DETERMINATION OF A DEVELOPMENT APPLICATION
FOR STATE SIGNIFICANT, DESIGNATED AND INTEGRATED DEVELOPMENT
UNDER SECTION 80 OF THE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

I, the Minister for Infrastructure and Planning, pursuant to section 80 of the *Environmental Planning and Assessment Act 1979* ("the Act"), and clause 10(2) of *State Environmental Planning Policy No. 55 – Remediation of Land* determine the development application ("the Application") referred to in Schedule 1 by granting development consent subject to the conditions set out in Schedule 2.

The reason for the imposition of conditions is to:

a) minimise any adverse environmental impacts associated with the development;
b) provide a framework for the controlled demonstration of the capability of the remediation technology, prior to full operation;
c) provide a independent, qualified verification of commissioning and performance of the development;
d) facilitate a coordinated and cooperative approach to cumulative impacts and remediation and redevelopment proposals on the Rhodes Peninsula; and
e) implement the recommendations of the Commission of Inquiry into all environmental aspects of the development.

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

Sydney, 27 October, 2003 File No. S01/02485

SCHEDULE 1

Application made by:	Earth Tech Engineering Pty Ltd ("the Applicant');
To:	The Minister administering the *Environmental Planning and Assessment Act 1979* (at the time of lodgement of the development application, the Minister for Planning);
In respect of:	Auto Consul 3217-245 (Lot 1 in DP 169868 and Lot 1 in DP 948514), folio identifier 12/655959 (Lot 12 in DP 655959), folio identifier 2/573826 (Lot 2 in DP 573828) volume 3695 folio 151 (Lots 68, 69 and 70, and part Lots 65, 66 and 67 DP 5923 (part Lots 65, 66 and 67 in DP 5923 are now known as Lots 1, 2 and 3 in DP 455503);
For the following:	Remediation of the former Allied Feeds site using direct heated thermal desorption technology and associated processes and infrastructure ("the development");

Development Application:	Integrated DA No. 233-07-2002-i, lodged with the Department of Planning on 19 July 2002, accompanied by *Environmental Impact Statement – Remediation of the Former Allied Feeds Site, Rhode Peninsula* (two volumes) prepared by Environmental Resources Management Australia Pty Ltd and dated July 2002;
State Significant Development	Under Section 76A(7) of the Act, the development is classified as State Significant development by virtue of clause 11 of *State Environmental Planning Policy No. 55 – Remediation of Land*. The development is a category 1 remediation work, being designated development, and is to be undertaken on a remediation site, being land the subject of a notice under the *Environmentally Hazardous Chemicals Act 1985*.
Commission of Inquiry	The development was subject to a Commission of Inquiry under section 119 of the *Environmental Planning and Assessment Act 1979*. The primary session of the Inquiry was held from 11 to 13 March 2003. The reply session of the Inquiry was held on 12 May 2003. The Commission's recommendations following the Inquiry are detailed in *Report to the Honourable Craig Knowles MP, Minister for Infrastructure and Planning, Minister for Natural Resources – Proposed Remediation of the Former Allied Feeds Site, Rhodes, City of Canada Bay*, dated July 2003.
Appeal Rights	There is no right of appeal to the Land and Environment Court under section 97 or section 98 of the *Environmental Planning and Assessment Act 1979*, as the development is a State Significant Development into which a Commission of Inquiry was held.
Commencement of Consent	Pursuant to sections 80(1)(b) of the *Environmental Planning and Assessment Act 1979*, this consent operates from the date that is endorsed on the notice of determination given the Applicant, because a Commission of Inquiry has been into the development.
Lapse of Consent	Pursuant to section 95 of the *Environmental Planning and Assessment Act 1979*, this development consent is liable to lapse five years after the date from which it operates unless the use of any land, building or work the subject of the consent is actually commenced before the date on which the consent would otherwise lapse.
BCA Classification:	Classes 5, 7, 8 and 10b

KEY TO CONDITIONS

SCHEDULE 2

In this consent, except in so far as the context or subject-matter otherwise indicates or requires, the following terms have the meanings indicated:

Act	*Environmental Planning and Assessment Act, 1979*
Applicant	Earth Tech Engineering Pty Ltd
BCA	Building Code of Australia
commissioning	all activities involving process component testing, and related uncontaminated soil handling and processing, in accordance with an approved Commissioning and Proof of Performance Program
construction	any activity requiring a Construction Certificate under Part 4A of the *Environmental Planning Act 1979*
Council	the City of Canada Bay Council
decommissioning	all activities, including deconstruction and site rehabilitation, after the treatment of the final quantity of contaminated material through the DHTD unit and associated processes
Department	NSW Department of Infrastructure, Planning and Natural Resources
development	the development to which this consent applies
DHTD	direct heated thermal desorption
Director-General	Director-General of the NSW Department of Infrastructure, Planning and Natural Resources, or delegate
dust	any solid material that may become suspended in air
EPA	NSW Environment Protection Authority
EPL	Environment Protection Licence issued under the *Protection of the Environment Operations Act, 1997*
Minister	Minister for Infrastructure and Planning, or delegate
NSW Health	NSW Department of Health
operation	all activities after the approval of the EPA and the Director-General for the development to proceed from proof of performance trials
proof of performance trials	those trials conducted prior to operation of the development, in accordance with an approved Commissioning and Proof of Performance Program, to demonstrate the environmental and safety performance of the remediation technology
Principal Certifying Authority	the Minister or an accredited certifier, appointed under section 109E of the Act, to issue a Part 4A Certificate as provided under section 109C of the Act
Regulation	*Environmental Planning and Assessment Regulation, 2000*
Rhodes Community Consultative Committee	that Committee established to represent residents on the Rhodes Peninsula potentially affected by impacts associated with the development and its cumulative impacts with other remediation and redevelopment works on the Peninsula, with members including those parties involved with existing community consultative groups, and other parties as may be agreed by the Director-General (refer to Attachment A)
Rhodes Environmental Monitoring and Management Committee	that Committee including the Applicant and relevant remediation and redevelopment proponents that may be nominated by the Director-General, established for

	the coordinated and cooperative monitoring and management of environmental impacts (including cumulative impacts) on the Rhodes Peninsula as a result of concurrent remediation and redevelopment works (refer to Attachment A)
POEO Act	*Protection of the Environment Operations Act, 1997*
site	the land to which this consent applies
site establishment	all activities on the site, not being construction, prior to the commencement of commissioning in accordance with an approved Commissioning and Proof of Performance Program
SWC	Sydney Water Corporation

1. GENERAL

Obligation to Minimise Harm to the Environment

1.1 [1]The Applicant shall implement all practicable measures to prevent or minimise any harm to the environment that may result from the construction, commissioning, operation and where relevant, the decommissioning of the development.

Scope of Development

1.2 [2]The Applicant shall carry out the development generally in accordance with:

a) Development Application No. 233-7-2002-i, lodged with the Department of Planning on 19 July 2002;
b) *Environmental Impact Statement – Remediation of the Former Allied Feeds Site, Rhode Peninsula* (two volumes) prepared by Environmental Resources Management Australia Pty Ltd (ERM) and dated July 2002;
c) *Remediation of the Former Allied Feeds Site, Rhodes Peninsula – Environmental Impact Statement Supplementary Report*, prepared by Environmental Resources Management Australia Pty Ltd (ERM) and dated October 2002;
d) all additional information supplied by correspondence in relation to the development, including:
    i) the letter from Environmental Resources Management Australia Pty Ltd (ERM) to the EPA in relation to noise, dated 22 November 2002;
    ii) the letter from the Applicant to the EPA in relation to a draft commissioning proposal, dated 5 December 2002;
e) *Remediation of the Former Allied Feeds Site, Rhodes Peninsula – Primary Submission*, prepared by Environmental Resources Management Australia Pty Ltd (ERM) and dated February 2003;
f) *Draft Revised Outline Commissioning Plan, Including Background Information*, prepared by Earth Tech Engineering Pty Ltd, and dated 1 April 2003
g) *Remediation of the Former Allied Feeds Site, Rhodes Peninsula: Commission of Inquiry – Written Responses to Questions from the Primary Session*, prepared by Environmental Resources Management Australia Pty Ltd (ERM) and dated April 2003;
h) *Remediation of the Former Allied Feeds Site, Rhodes Peninsula: Commission of Inquiry – Report on Cumulative Effects*, prepared by Environmental Resources Management Australia Pty Ltd (ERM) and dated April 2003;
i) *Remediation of the Former Allied Feeds Site, Rhodes Peninsula – Reply Submission*, prepared by Environmental Resources Management Australia Pty Ltd (ERM) and dated May 2003;
j) the conditions of this consent.

1.3 In the event of an inconsistency between:

a) the conditions of this consent and any document listed from condition 1.2a) to 1.2i) inclusive, the conditions of this consent shall prevail to the extent of the inconsistency; and
b) any document listed from condition 1.2a) to 1.2i) inclusive, and any other document listed from condition 1.2a) to 1.2i) inclusive, the most recent document shall prevail to the extent of the inconsistency.

1.4 [3]The Applicant shall not utilise any waterway for staging of works the subject of this consent, unless expressly permitted by the NSW Waterways Authority.

[1] Incorporates an EPA General Term of Approval (A2.1)
[2] Incorporates an EPA General Term of Approval (A1.1)
[3] Incorporates a Waterways Authority General Term of Approval (14)

Provision of Documents

1.5 Where practicable, the Applicant shall provide all documents and reports required to be submitted to the Director-General under this consent in an appropriate electronic format. Provision of documents and reports to other parties, as required under this consent, shall be in a format acceptable to those parties and shall aim to minimise resource consumption.

1.6 Nothing in this consent prevents the Applicant from combining reporting requirements under this consent with identical or similar reporting requirements for submission to another relevant party.

Note: the purpose of conditions 1.5 and 1.6 is to provide for minimisation of resource utilisation (particularly paper) associated with administration of this consent.

