition 1.1c) of this approval, permits and licences; and
  - c) have the authority and independence to recommend to the Proponent reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts, and, failing the effectiveness of such steps, to recommend to the Proponent that relevant activities are to be ceased as soon as reasonably practicable if there is a significant risk that an adverse impact on the environment will be likely to occur.

### **Construction Environmental Management Plan**

- 6.2 The Proponent shall prepare and implement a **Construction Environmental Management Plan** to outline environmental management practices and procedures to be followed during construction of the project. The CEMP shall be consistent with *Guideline for the Preparation of Environmental Management Plans* (DIPNR 2004) and shall include, but not necessarily be limited to:
- a) a description of all relevant activities to be undertaken on the site during construction;
  - b) details of the areas designated for the erection of public information signage;
  - c) details of any construction camp sites and the management of these sites

- d) details of the measures to be employed to reduce soil erosion and trench compaction;
- e) details on potential occurrence of expansive soils and saline areas along the proposal route and management and mitigation measures;
- f) details of measures to be installed to separate construction areas from publicly accessible areas;
- g) details of the protocols to be implemented to mitigate and/or manage impacts to Aboriginal cultural heritage sites;
- h) statutory and other obligations that the Proponent is required to fulfil during construction including all relevant approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
- i) details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified potential adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the Plan:
  - i) measures to monitor and manage dust emissions;
  - ii) measures to monitor and minimise soil erosion and the discharge of sediment and other pollutants to lands and/ or waters during construction activities;
  - iii) measures to monitor and control noise emissions during construction works;
  - iv) measures to monitor and control air emissions during construction to ensure that air emissions are both minimised and in compliance with the requirements of this approval;
  - v) measures to minimise the impact of construction on local flora and fauna, consistent with the mitigation measures described in section 9.4 and Appendix D of the documents referred to under condition 1.1b) and 1.1c) respectively, including minimisation of vegetation clearing; methods to minimise unintended impacts on vegetation to be retained and fauna; details of the rehabilitation of cleared areas; topsoil, seed and vegetative material re-use initiatives to be employed; and measures to be undertaken to control weed spread;
  - vi) measures to monitor and manage indigenous heritage values on site including involvement of the relevant Local Land Councils, Committees and Traditional Owner Groups;
- j) a description of the roles and responsibilities for all relevant employees involved in the construction of the project;
- k) the additional studies listed under condition 6.3 of this approval; and
- l) complaints handling procedures during construction.

The CEMP shall be submitted for the approval of the Director-General no later than one month prior to the commencement of any relevant construction works associated with the project, or within such period otherwise agreed by the Director-General. Construction works shall not commence until written approval has been received from the Director-General.

- 6.3 As part of the Construction Environmental Management Plan for the project, required under condition 6.2 of this approval, the Proponent shall prepare and implement the following:
- a) **Construction Noise Management Plan** to manage noise impacts during construction and to identify all feasible and reasonable noise mitigation measures. The Plan shall address the requirements of the DECC and shall include, but not necessarily limited to:
    - i) a review of the construction noise criteria and related noise impact assumptions made in documents referred to under condition 1.1b) to the determined calculated noise levels for the final route of the pipeline;
    - ii) details of the scheduling and management of construction works outside the hours specified under condition 3.1, where relevant, including:
      - identification of construction works and construction areas for which construction noise will be audible or inaudible at respective residential and sensitive receivers;
      - for construction works identified as audible at residential and sensitive receivers, provisions for consultation with affected receivers with respect to any construction works outside the hours specified under condition 3.1,