Statutory Requirements

1.7 [4]The Applicant shall ensure that all licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals. This condition specifically includes those integrated approvals required from the EPA under the *Protection of the Environment Operations Act 1997* and the Waterways Authority under the *River and Foreshores Improvement Act 1948*.

Note: The Applicant should note that upon any application to the Waterways Authority for a Part 3A Permit under the *Rivers and Foreshores Improvement Act 1948*, and should the application include the carrying out of dredging and reclamation work, the Waterways Authority is required, under Section 199 of the *Fisheries Management Act 1994*, to give notice to the Minister for Fisheries, and to consider any matters raised by that Minister within 28 days of the giving of that notice.

1.8 Nothing in this consent relieves the Applicant of any obligation detailed in any relevant licence under the *Environmentally Hazardous Chemicals Act 1995*, or any other relevant statutory requirement outside this consent.

1.9 [5]Prior to the issue of an Environment Protection Licence for the development, the Applicant shall provide the EPA with sufficient and appropriate documentation for a technology assessment to be undertaken by the EPA in accordance with the *National Protocol Approval/ Licensing of Technologies for the Treatment/ Disposal of Schedule X Wastes* and the *National Protocol Approval/ Licensing of Commercial-Scale Facilities for the Treatment/ Disposal of Schedule X Wastes*. The Applicant shall operate the development in accordance with the procedures outlined in the technology assessment document provided to the EPA, unless otherwise agreed by the EPA.

1.10 [6]The Applicant shall notify the EPA of any treatment plant or process requiring a licence under the *Protection of the Environment Operations Act 1997* or *Environmentally Hazardous Chemicals Act 1985*, other than the subject of this consent and incorporated General Terms of Approval, to be operated on the site.

Note: any treatment plant or process not the subject of this consent may require further approval in accordance with the *Environmental Planning and Assessment Act 1979*.

[4] Incorporates a Waterways Authority General Term of Approval (1)
[5] Incorporates EPA General Terms of Approval (O13.1 and O14.2)
[6] Incorporates an EPA General Term of Approval (O14.3)

1.11 [7]The Applicant shall ensure that any works the subject of this development consent are undertaken in accordance with any conditions applied to the relevant landowner's consent. The conditions of landowners' consents do not relieve the Applicant from complying with the conditions of this consent.

Dispute Resolution

1.12 In the event that a dispute arises between the Applicant and Council or the Applicant and a public authority other than the Department, in relation to a specification or requirement applicable under this consent, the matter shall be referred by either party to the Director-General, or if not resolved, to the Minister, whose determination of the dispute shall be final and binding on all parties. For the purpose of this condition, "public authority" has the same meaning as provided under section 4 of the Act.

Note: Section 121 of the *Environmental Planning and Assessment Act 1979* provides mechanisms for resolution of disputes between the Department, the Director-General, councils and public authorities.

This consent can not, and does not, remove, amend or modify any right of appeal to the Land and Environment Court, or any other legal dispute resolution mechanism.

2. COMPLIANCE

2.1 The Applicant shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.

2.2 The Applicant shall be responsible for environmental impacts resulting from the actions of all persons on the site, including contractors, subcontractors and visitors.

2.3 Prior to each of the events listed from a) to g) below, or within such period otherwise agreed by the Director-General, the Applicant shall certify in writing to the satisfaction of the Director-General, that it has complied with all conditions of this consent applicable prior to that event. Where an event is to be undertaken in stages, the Applicant may, subject to the agreement of the Director-General, stage the submission of compliance certification consistent with the staging of activities relating to that event.

a) commencement of any physical works on the site;
b) commencement of construction of development;
c) commencement of commissioning of the development, consistent with an approved Commissioning and Proof of Performance Program (refer to condition 10.10 of this consent);
d) commencement of proof of performance trials, consistent with an approved Commissioning and Proof of Performance Program (refer to condition 10.10 of this consent);
e) operation of the development;
f) completion of soil remediation and commencement of decommissioning of the development; and
g) completion of decommissioning and deconstruction of the development.

2.4 Notwithstanding condition 2.3 of this consent, the Director-General may require an update report on compliance with all, or any part, of the conditions of this consent. Any such update shall meet the requirements of the Director-General and be submitted within such period as the Director-General may agree.

2.5 The Applicant shall meet the requirements of the Director-General in respect of the implementation of any measure necessary to ensure compliance with the conditions of

[7] Incorporates a Waterways Authority General Term of Approval (2)

this consent, and general consistency with the documents listed under condition 1.2 of this consent. The Director-General may direct that such a measure be implemented in response to the information contained within any report, plan, correspondence or other document submitted in accordance with the conditions of this consent, within such time as the Director-General may agree.

3. CONSTRUCTION CERTIFICATION

3.1 In relation to the construction and occupation of the development, the Applicant shall provide the Director-General and Council with the following:

a) written notification of the appointment of a Principal Certifying Authority;
b) copies of all Construction Certificates issued for the development;
c) written notification of the intention to commence construction work, to be received at least two working days prior to the commencement of construction. In the event that more than one Construction Certificate is issued, notification shall be provided prior to the commencement of construction the subject of each Certificate;
d) copies of all Occupation Certificates issued for the development; and
e) written notification of the intention to occupy the development, to be received at least two working days prior to occupation. In the event that more than one Occupation Certificate is issued, notification shall be provided prior to the occupation the subject of each Certificate.

4. INDEPENDENT ENVIRONMENTAL OVERSIGHT

4.1 The Applicant shall bear all reasonable costs associated with an Independent Environmental Expert to oversee and certify the environmental and safety performance of the development during commissioning, proof of performance trials and operation. The Expert shall be responsible for:

a) independently certifying the environmental performance of the development during commissioning, proof of performance and operation;
b) independently reviewing environmental management, performance and monitoring associated with the development, subject to the scope of works established by the Applicant in consultation with, and for the approval of, the Director-General;
c) providing independent advice to the Director-General in relation to the environmental performance of the development, and mitigation/ amelioration measures that may be implemented to address any adverse impacts, should such impacts occur; and
d) otherwise fulfilling the functions given to it under this consent.

The Independent Environmental Expert shall be appointed by the Director-General prior to the commencement of commissioning the development, in accordance with an approved Commissioning and Proof of Performance Program (refer to condition 10.10 of this consent). Funding for the Expert shall be provided to the Director-General on a six-monthly basis, with the first funding provision made prior to the commencement of commissioning in accordance with an approved Commissioning and Proof of Performance Program. The quantum of funding required to be paid by the Applicant shall be established in consultation with the Department prior to the commencement of commissioning. The Independent Environmental Expert may be required to independently certify the environmental and safety performance of other remediation proposals on the Rhodes Peninsula, in which case funding provided by the Applicant for the Expert will established to reflect the proportion of the Expert's resources utilised in relation to the development the subject of this consent.

Note: the Director-General, in appointing the Independent Environmental Expert may consider comment made by the Applicant, the EPA, the Waterways Authority and the Rhodes Community Consultative Committee in relation to the appointment.

5. STAGING OF REMEDIATION WORKS

5.1 The Applicant shall undertake works the subject of this consent in a staged manner, subject to the following provisions:

a) site preparation and construction works shall not commence until the Applicant has satisfied all requirements of this consent applicable prior to those works;

b) commissioning of the development, consistent with an approved Commissioning and Proof of Performance Program shall not commence until:

   a) all requirements of this consent applicable prior to the commencement of commissioning have been met; and

   b) the Applicant has received the written approval of the Director-General and the EPA to commence commissioning;

c) proof of performance trials, consistent with an approved Commissioning and Proof of Performance Program, shall not commence until:

   i) all requirements of this consent applicable prior to the commencement of proof of performance trials have been met;

   ii) the Independent Environmental Expert has certified to the Director-General that the development is capable of progressing to proof of performance trials, based on the environmental and safety performance of the development during commissioning;

   iii) the Applicant has received the written approval of the Director-General and the EPA to proceed to proof of performance trials;

d) [8]operation of the development shall not commence until:

   i) all requirements of this consent applicable prior to the commencement of operation have been met;

   ii) the Independent Environmental Expert has certified to the Director-General that the development is capable of progressing to operation, based on the environmental and safety performance of the development during proof of performance trials; and

   iii) the Applicant has received the written approval of the Director-General and the EPA to proceed to proof of performance trials;

5.2 [9]Nothing in this consent prohibits the Applicant from continuing site preparation/ construction, commissioning or proof of performance trials as may be approved and permitted by condition 5.1 of this consent during the period required to obtain relevant approval(s) to progress to the subsequent phase of the development, as outlined under condition 5.1.

6. ENVIRONMENTAL PERFORMANCE

Soil Remediation Requirements

6.1 The Applicant shall only process materials from the site through the treatment process and shall not receive any material from off-site, whether clean or contaminated, for treatment.

6.2 [10]The Applicant shall only process materials through the DHTD unit consistent with soil matrices, contaminant constituents and contaminant concentrations processed and proven as acceptable for processing during commissioning proof of performance trials, as certified by the Independent Environmental Expert, and approved by the Director-General and the EPA (refer to condition 10.10 of this consent).

6.3 The Applicant shall not permit the removal of any contaminated material from the site without the prior written approval of the EPA.

[8] Incorporates an EPA General Term of Approval (G3.1)
[9] Incorporates an EPA General Term of Approval (G3.3)
[10] Incorporates an EPA General Term of Approval (O14.1)

Note: transport of contaminated materials off-site may require further approval under the *Environmental Planning and Assessment Act 1979*.

6.4 [11]The Applicant shall manage all materials and wastes containing scheduled chemical waste, dioxin and/ or polychlorinated biphenyls (PCBs) in accordance with the applicable Chemical Control Order, or in accordance with a licence under the *Environmentally Hazardous Chemicals Act 1985*.

6.5 [12]The Applicant shall process all scheduled chemical waste, as defined in the EPA's *Scheduled Chemical Wastes Chemical Control Order*, materials contaminated with scheduled chemical waste, dioxin and/ or polychlorinated biphenyls (PCBs), and any wastes generated by the treatment process until the materials/ wastes meet:

a) the most stringent clean-up criteria specified in the documents listed under condition 1.2 for the protection of human health and ecology;
b) a statistical average dioxin and furan I-TEQ concentration, determined with a methodology acceptable to the EPA, of no greater than 1 μgkg^{-1} (1,000 ppt);
c) an aggregate concentration of scheduled chemical waste constituents of no greater than 1 $mgkg^{-1}$;
d) a polychlorinated biphenyl concentration of no greater than $2mgkg^{-1}$;
e) the requirements of relevant Chemical Control Orders, including the Orders relating to Dioxin Contaminated Wastes 1986, Scheduled Chemical Wastes 1994, and Polychlorinated Biphenyl 1997; and
f) the requirements that may apply in accordance with the *Organochlorine Pesticides Waste Management Plan 1999*.

In the event of an inconsistency between the requirements listed from a) to f) above, the most stringent requirement shall apply to the extent of the inconsistency.

6.6 [13]Of all of the process residues generated on the site, the Applicant may only reuse the materials listed below for placement or backfilling, provided the wastes meet the criteria specified under condition 6.5 of this consent:

a) particulates generated and/ or collected in air pollution control equipment applied to plant, equipment and/ or facilities;
b) sediments or sludges from the on-site wastewater treatment plant.

The Applicant shall test the materials listed above to confirm compliance with the criteria specified under condition 6.5 before the materials are reused for placement or backfilling. No wastes, other than the materials listed above, are permitted to be used for placement and backfilling, and shall be handled and managed in accordance with the relevant requirements of this consent and the Environment Protection Licence for the site.

Air Quality Impacts

6.7 [14]The Applicant shall install, operate and maintain a meteorological monitoring station to monitor weather conditions representative of those of the site, in accordance with:

a) AM-1 Guide to Siting of Sampling Units;
b) AM-2 Guide for Horizontal Measurement of Wind for Air Quality Applications; and
c) AM-4 On-Site Meteorological Monitoring Program Guidance for Regulatory Modelling Applications.

[11] Incorporates an EPA General Term of Approval (L8.1)
[12] Incorporates an EPA General Term of Approval (L8.2)
[13] Incorporates EPA General Terms of Approval (O4.1 and O4.2)
[14] Incorporates an EPA General Term of Approval (M3.1)

The Applicant shall use the meteorological monitoring station to undertake the monitoring required under condition 7.2 of this consent. This condition does not preclude the Applicant from reaching agreement with any other relevant party for the installation, operation and maintenance of a shared monitoring station, provided the outcomes of this condition, and any relevant requirement applied to the other party, are achieved.

Monitoring and Discharge Points

6.8 [15]For the purposes of this consent, air monitoring/ air discharge points shall be identified as provided in Table 1 below.

Table 1 - Identification of Air Monitoring and Discharge Points

Monitoring/ Discharge Point Identification Number	Monitoring/ Discharge Point Description
1	DHTD exhaust stack
2	DHTD thermal oxidiser
3	Soil drying enclosure exhaust stack
4	Soil drying enclosure carbon filter exhaust
5	Most affected residential receptors

Odour

6.9 [16]The Applicant shall not permit any offensive odour to be emitted from the site, as defined under section 129 of the *Protection of the Environment Operations Act 1997*.

Dust Emissions

6.10 [17]The Applicant shall design, construct, commission, operate, maintain and decommission the development in a manner that minimises or prevents dust emissions from the site. The Applicant shall ensure that there are no visible dust emissions from the site.

6.11 [18]The Applicant shall take all practicable measures to ensure that all vehicles associated with the development, carrying contaminated soil or a material that may generate dust, are covered at all times, except during loading and unloading. Any such vehicles shall be covered or enclosed in a manner that will prevent emissions of dust from the vehicle at all times.

Discharge Limits

6.12 [19]The Applicant shall design, construct, commission, operate and maintain the development to ensure that at each discharge point indicated in Table 2 (refer to condition 6.8 of this consent), the concentration of each pollutant listed does not exceed the maximum allowable discharge concentration limit specified for that pollutant. For the purpose of monitoring and determining compliance with this condition:

a) "dioxins and furans" shall be polychlorinated dibenzo-p-dioxins (PCDD) and polychlorinated dibenzofurans (PCDF), presented as 2,3,7,8-tetrachloro-dibenzo-p-dioxin (TCDD) equivalent and calculated in accordance with the procedures included in Part 9, clause 19 of the *Clean Air (Plant and Equipment) Regulation 1997*; and

b) volatile organic compounds (VOC) shall be presented as n-hexane equivalent.

[15] Incorporates an EPA General Term of Approval (P1.1)
[16] Incorporates an EPA General Term of Approval (O1.1)
[17] Incorporates EPA General Terms of Approval (O2.1, O2.2 and O2.3)
[18] Incorporates an EPA General Term of Approval (O2.2)
[19] Incorporates an EPA General Term of Approval (L1.1)

Table 2 - Maximum Allowable Discharge Concentration Limits (Air)

Pollutant	Maximum Allowable Discharge Concentration Limit	Reference Conditions
DISCHARGE POINT 1		
Sulfuric acid mist (H_2SO_4) or sulfur trioxide (SO_3), or both, as (SO_3)	100 mgm^{-3}	dry, 273K, 101.3 kPa, 10% O_2
Chlorine (Cl_2)	200 mgm^{-3}	dry, 273K, 101.3 kPa, 10% O_2
Hydrogen chloride (HCl)	100 mgm^{-3}	dry, 273K, 101.3 kPa, 10% O_2
Any fluorine compound	50 mgm^{-3}	dry, 273K, 101.3 kPa, 10% O_2
Nitrogen dioxide (NO_x) or nitric oxide (NO) or both	500 mgm^{-3}	dry, 273K, 101.3 kPa, 10% O_2
total of Sb, As, Cd, Pb, Hg, Be, Cr, Co, Mn, Ni, Se, Sn and V	0.5 mgm^{-3}	dry, 273K, 101.3 kPa, 10% O_2
cadmium	0.1 mgm^{-3}	dry, 273K, 101.3 kPa, 10% O_2
mercury	0.1 mgm^{-3}	dry, 273K, 101.3 kPa, 10% O_2
Solid particles	30 mgm^{-3}	dry, 273K, 101.3 kPa, 10% O_2
dioxins and furans	0.1 ngm^{-3}	I-TEQ, dry, 273K, 101.3 kPa
total volatile organic compounds (VOC)	10 ppm	dry, 273K, 101.3 kPa, 10% O_2
carbon monoxide	100 ppm	dry, 273K, 101.3 kPa, 10% O_2
DISCHARGE POINT 3		
total of Sb, As, Cd, Pb, Hg, Be, Cr, Co, Mn, Ni, Se, Sn and V	0.5 mgm^{-3}	dry, 273K, 101.3 kPa
cadmium	0.1 mgm^{-3}	dry, 273K, 101.3 kPa
mercury	0.1 mgm^{-3}	dry, 273K, 101.3 kPa
Solid particles	10 mgm^{-3}	dry, 273K, 101.3 kPa
dioxins and furans	0.1 ngm^{-3}	I-TEQ, dry, 273K, 101.3 kPa

Thermal Oxidiser Design and Performance Requirements

6.13 [20]In relation to the thermal oxidiser (air monitoring point 2, as defined under condition 6.8 of this consent), the Applicant shall ensure that:

a) the thermal oxidiser is designed to operate with a temperature set-point of 950 $\pm$ 30^{o}C;

b) the thermal oxidiser is operated under all circumstances, including process upsets and high gaseous pollutant loads, at a temperature greater than 900^{o}C;

c) the thermal oxidiser is operated under all circumstances with a gas residence time greater than one second; and

d) the thermal oxidiser is designed to operate with a volatile organic compound (VOC) destruction efficiency of no less than 99.99%.

Stack Design Requirements

6.14 [21]The Applicant shall design, construct, operate and maintain the development to ensure that the monitoring/ discharge points indicated in Table 3 below (refer to condition 6.8 of this consent) meet the minimum stack heights and discharge velocities specified in the Table for those monitoring/ discharge points during commissioning, proof of performance trials and operation of the development.

Table 3 - Monitoring/ Discharge Point Design Parameters

Monitoring/ Discharge Point	Minimum Stack Height (m)	Maximum Stack Diameter (m)
1	11	0.91
3	as agreed by the EPA	as agreed by the EPA

[20] Incorporates EPA General Terms of Approval (L4.1, U1.1 and U1.2)
[21] Incorporates an EPA General Term of Approval (U2.1)

6.15 [22]The Applicant shall design, construct, operate and maintain all stacks associated with the development in accordance with good engineering practice in order to minimise the effects of stack tip downwash and building wake effects on ground-level air pollutant concentrations.

Note: the EPA refers to the following documents for determining "good engineering practice":

a) USEPA, 1985, *Guideline for Determination of Good Engineering Practice Stack Height (Technical Support Document for the Stack Height Regulations)*, Revised EPA-450/4-80-023R, United States Environmental Protection Agency, Washington DC, USA;

b) USEPA, 1995, *User's Guide to the Building Profile Input Program*, Revised February 1995, EPA-454/R-93-038, United States Environmental Protection Authority, Washington DC, USA; and

c) USEPA, 1997, *Addendum to ISC3 User's Guide, The Prime Plume Rise and Building Downwash Model*, United States Environmental Protection Agency, Washington DC, USA.