- including provisions for the establishment of negotiated agreements with those receivers for out-of-hours works;
  - reflection of a general 28-day construction, 9-day respite scheduling approach, unless the intensity of works and/ or nature of impacted residential or sensitive receivers requires otherwise. In such circumstances, the Plan shall demonstrate that consideration has been given to additional noise mitigation (at-source and/ or at receiver), or alternatively that the 28-day/ 9-day scheduling cycle has been refined in recognition of the impacted receivers;
  - reflection of an approach to scheduling construction activities that takes into account the intensity, characteristics (tonality/ frequency/ impulsiveness) and duration of construction noise and the need for provision of respite for affected receivers;
  - recognition of special arrangements required for public and religious holidays, sensitive receivers (hospitals, schools etc) and sensitive periods (for example, school exam periods);
  - proactive and reactive monitoring and management measures for all audible out-of-hours construction works;
  - auditing and reporting requirements, where relevant, to ensure that residential and sensitive receivers are not being adversely impacted by construction noise associated with the project;
- iii) details of the measures to avoid and/or mitigate the actual major impact noise levels; and
  - iv) details, where impacts cannot be mitigated to meet the construction noise criterion, of effective consultation and/or negotiation with affected receptors.
- b) a **Traffic Management Protocol** to outline management of traffic conflicts that may be generated during construction of the project. The Plan shall address the requirements of Councils, the RTA, the Department of Lands, and any other relevant road authority and shall include, but not necessarily be limited to:
- i) details of how construction of project infrastructure will be managed in proximity to local and regional roads;
  - ii) details of traffic routes for heavy vehicles, including any necessary route or timing restriction for oversized loads;
  - iii) detailed consideration of measures to be employed to ensure traffic volume, acoustic and amenity impacts along the heavy vehicle routes are minimised;
  - iv) detailed consideration of alternative routes (where necessary); and
  - v) demonstration that all statutory responsibilities with regard to road traffic impacts have been complied with.
- c) a **Water Management Plan** to outline measures that will be employed to manage water on the site, to minimise soil erosion and the discharge of sediments and other pollutants to lands and/ or waters throughout the life of the project. The Plan shall:
- i) identify all sources of water for the construction and operation of the project (including water for hydro-testing), prior to the commencement of construction works. The amount of water to be extracted from each source shall be justified and potential impacts to other users of the specific water source shall be minimised; and
  - ii) describe any proposed disposal sites for hydro-test water and detail the environmental protection measures to be utilised for any such disposal areas

### Operation Environmental Management Plan

- 6.4 The Proponent shall prepare and implement an **Operation Environmental Management Plan** (OEMP) to detail an environmental management framework, practices and procedures to be followed during operation of the project. The OEMP shall be consistent with *Guideline for the Preparation of Environmental Management Plans* (DIPNR 2004) and shall include, but not necessarily be limited to:
- a) identification of all relevant statutory and other obligations that the Proponent is required to fulfil in relation to operation of the project, including all relevant approvals, licences, approvals and consultations;

- b) details of the areas designated for the erection of public information signage in accordance with AS 2885;
- c) details of the monitoring methods of rehabilitated areas;
- d) specific consideration of relevant measures to address any requirements identified in the documents referred to under conditions 1.1b) and 1.1c) of this approval;
- e) details control measures for soil erosion and sedimentation;
- f) a description of the roles and responsibilities for all relevant employees involved in the operation of the project;
- g) overall environmental policies and principles to be applied to the operation of the project;
- h) relevant standards and performance measures to be applied to the project, and a means by which environmental performance can be periodically reviewed and improved, where appropriate;
- i) management policies to ensure that environmental performance goals are met and to comply with the conditions of this approval;
- j) measures to ensure that relevant ambient air criteria will be met for operational activities, including gas venting, to the satisfaction of DECC's requirements;
- k) measures to mitigate and manage noise during operation of the proposal and to demonstrate noise criterion specified in the *New South Wales Industrial Noise Policy* (EPA, 2000) will be met for operational activities; and
- l) management measures for easement areas, including management of vegetation, soil erosion, weed control and landholder liaison.

The OEMP shall be submitted for the approval of the Director-General no later than one month prior to the commencement of operation of the project, or within such period otherwise agreed by the Director-General. Operation shall not commence until written approval has been received from the Director-General.

## **7. ENVIRONMENTAL REPORTING**

### **Incident Reporting**

- 7.1 Within 24 hours of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment, a report shall be supplied to the Department outlining the basic facts. A further detailed report shall be prepared and submitted following investigations of the causes and identification of necessary additional preventive measures. That report must be submitted to the Director-General no later than 14 days after the incident or potential incident.

The Proponent shall maintain a register of accidents, incidents and potential incidents. The register shall be made available for inspection at any time by the independent Hazard Auditor and the Director-General.

- 7.2 The Proponent shall meet the requirements of the Director-General to address the cause or impact of any incident, as it relates to this approval, reported in accordance with condition 7.1 of this approval, within such period as the Director-General may require.
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