Fugitive Emissions

6.16 The Applicant shall design, construct, operate and maintain a ventilation system(s) for the soil drying enclosure to ensure that the pressure within the enclosure lies below atmospheric pressure at all times. The Applicant shall test ventilation systems prior to the commencement of proof of performance trials in accordance with an approved Commissioning and Proof of Performance Program to evaluate compliance with this condition. Certification provided by the Independent Environmental Expert, or other party acceptable to the Director-General, for the progression from commissioning to proof of performance trials shall include reference to the results of this testing.

Water Quality Impacts

6.17 [23]Except as may be expressly permitted by an Environment Protection Licence for the development issued by the EPA under the *Protection of the Environment Operations Act 1997*, the Applicant shall ensure that section 120 of that Act (prohibition of pollution of waters) is complied with in and in connection with the carrying out of the development.

6.18 [24]The Applicant shall apply all practicable measures to reduce the quantity of dirty water, and the concentration of contaminants contained in dirty water, produced as a result of site establishment, construction, operation and decommissioning works for the development.

Monitoring and Discharge Points

6.19 [25]For the purposes of this consent, water monitoring/ water discharge points shall be identified as provided in Table 4 below. These water monitoring/ water discharge points shall be clearly indicated on maps in the Water Management Plan required under condition 10.5 of this consent.

[22] Incorporates an EPA General Term of Approval (U2.1)
[23] Incorporates an EPA General Term of Approval (L2.1)
[24] Incorporates an EPA General Term of Approval (L2.2)
[25] Incorporates an EPA General Term of Approval (P1.2)

Table 4 - Identification of Water Monitoring and Discharge Points

Monitoring/ Discharge Point Identification Number	Monitoring/ Discharge Point Description
1	Sediment basin, as specified in an approved Water Management Plan (refer to condition 10.5 of this consent)
2	Tap on the pipe discharging to Homebush Bay from the sediment basin, as specified in an approved Water Management Plan (refer to condition 10.5 of this consent)
3	Reference site for ambient turbidity monitoring
4, 5, 6	Ambient waters one metre outside silt curtains, or as otherwise agreed by the EPA, and identified in an approved Water Management Plan (refer to condition 10.5 of this consent) for each phase of the sea wall remediation

Discharges Limits – Environment

6.20 [26]The Applicant shall develop and submit for the approval of the EPA, concentration limits for wastewater reuse and discharges to waters. The limits shall be based on the ANZECC & ARMCANZ (2000) Guidelines and results from water treatment plant trials undertaken by the Applicant. Where the ANZECC & ARMCANZ (2000) Guidelines do not provide ambient water quality criteria on which to base discharge limits, relevant literature-sourced criteria, including NEPM criteria, may be used by the Applicant in developing the concentration limits. These criteria shall be clearly referenced and compared to interim working levels listed in the ANZECC & ARMCANZ (2000) Guidelines

In developing limits for discharges to waters, the Applicant shall consider the initial mixing processes and potential for bioaccumulation, for the set of parameters listed in Tables 1.1 and 1.2, Annex L of the document listed under condition 1.2e) of this consent. Information from the site water balance for the sediment basin(s) shall be provided in the Water Management Plant (refer to condition 10.5), to provide a basis for discharge concentration limits and to enable assessment of the initial mixing processes in ambient waters.

The limits approved by the EPA under this condition shall apply for the initial three months of remediation work and operation of the sediment basin(s)

6.21 [27]As soon as practicable after the first three months of operating the sediment basin(s), the Applicant must review the Water Monitoring Program (refer to condition 7.14) to assess the need for a revision of the measurement parameters and concentration limits for wastewater reuse and discharges. The review shall be based on the results of the water monitoring program and any water test results collected in the first three months of the excavation of un-remediated soil on the site. Based on this review, the Applicant shall develop and submit for the approval of the EPA, revised concentration limits for the point(s) of discharge, based on, but not necessarily limited to the parameters listed in Tables 1.1 and 1.2, Annex L of the document listed under condition 1.2e) of this consent.

Once approved by the EPA, the revised concentration limits and parameters to be monitored shall apply for the life of the development, unless otherwise agreed by the EPA.

[26] Incorporates EPA General Terms of Approval (L3.2 and L3.3)
[27] Incorporates an EPA General Term of Approval (L3.4)

Surface Water and Stormwater

6.22 [28]Prior to the commencement of site preparation or construction works, the Applicant shall satisfy the EPA, that stormwater detention basin(s) to be installed on site have been designed to meet the EPA's requirements.

6.23 [29]The Applicant shall take all practicable measures, using best environmental practice, to:

a) minimise soil erosion and the discharge of sediments and pollutants from the site; and
b) reduce both the concentration of contaminants contained in dirty water and the total quantity of dirty water produced as a result of site establishment, construction, operation and decommissioning works for the development.

6.24 [30]In relation to the management of the water cycle on the site, the Applicant shall ensure that:

a) surface water runoff and groundwater from contaminated water basin areas, or dirty water basins, is collected;
b) stormwater and groundwater from contaminated areas is transferred to dirty water systems and the on-site water treatment plant, and is not permitted to contaminate clean areas of the site;
c) all runoff generated from the outdoor pre-treatment stockpile areas is collected and treated in the on-site water treatment plant;
d) all contaminated water is collected and treated in an on-site water treatment plant, or disposed of off-site to a wastewater treatment facility lawfully permitted to accept such waste;
e) contaminated water containing organic compounds is not detained and aerated for the purpose of disposing of pollutants in the atmosphere;
f) on-site water treatment systems are to be operated to meet the performance and monitoring requirements of the EPA, and in the event that the treated water is to be discharged to sewer, to meet the requirements of the EPA and SWC; and
g) water to be reused on the site meets the criteria specified in the Water Management Plan developed in accordance with condition 10.5 of this consent.

6.25 [31]The Applicant shall ensure that any material that is to be stockpiled on site is stabilised to prevent contamination, erosion or dispersal of the material.

Application of Water to Land

6.26 [32]In relation to the application of wastewater to the site, the Applicant shall ensure that:

a) wastewater/ effluent is applied strictly in accordance with an approved Water Management Plan under condition 10.5 of this consent, with respect to water volumes, quantities and application areas;
b) wastewater/ effluent is not applied to any clean areas of the site or within clean sediment basin catchments;
c) wastewater is to be applied in a manner that does not cause surface run-off or ponding;
d) spray generated from the application of wastewater/ effluent to land shall not drift beyond the site boundary, or the area to which the wastewater is to be applied;
e) reuse of contaminated water/ effluent on site meets the requirements of NSW Health and WorkCover, as relevant;
f) contaminated water/ effluent to be reused on site is tested and verified as safe for site workers and local residents, and will not contaminate clean areas.

[28] Incorporates an EPA General Term of Approval (M2.4)
[29] Incorporates EPA General Terms of Approval (O5.2 and O5.5)
[30] Incorporates EPA General Terms of Approval (O5.6, O5.8, O5.9, O10.1 and O10.2)
[31] Incorporates a Waterways Authority General Term of Approval (10)
[32] Incorporates EPA General Terms of Approval (O9.1, O9.2, O9.3, O9.4 and O9.5)

Where the EPA's *Draft Guideline for Use of Treated Effluent by Irrigation 1995* does not provide specific reuse criteria, the Applicant shall seek the EPA's written approval of proposed reuse criteria prior to any reuse of water.

Note: the EPA has provided the following general preliminary guidance to assist the Applicant in determining reuse criteria for pollutants not specified under *Draft Guideline for Use of Treated Effluent by Irrigation 1995*:

a) water quality criteria in any Trade Waste Agreement with Sydney Water are likely to be acceptable;
b) water quality of effluent from the on-site water treatment plant (holding tanks) may be acceptable following the review of water treatment plant performance;
c) the quality of water from the clean water basin(s) is likely to be acceptable;
d) the quality of water from contaminated water basin(s) is unlikely to be acceptable unless it can be demonstrated as safe for site workers and will not re-contaminate treated soils;
e) the quality of water from the on-site water treatment plant that is not suitable for discharge to sewer is unlikely to be suitable for onsite reuse due to occupational health and safety issues

Discharge of Water to Sewer

6.27 [33]In the event that any wastewater from the site is to be discharged to sewer, the Applicant shall:

a) establish a Trade Waste Agreement with SWC and comply with the conditions of the Agreement at all times;
b) seek the written approval of SWC for the design of all wastewater pre-treatment systems prior to the construction and operation of those systems; and
c) ensure that the development is operated in accordance with SWC's Trade Waste Policy.

The Applicant shall obtain a Section 73 Compliance Certificate from SWC under the *Sydney Water Act 1994*. In seeking the Compliance Certificate, the Applicant shall supply to SWC all information necessary for SWC to assess the impacts of discharges of wastewater to sewer. The Applicant shall comply with the requirements of SWC, issued as a Notice of Requirements under Section 74 of the *Sydney Water Act 1994*, prior to the Compliance Certificate being issued.

Homebush Bay/ Land Interface

6.28 [34]Prior to the commencement of site establishment or construction works, the Applicant shall prepare and submit for the approval of the Waterways Authority, cross sections showing final levels of the foreshore component of the site, at intervals of 50 metres. The cross sections are to extend into the Bay at least 5 metres beyond the toe of the seawall and inland to at least 40 metres from the top of the seawall. The cross sections are to depict mean high water mark, the toe of the seawall and the top of the seawall.

6.29 [35]Prior to the commencement of site establishment or construction works, the Applicant shall provide to the satisfaction of the EPA, details, including plans and cross-section diagrams, for incorporating a one metre wide buffer of clean fill, to be placed between the proposed new sea wall and the remediated soils. This buffer shall extend to the full depth of excavations and for the full length of the foreshore, or as otherwise agreed by the EPA. The fill must consist of clean sandy-gravel and must

[33] Incorporates an EPA General Term of Approval (O5.10)
[34] Incorporates a Waterways Authority General Term of Approval (13)
[35] Incorporates an EPA General Term of Approval (O7.1)

satisfy the definition of Virgin Excavated Natural Material as defined in the EPA's Waste Guidelines, alternatively this may be included in a site re-establishment plan.

6.30 [36]The Applicant shall ensure that any seawall constructed as part of the development follows substantially the same alignment as the existing seawall and will not result in any further encroachment into Homebush Bay.

6.31 [37]Prior to the commencement of site preparation and construction works, the Applicant shall demonstrate to the satisfaction of the Waterways Authority that any stormwater outlets to Homebush Bay have been designed to protect the bed of the Bay from scouring.

6.32 [38]The Applicant shall ensure that erosion, sedimentation and pollution control system is effectively maintained at or above design capacity for the duration of the development and until such time as all ground disturbed by the development has been stabilised and rehabilitated so that it no longer acts as a source of sediment. The Applicant shall demonstrate to the satisfaction of the Waterways Authority that measures are to be employed to stabilise the foreshore area of the site after completion of the development and prior to landscaping and/ or redevelopment of the site.

6.33 [39]The Applicant shall ensure that silt curtains are installed, and associated monitoring operational, at all times during the installation, use and relocation of temporary sheet pile/ temporary walls.

6.34 [40]The Applicant shall install the temporary sheet pile/ temporary wall to minimise water inflow associated with tidal fluctuations.

6.35 [41]The Applicant shall inspect the sheet pile/ temporary wall and silt curtain daily, and following every rainfall event, to ensure that the silt curtain is working effectively. Inspections shall include a visual check of the integrity of the silt curtain and temporary seawall. If inspections indicate that there is a plume of material escaping from the silt curtain or temporary seawall, all relevant excavation and outdoor materials handling activities shall cease until the temporary seawall or silt curtain is repaired. The Applicant shall record inspection dates, times and observations, with these records made available to the EPA on request.

6.36 [42]The Applicant shall establish ambient turbidity levels in Homebush Bay to the satisfaction of the EPA (water monitoring point 3, refer to condition 6.19 of this consent).

6.37 [43]The Applicant shall ensure that the development does not cause the concentration of total suspended solids (TSS) within one metre, or as otherwise agreed by the EPA, of the Homebush Bay side of the silt curtain(s), installed as part of the development to exceed the background turbidity at a comparable good quality reference site (water monitoring point 3, refer to condition 6.19 of this consent) by greater than 10 percent.

[36] Incorporates a Waterways Authority General Term of Approval (4)
[37] Incorporates a Waterways Authority General Term of Approval (7)
[38] Incorporates a Waterways Authority General Term of Approval (9)
[39] Incorporates an EPA General Term of Approval (O6.1)
[40] Incorporates an EPA General Term of Approval (O6.2)
[41] Incorporates an EPA General Term of Approval (O6.3)
[42] Incorporates an EPA General Term of Approval (L3.5)
[43] Incorporates EPA General Terms of Approval (L3.5 and L3.6)

6.38 [44]Notwithstanding condition 6.37 of this consent, the Applicant may seek the approval of the EPA for alternative criteria and methods that will allow detection of sediment plumes or a breach of the sea wall silt curtain during both sheet-pile construction and seawall-related works and operation stages of sheet pile sea wall works. Different monitoring approaches may be proposed and implemented (eg. continuous monitoring during sheet pile construction and periodic monitoring during seawall works). For the purpose of this condition, an indication of total suspended solids levels may be established using a turbidity meter after establishing a local relationship between nephelometric turbidity units and total suspended solids. The Water Management Plan referred to under condition 10.5 of this consent shall specify actions that shall be taken if this turbidity limit is exceeded.

Hazards and Risk Impacts

Bunding and Spill Management

6.39 The Applicant shall store and handle all hazardous materials and dangerous goods, as defined by the Australian Dangerous Goods Code, strictly in accordance with:

a) all relevant Australian Standards;
b) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
c) the EPA's Environment Protection Manual Technical Bulletin *Bunding and Spill Management*.

In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.

6.40 [45]The Applicant shall establish sealed hardstand areas under all treatment and pre-treatment processes on the site, unless otherwise agreed by the EPA.

Pre-Construction Hazards Studies

6.41 Prior to the commencement of construction on the site, the Applicant shall prepare and submit for the approval of the Director-General, the following studies:

a) a **Fire Safety Study** for the development, covering all aspects detailed in the Department's publication *Hazardous Industry Planning Advisory Paper No. 2 - Fire Safety Guidelines* and the New South Wales Government's *Best Practice Guidelines for Contaminated Water Retention and Treatment Systems*. The Study shall include a strict maintenance schedule for essential services and other safety measures. The Study shall be submitted for the approval of the Commissioner of the NSW Fire Brigades prior to submission to the Director-General;
b) a **Hazard and Operability Study (HAZOP)** and **Control Hazard and Operability Study (CHAZOP)** of the development chaired by an independent, qualified person or team. The independent person or team shall be approved by the Director-General. The Study shall be carried out in accordance with the Department's publication *Hazardous Industry Planning Advisory Paper No. 8 - HAZOP Guidelines*; and
c) a **Construction Safety Study** for the development, prepared in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 7 - Construction Safety Study Guidelines*.

Pre-Commissioning Hazards Studies

6.42 Prior to the commencement of commissioning of the development, in accordance with an approved Commissioning and Proof of Performance Program, the Applicant shall submit for the approval of the Director-General the following studies:

[44] Incorporates EPA General Terms of Approval (L3.5 and L3.6)
[45] Incorporates an EPA General Term of Approval (O14.4)

a) [46]an **Emergency Plan** for the development. The Plan shall be prepared in accordance with the Department's publication *Hazardous Industry Planning Advisory Paper No. 1 - Industry Emergency Planning Guidelines*. The Plan shall be developed in consultation with relevant emergency services, the Rhodes Community Consultative Committee, and the EPA;

b) a **Safety Management System**, covering all operations at the development and any associated transport activities involving hazardous materials. The System shall clearly specify all safety-related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to safety procedures. The System shall be developed in accordance with the Department's publication *Hazardous Industry Planning Advisory Paper No. 9 - Safety Management*.

Emergency Response

6.43 The Applicant shall successfully rehearse the Emergency Plan referred to under condition 6.42a) of this consent on at least one occasion during the commissioning of the development or proof of performance trials. The rehearsal shall include a simulated response to a full-scale emergency at the development and shall involve relevant stakeholders, including, but not necessarily limited to relevant emergency services and adjacent landowners. The Independent Environmental Expert, or other party acceptable to the Director-General, shall certify the success of the Emergency Plan rehearsal as part of the certification required prior to the commencement of operation.

Noise Impacts

Restriction to Hours

6.44 [47]To mitigate noise impacts associated with the development, the Applicant shall undertake works the subject of this consent in accordance with the restrictions listed below:

a) site preparation and construction works undertaken during the first 12-week period after the commencement of the first site preparation or construction activity on the site shall be restricted to the following hours:
   i) between 07:00 and 18:00 on Mondays to Fridays;
   ii) between 08:00 and 13:00 on Saturdays; and
   iii) at no time on Sundays or public holidays

b) site preparation and construction works that may be undertaken after the first 12-week period after the commencement of the first site preparation or construction activity on the site shall be restricted to ensure compliance with the noise contributions limits for the development specified under condition 6.46 of this consent;

c) commissioning, proof of performance testing and operation shall be subject to the following restrictions:
   i) all mobile equipment outside the treatment compound shall only operate between 07:00 and 18:00 on Mondays to Saturdays;
   ii) no mobile equipment is permitted to operate outside the treatment compound on Sundays or public holidays;
   iii) only the DHTD unit and one front-end loader at a time are permitted to operate between 18:00 and 07:00 on any day; and
   iv) the operation of any front-end loader between 18:00 and 07:00 must be fully contained within the treatment compound.

This condition does not apply in the event of an emergency (to protect the human and biophysical environments) or under direction from a relevant authorised authority.

[46] Incorporates an EPA General Term of Approval (O15.1)
[47] Incorporates EPA General Terms of Approval (L7.1, L7.2 and L7.3)

Note: condition 6.44 of this consent does not prohibit the location of more than one front-end loader within the treatment compound, provided only one of the front-end loaders is operated at any time.

6.45 [48]The time restrictions specified under condition 6.44 of this consent may be varied with the EPA's agreement with the proposed variation in times, after providing any information necessary for the EPA to reasonably determine that activities undertaken during the varied hours will not adversely impact on the acoustic amenity of receptors in the vicinity of the site.

Noise Limits

6.46 [49]The Applicant shall design, construct, operate and maintain the development to ensure that the noise contributed from development after the first 12-week period after the commencement of the first site preparation or construction activity on the site, to the background acoustic environment does not exceed the maximum noise contribution limits specified in Table 5, at the locations indicated, and during the periods specified. This condition only applies during the following meteorological conditions:

a) wind speeds up to 3ms^{-1} at ten metres above ground level; or
b) temperature inversion conditions up to 3^{o}C per 100 metres and wind speeds up to 2ms^{-1} at ten metres above ground level.

Table 5 - Maximum Allowable Noise Contributions

Period	Noise Measurement	Residential Receptor Location	
		Rhodes	Meadowbank
Day *07:00 to 18:00 Mondays to Saturdays* *08:00 to 18:00 pm Sundays/ public holidays*	$L_{Aeq(15\ minute)}$	45	47
Evening *18:00 to 22:00 any day*	$L_{Aeq(15\ minute)}$	45	45
Night *22:00 to 07:00 Mondays to Saturdays* *22:00 to 08:00 pm Sundays/ public holidays*	$L_{Aeq(15\ minute)}$	38	40
	$L_{A1(1\ minute)}$	48	50

6.47 [50]For the purpose of assessment of noise contributions specified under condition 6.46 of this consent, noise from the development shall be

a) measured at the most affected point on or within the site boundary at the most sensitive locations to determine compliance with $L_{Aeq(15\ minute)}$ noise limits;
b) measured at one metre from the dwelling façade to determine compliance with $L_{A1(1\ minute)}$ noise limits; and
c) subject to the modification factors provided in Section 4 of the *New South Wales Industrial Noise Policy* (EPA, 2000), where applicable.

Notwithstanding, should direct measurement of noise from the development be impractical, the Applicant may employ an alternative noise assessment method deemed acceptable by the EPA (refer to Section 11 of the *New South Wales Industrial Noise Policy* (EPA, 2000)). Details of such an alternative noise assessment method accepted by the EPA shall be submitted to the Director-General prior to the implementation of the assessment method.

[48] Incorporates EPA General Term of Approval (L7.4)
[49] Incorporates EPA General Terms of Approval (L6.1, L6.2 and L6.5)
[50] Incorporates an EPA General Term of Approval (L6.3 and L6.4)

Waste Generation and Management

6.48 [51]The Applicant shall undertaken all practicable measures, using best environmental practice, to reduce the quantity of liquid and non-liquid wastes, and the concentration of contaminants contained in those wastes, generated as a result of site establishment, construction, operation and decommissioning works associated with the development.

6.49 [52]The Applicant shall not cause, permit or allow any waste generated by the development or from outside the site to be received at the site for storage, treatment, processing, reprocessing, mixing/ blending with other materials or disposal on the site, except as expressly permitted by an Environment Protection Licence under the *Protection of the Environment Operations Act 1997*. This condition only applies to wastes for which such a Licence is required.

6.50 [53]The Applicant shall ensure that all liquid and/ or non-liquid waste generated and/ or stored on the site is assessed and classified in accordance with the EPA's Environmental Guidelines: *Assessment, Classification and Management of Liquid and Non-Liquid Wastes* (Waste Guidelines) as in force as at 1 July 1999. Further, the Applicant shall ensure that waste generated from the demolition of the existing seawall and/ or other on-site structures is assessed for cross-contamination with chemical waste in accordance with the *Protection of the Environment Operations Act 1997* and the Waste Guidelines.

> Note: where waste, such as clean fill, is imported and/ or received at the site, it can only be, and shall be verified to be, Virgin Excavated Natural Material (VENM). VENM is defined in the *Protection of the Environment Operations Act 1997*.

6.51 [54]The Applicant shall ensure that wastes identified for recycling are stored separately from other wastes on the site.

Flora, Fauna and Visual Amenity Impacts

6.52 The Applicant shall ensure that revegetation of the area identified as Point Park under *Sydney Regional Environmental Plan No. 29 – Rhodes Peninsula* and associated Development Control Plan is commenced as soon as practicable after certification of that part of the site by an EPA-accredited site auditor. Revegetation shall be consistent with the requirements of any masterplan or redevelopment consent issued for the site under the *Environmental Planning and Assessment Act 1979*, and the requirements of the Waterways Authority. Should such a development consent not exist one month prior to certification by an EPA-accredited site auditor, the Applicant shall submit for the approval of the Director-General, details of how Point Park is to be revegetated consistent with the *Sydney Regional Environmental Plan No. 29 – Rhodes Peninsula* and associated Development Control Plan, and to meet the requirements of the Waterways Authority.

6.53 [55]The Applicant shall ensure that all existing mangroves are not damaged by any activity associated with the development, unless otherwise approved by NSW Fisheries.

6.54 [56]The Applicant shall ensure that weed free soil, suitable for local riparian areas, forms the upper layer(s) of the soil in placed along the foreshore of the site, to the satisfaction of the Waterways Authority.

---

[51] Incorporates an EPA General Term of Approval (L5.2)
[52] Incorporates an EPA General Terms of Approval (L5.2 and L5.3)
[53] Incorporates EPA General Terms of Approval (O3.1 and O3.3)
[54] Incorporates an EPA General Term of Approval (O3.2)
[55] Incorporates a Waterways Authority General Term of Approval (11)

Completion of Works

6.55 [57]The Applicant shall engage an independent site auditor accredited under the *Contaminated Land Management Act 1997* to provide advice in relation to the appropriateness of the remediation approach for addressing the significant risk of harm associated with the site (as distinct from the environmental and safety performance of the development). Upon completion of remediation of the site, or each part of the site if release of the site is staged, the Applicant shall demonstrate to the satisfaction of the Director-General that the site auditor has prepared a site audit statement(s) and summary site audit report(s) commenting on whether the remediated site, or part of the site, does not pose a significant risk of harm to human health or ecological systems.

7. ENVIRONMENTAL MONITORING AND AUDITING

7.1 [58]All monitoring required under this consent, and recording of monitoring results, shall be undertake to meet the requirements of the EPA and in accordance with relevant EPA guidelines.

Meteorological Monitoring

7.2 [59]The Applicant shall continuously monitor, utilising the meteorological monitoring station referred to under condition 6.7 of this consent, each of the parameters listed in Table 6, utilising the sampling method indicated and applying a 15-minute average period to all results, in units specified in the Table.

Table 6 – Meteorological Monitoring

Parameter	Units of Measure	Sampling Method
Temperature at two metres	^{o}C	AM-4
Temperature at ten metres	^{o}C	AM-4
Wind speed at two metres	ms^{-1}	AM-2 and AM-4
Wind direction at ten metres	^{o}	AM-2 and AM-4
Sigma theta at ten metres	^{o}	AM-2 and AM-4
Solar radiation	Wm^{-2}	AM-4

All monitoring results obtained under this condition shall be made available to the Rhodes Community Consultative Community, and to the general public on request.

Remediation Technology Monitoring

7.3 [60]The Applicant shall prepare and implement a **Remediation Technology Monitoring Program** to monitor and record critical operating parameters during commissioning, proof of performance trials and operation of the development. The Program shall address the requirements of the EPA, and shall include procedures and processes for monitoring:

a) quantities of materials fed to, and removed from the remediation process;
b) qualities of materials fed to, and removed from the remediation process;
c) characterisation of matrices constituting materials fed to the process;
d) operating temperatures of the technology; and
e) residence times for materials processed through the technology.

All monitoring results obtained under this condition shall be made available to the Rhodes Community Consultative Community, and to the general public on request.

---

[56] Incorporates a Waterways General Term of Approval (12)
[57] Incorporates an EPA General Term of Approval (A4.1)
[58] Incorporates EPA General Terms of Approval (M1.1, M1.2, M1.3, M7.1, M7.2, M7.3 and M7.4)
[59] Incorporates an EPA General Term of Approval (M3.1)
[60] Incorporates an EPA General Term of Approval (M4.1)

Air Quality Monitoring

Discharges to Atmosphere – DHTD Unit

7.4 [61]The Applicant shall determine the pollutant concentrations and emission parameters specified in Table 7 below, at air monitoring/discharge point 1 (refer to condition 6.8 of this consent), and employing the sampling and analysis method specified. Monitoring shall be undertaken during commissioning and proof of performance trials, as specified in an approved Commissioning and Proof of Performance Program (refer to condition 10.10 of this consent), and monthly during operation of the development. All monitoring results obtained under this condition shall be made available to the Rhodes Community Consultative Community, and to the general public on request.

Table 7 – Periodic Pollutant and Parameter Monitoring (Air)

Pollutant/ Parameter	Units of Measure	Method
sulfuric acid mist and/ or sulfur trioxide	mgm^{-3}	TM-3
chlorine (Cl_2)	mgm^{-3}	TM-7 and TM-8
total of Sb, As, Cd, Pb, Hg, Be, Cr, Co, Mn, Ni, Se, Sn and V	mgm^{-3}	TM-12, TM-13 and TM-14
cadmium	mgm^{-3}	TM-12, TM-13 and TM-14
mercury	mgm^{-3}	TM-12, TM-13 and TM-14
solid particles	mgm^{-3}	TM-15
dioxins and furans	ngm^{-3}	TM-18
velocity	ms^{-1}	TM-2
moisture content in stack gases	%	TM-22
dry gas density	kgm^{-3}	TM-23
molecular weight of stack gases	$gmol^{-1}$	TM-23
oxygen	%	TM-25

7.5 [62]The Applicant shall continuously monitor the pollutant concentrations and emission parameters specified in Table 8 below, at air monitoring/discharge point 1 (refer to condition 6.8 of this consent), and employing the sampling and analysis method specified. Monitoring shall be undertaken during commissioning and proof of performance trials, as specified in an approved Commissioning and Proof of Performance Program (refer to condition 10.10 of this consent), and during operation of the development. All monitoring results obtained under this condition shall be made available to the Rhodes Community Consultative Community, and to the general public on request.

Table 8 – Continuous Pollutant and Parameter Monitoring (Air)

Pollutant/ Parameter	Units of Measure	Method
hydrogen chloride	mgm^{-3}	as per condition 7.6
nitrogen dioxide (NO_2) or nitric oxide (NO) or both	mgm^{-3}	CEM-2
total volatile organic compounds	ppm	CEM-8
carbon monoxide	ppm	CEM-4
volumetric flowrate	m^3s^{-1}	CEM-6
temperature	^oC	TM-2
carbon dioxide in stack gases	%	CEM-3
oxygen in stack gases	%	CEM-3

[61] Incorporates an EPA General Term of Approval (M2.2)
[62] Incorporates an EPA General Term of Approval (M2.2)

7.6 [63]Prior to the commencement of commissioning of the development, the Applicant shall submit for the approval of the EPA details of a continuous monitoring method for hydrogen chloride to be employed under condition 7.5 of this consent.

Discharges to Atmosphere – Soil Drying Enclosure

7.7 [64]The Applicant shall determine the pollutant concentrations and emission parameters specified in Table 9 below, at air monitoring/discharge point 3 (refer to condition 6.8 of this consent), and employing the sampling and analysis method specified. Monitoring shall be undertaken at six monthly intervals from the commencement of operation of the development. All monitoring results obtained under this condition shall be made available to the Rhodes Community Consultative Community, and to the general public on request.

Table 9 – Periodic Pollutant and Parameter Monitoring (Air)

Pollutant/ Parameter	Units of Measure	Method
total of Sb, As, Cd, Pb, Hg, Be, Cr, Co, Mn, Ni, Se, Sn and V	mgm^{-3}	TM-12, TM-13 and TM-14
cadmium	mgm^{-3}	TM-12, TM-13 and TM-14
mercury	mgm^{-3}	TM-12, TM-13 and TM-14
solid particles	mgm^{-3}	TM-15
dioxins and furans	ngm^{-3}	TM-18
velocity	ms^{-1}	TM-2
volumetric flowrate	m^3s^{-1}	TM-2
temperature	^oC	TM-2
moisture content in stack gases	%	TM-22
dry gas density	kgm^{-3}	TM-23
molecular weight of stack gases	$gmol^{-1}$	TM-23

7.8 [65]Prior to the commencement of any soil handling in the soil drying enclosure, the Applicant shall submit to the Director-General, details of a continuous monitoring methodology, or other methodology acceptable to the EPA, to be used to detect breakthrough of the carbon filter applied to the soil drying enclosure (air monitoring point 4, as identified under condition 6.8 of this consent). Details of the continuous monitoring method shall be accompanied by evidence of the EPA's satisfaction with the continuous monitoring method. The Applicant shall apply the approved monitoring method on a continuous basis during commissioning, proof of performance trials and operation of the development.

Ambient Dust Monitoring

7.9 [66]The Applicant shall continuously monitor ambient dust concentrations (PM_{10}) at air monitoring point 5 (refer to condition 6.8 of this consent), employing the sampling and analysis methods specified under AM-18 or AS3580.9.8. Results of this monitoring shall be recorded in μgm^{-3}. All monitoring results obtained under this condition shall be made available to the Rhodes Community Consultative Community, and to the general public on request.

This condition may be satisfied with cooperative agreement with the Rhodes Environmental Monitoring and Management Committee, in relation to ambient dust monitoring, provided the monitoring outcomes of this condition are met.

[63] Incorporates an EPA General Term of Approval (M2.2)
[64] Incorporates an EPA General Term of Approval (M2.2)
[65] Incorporates EPA General Terms of Approval (M2.3 and U3.1)
[66] Incorporates an EPA General Term of Approval (M5.1)

Thermal Oxidiser Performance Monitoring

7.10 [67]The Applicant shall continuously monitor the performance of the thermal oxidiser (monitoring point 2 identified under condition 6.8 of this consent). The parameters specified in Table 10 shall be monitored, employing the sampling and analysis methods indicated.

Table 10 - Thermal Oxidiser Monitoring

Parameter	Units of Measure	Method
volumetric flowrate	$m^{-3}s^{-1}$	CEM-6
temperature	^{o}C	TM-2

All monitoring results obtained under this condition shall be made available to the Rhodes Community Consultative Community, and to the general public on request.

Air Quality Monitoring Frequency

7.11 The frequency and or scope of the pollutant/ parameter monitoring required under conditions 7.4, 7.5, 7.7 or 7.8 of this consent may be altered provided:

a) pollutant/ parameter monitoring has been undertaken for a period of no less than six months (measured from the commencement of commissioning in accordance with an approved Commissioning and Proof of Performance Program);
b) there has been no exceedence of any limit placed on the subject pollutant or parameter, through this consent or any Environment Protection Licence under the *Protection of the Environment Operations Act 1997* within the preceding six-month period;
c) there has been no reasonable complaint received from the public in relation to the subject pollutant/ parameter within the preceding six-month period (refer to condition 8.3 of this consent); and
d) the EPA agrees, in writing, with the proposed alteration to the frequency of pollutant/ parameter monitoring.

Noise Monitoring

7.12 [68]The Applicant shall prepare and implement a **Site Establishment and Construction Noise Monitoring Program** to monitor noise contributions from the development during site establishment and construction activities. The Program shall address the requirements of the EPA and shall include, but not necessarily be limited to:

i) identification of noise monitoring locations;
ii) scheduling of noise monitoring, both in relation to the time of monitoring, and any specific noise monitoring requirements before and after the first 12-week period from the commencement of the first site establishment or construction activity on the site;
iii) provisions and procedures for determining $L_{A10(15\ minute)}$, $L_{A90(15\ minute)}$ and $L_{A1(1\ minute)}$ noise levels; and
iv) review and assessment mechanisms to establish and address noise impacts on residential receptors.

7.13 [69]The Applicant shall prepare and implement an **Operation Noise Monitoring Program** to monitor noise contributions from the development during commissioning, proof of performance trials and operation of the development. The Program shall address the requirements of the EPA and shall include, but not necessarily be limited to:

i) identification of noise monitoring locations;

[67] Incorporates an EPA General Term of Approval (M4.2)
[68] Incorporates an EPA General Term of Approval (M6.1)
[69] Incorporates an EPA General Term of Approval (M6.2)

ii) scheduling of noise monitoring, with reference to day, evening and night-time periods;
iii) provisions and procedures for determining $L_{A10(15\ minute)}$, $L_{A90(15\ minute)}$ and $L_{A1(1\ minute)}$ noise levels; and
iv) review and assessment mechanisms to establish and address noise impacts on residential receptors.

Water Quality Monitoring

7.14 [70]The Applicant shall prepare and implement a **Water Monitoring Program** for the development. The Program shall address the requirements of the EPA and Waterways Authority, and shall include, but not necessarily be limited to:

a) monitoring requirements for the sediment basin, for the first three months of operation of the basin, including:
   i) at least one sample of each discharge event from the basin based on the full range of indicators identified by the Applicant and contaminants that may present on the site and listed in Tables 1.1 and 1.2, Annex L of the document listed under condition 1.2e) of this consent;
   ii) monitoring during periods when no discharge is occurring, to meet the requirements of the EPA and the provisions of the Water Management Plan required under this consent, for the set of parameters listed in Tables 1.1 and 1.2, Annex L of the document listed under condition 1.2e) of this consent
b) provision for review of the Program after the first three months of operation of the sediment basin including:
   i) review of monitoring parameters, including, but not limited to those listed in Table 11 below, and revision of monitoring parameters in the Program, based on the monitoring results obtained during the first three months of sediment basin monitoring, and results from soil monitoring;
   ii) provision for on-going monitoring in accordance with a) above, until the revised Program has been approved by the EPA.

Table 11 - Sediment Discharge Basin Monitoring Parameters

Pollutant/ Parameter	Units of Measure	Frequency	Sampling Method
TSS	mgL^{-1}	Monthly and after rainfall	Grab sample
Turbidity	NTU	Continuous (during discharges) and monthly, and after rainfall from basin	Turbidity meter (in line meter with alarm for discharges)
pH	-	Monthly and after rainfall	Field probe
Dissolved oxygen	mgL^{-1} or % saturation	Monthly and after rainfall	Field probe
Oil and grease	μgL^{-1}	Monthly and after rainfall	Grab sample
Endrin	μgL^{-1}	Monthly and after rainfall	Grab sample
Lindane	μgL^{-1}	Monthly and after rainfall	Grab sample
Hexachlorobenzene	μgL^{-1}	Monthly and after rainfall	Grab sample
Pentachlorobenzene	μgL^{-1}	Monthly and after rainfall	Grab sample
Pentachlorophenol	μgL^{-1}	Monthly and after rainfall	Grab sample
1,2,4,5-tetrachlorobenzene	μgL^{-1}	Monthly and after rainfall	Grab sample
Dioxins total	pgL^{-1}	Monthly and after rainfall	Grab sample
2-chlorophenol	μgL^{-1}	Monthly and after rainfall	Grab sample
4-chlorophenol	μgL^{-1}	Monthly and after rainfall	Grab sample
2,4-dichlorophenol	μgL^{-1}	Monthly and after rainfall	Grab sample
2,4,5-trichlorophenol	μgL^{-1}	Monthly and after rainfall	Grab sample

[70] Incorporates EPA General Terms of Approval (M2.5, M2.6 and M2.7)

2,4,6-trichlorophenol	μgL^{-1}	Monthly and after rainfall	Grab sample
1,4-dichlorobenzene	μgL^{-1}	Monthly and after rainfall	Grab sample
2,4-D	μgL^{-1}	Monthly and after rainfall	Grab sample
2,4,5-T	μgL^{-1}	Monthly and after rainfall	Grab sample
Aldrin	μgL^{-1}	Monthly and after rainfall	Grab sample
Dieldrin	μgL^{-1}	Monthly and after rainfall	Grab sample
Chlordane	μgL^{-1}	Monthly and after rainfall	Grab sample
DDTs	μgL^{-1}	Monthly and after rainfall	Grab sample
Heptachlor epoxide	μgL^{-1}	Monthly and after rainfall	Grab sample
Polycyclic aromatic hydrocarbons (PAHs) as benzo(a)pyrene equivalent	μgL^{-1}	Monthly and after rainfall	Grab sample

Water Quality Monitoring Frequency

7.15 The frequency and/ or scope of the pollutant/ parameter monitoring required under the revised Water Monitoring Program referred to under condition 7.14b) of this consent may be altered provided:

e) pollutant/ parameter monitoring has been undertaken for a period of no less than six months (measured from the commencement of monitoring under the revised Water Monitoring Program);

f) there has been no exceedence of any limit placed on the subject pollutant or parameter, through this consent or any Environment Protection Licence under the *Protection of the Environment Operations Act 1997* within the preceding six-month period;

g) there has been no reasonable complaint received from the public in relation to the subject pollutant/ parameter within the preceding six-month period (refer to condition 8.3 of this consent); and

h) the EPA agrees, in writing, with the proposed alteration to the frequency of pollutant/ parameter monitoring.

Ambient Turbidity Monitoring

7.16 [71]The Applicant shall continuously monitor turbidity levels outside the silt curtains installed as part of the development, at locations (water monitoring points 4, 5 and 6, refer to condition 6.19 of this consent) approved by the EPA. Monitoring shall be undertaken with a field probe and alarm, with results reported as NTU, unless otherwise approved by the EPA.

Note: The location of monitoring points will change with the relocation of the foreshore remediation cells, which is to be detailed in the Water Management Plan for the development. The EPA may specify the monitoring location (Point 3) and methodology to establish the background concentration levels.

Auditing

7.17 Six months after the commencement of operation of the development, or within such period as otherwise agreed by the Director-General, the Applicant shall commission an independent, qualified person or team to undertake a Hazard Audit of the development. The independent person or team shall be approved by the Director-General prior to the commencement of the Audit. A **Hazard Audit Report** shall be submitted for the approval of the Director-General no later than one month after the completion of the Audit. Further Hazard Audits shall be undertaken as may be required by the Director-General. Hazard Audits shall be carried out in accordance with the Department's publication *Hazardous Industry Planning Advisory Paper No. 5 -*

[71] Incorporates an EPA General Term of Approval (M2.8)

Hazard Audit Guidelines. All Hazard Audit Reports shall be made available for public inspection on request.

7.18 Six months after the commencement of operation of the development, the Applicant shall commission an independent person or team to undertake an Environmental Audit of the development. The independent person or team shall be approved by the Director-General prior to the commencement of the Audit shall be submitted for the approval of the Director-General no later than one month after the completion of the Audit. Further Hazard Audits shall be undertaken as may be required by the Director-General. The Audits shall:

a) be carried out in accordance with *ISO 14010 - Guidelines and General Principles for Environmental Auditing* and *ISO 14011 - Procedures for Environmental Auditing*;
b) assess compliance with the requirements of this consent, and other licences and approvals that apply to the development;
c) assess the environmental performance of the development against the predictions made and conclusions drawn in the documents referred to under condition 1.2 of this consent; and
d) review the effectiveness of the environmental management of the development, including any environmental impact mitigation works.

The Director-General may require the Applicant to undertake works to address the findings or recommendations presented in the Audit Reports. Any such works shall be completed within such time as the Director-General may agree. All Environmental Audit Reports shall be made available for public inspection on request.

8. COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

8.1 Subject to confidentiality, the Applicant shall make all documents required under this consent available for public inspection on request.

Complaints Procedure

8.2 Prior to the commencement of construction of the development, the Applicant shall ensure that the following are available for community complaints:

a) a 24-hour, toll-free telephone number on which complaints about the development 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 advertised on at least one occasion prior to the commencement of construction of the development, through a medium approved by the Director-General. These details shall also be provided on the Applicant's internet site, should one exist.

8.3 The Applicant shall record details of all complaints received through the means listed under condition 8.2 of this consent 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 Applicant in relation to the complaint, including any follow-up contact with the complainant; and
f) if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken.

The Complaints Register shall be made available for inspection by the EPA and the Director-General upon request. The Applicant shall also make summaries of the Register, without details of the complainants, available to the public for inspection upon request.

8.4 Prior to the commencement of construction of the development, the Applicant shall develop and submit for the approval of the Director-General, a **Complaints Handling and Response Protocol**, detailing how public complaints will be managed and addressed in an appropriate and timely manner. The Protocol shall be developed in consultation with the Rhodes Community Consultation Committee.

Community Consultation

8.5 The Applicant shall participate in the Rhodes Community Consultative Committee and continue to consult with the Committee in relation to the environmental and safety performance of the development, including in relation to the environmental management plans required under conditions 10.5 to 10.13 of this consent, inclusive. The Applicant shall, in consultation and cooperation with other relevant members of the Rhodes Environmental Monitoring and Management Committee, arrange for and bear the cost of all reasonable requirements for Committee meetings and the administrative activities associated with those meetings.

Note: "reasonable requirements", as referred to in condition 8.5 of this consent are intended to cover such matters as meeting location, taking and distribution of minutes, refreshments etc. It is not intended to cover travel expenses, legal or professional services or other matters not directly related to the running of Rhodes Community Consultative Committee meetings.

8.6 The Applicant shall participate in the Rhodes Community Consultative Committee, including attendance and provision of environmental and safety performance data, as may be agreed in consultation with the members of the Committee.

8.7 The Applicant shall provide funding up to $15,000 during commissioning and proof of performance trials, then $1,000 per month during operation and decommissioning/ deconstruction for the members of the Rhodes Peninsula Community Consultative Committee to obtain independent technical advice from a suitably qualified person(s). The quantum of funding for this purpose, up to the maxima specified above, shall be established with the Committee, taking into account any similar funding contributions that may be made by other relevant remediation or redevelopment proponents. The Applicant shall establish, in consultation with the members of the Rhodes Community Consultative Committee, an appropriate arrangement for the transfer and management of funds. Details of the arrangements agreed between the Applicant and the Committee shall be forwarded to the Director-General as soon as practicable after reaching an agreement.

Should the Applicant and the Committee be unable to agree on arrangements for the transfer and management of the funds referred to under this condition, the matter may be referred to the Director-General for resolution, whose determination of the matter shall be final.

9. COORDINATION OF WORKS ON THE RHODES PENINSULA

Rhodes Environmental Monitoring and Management Committee

9.1 The Applicant shall participate in, and attend, the Rhodes Environmental Monitoring and Management Committee.

9.2 Prior to the commencement of commissioning of the development, or within such period as otherwise agreed by the Director-General, the Applicant shall develop, in consultation with the members of the Rhodes Environmental Monitoring and Management Committee, a Cumulative Remediation Impacts Protocol(s) to provide a framework for the coordinated and cooperative undertaking of major remediation and redevelopment works on the Rhodes Peninsula.

a) procedures for access to, and provision of, monitoring data from the respective remediation and redevelopment works;
b) measures to ensure a coordinated and cooperative approach to the undertaking of remediation and redevelopment works, including scheduling and locational considerations, to minimise cumulative impacts generated by the remediation and redevelopment works;
c) agreements relating to the scheduling of remediation and redevelopment works to minimise land use conflicts between sites the subject of the works;
d) arrangements for coordinated and cooperative monitoring of ambient environmental impacts, including agreements relating to sharing of monitoring networks/ infrastructure, coordinated interpretation of monitoring results and coordination dissemination of monitoring results to relevant parties;
e) provision for coordinated and cooperative participation of members of the Rhodes Environmental Monitoring and Management Committee on the Rhodes Community Consultative Committee, including agreements in relation to funding of an independent technical expert for that Committee and provisions to address the Committee's reasonable requirements in relation to meeting location, minutes etc;
f) arrangements for communication between the parties of the Committee, including designated contact persons and contact details;
g) notification procedures in the event of an incident at the remediation or redevelopment works;
h) any agreement for participation in the development of any of the management plans or monitoring programs required under this consent;
i) mechanism for review of the Protocol with the addition of future members to the Rhodes Environmental Monitoring and Management Committee;
j) such other matters as the Applicant and the party with whom the Agreement is developed may agree.

The Applicant shall provide a copy of the Cumulative Remediation Impacts Protocol(s) to the Director-General and the Rhodes Community Consultative Committee as soon as practicable

Coordination of Infrastructure

Sewerage Infrastructure

9.3 Prior to the commencement of commissioning of the development, the Applicant shall consult with the Department, Sydney Water Corporation, relevant remediation or redevelopment proponents to establish any requirements for the reconstruction, replacement or relocation of existing sewerage infrastructure on the site and other relevant land on the Rhodes Peninsula. Should reconstruction, replacement or relocation of existing infrastructure be required, the Applicant shall, in consultation with the above parties, develop a coordinated program for the reconstruction, replacement or relocation, including:

a) design requirements for the reconstructed, replaced or relocated infrastructure;
b) scheduling of reconstruction, replacement or relocation
c) locational requirements for any new or relocated sewerage infrastructure; and
d) agreement in relation to funding the cost of reconstruction, replacement or relocation, particularly costs associated with any damage of infrastructure during remediation works

Coordination of Health Studies

9.4 Should NSW Health undertake the proposed dioxin serum survey described in Appendix 9 of the Commission's Report into the proposal the Applicant shall provide assistance to NSW Health, to the satisfaction of the Director-General. In particular the Applicant shall provide NSW Health with:

a) monitoring data associated with the environmental performance of the respective remediation works;
b) such other matters as the Applicant and NSW Health may agree.

10. ENVIRONMENTAL MANAGEMENT

Environmental Representative

10.1 Prior to the commencement of site preparation or construction works associated with the development, the Applicant shall nominate a suitably qualified and experienced Environmental Representative(s). The Applicant shall employ the Environmental Representative(s) on a full-time basis during site preparation, construction, commissioning, proof of performance trials, operation and decommissioning. The Environmental Representative shall be:

a) the primary contact point in relation to the environmental performance of the development;
b) the primary interface with the Rhodes Community Consultative Committee, and shall attend Committee meetings;
c) the primary interface with the Rhodes Environmental Management and Monitoring Committee, and shall attend Committee meetings;
d) responsible for all Management Plans and Monitoring Programs required under this consent;
e) responsible for considering and advising on matters specified in the conditions of this consent, and all other licences and approvals related to the environmental performance and impacts of the development;
f) responsible for the management of procedures and practices for receiving and responding to complaints in accordance with condition 8.3 of this consent;
g) required to facilitate an induction and training program for relevant persons involved with the operation of the development (refer to condition 10.4 of this consent); and
h) given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur.

The Applicant shall notify the Director-General, the EPA, the Rhodes Community Consultative Committee, the Rhodes Environmental Monitoring and Management Committee and the Independent Environmental Expert of the name and contact details of the Environmental Representative upon appointment, and any changes to that appointment that may occur from time to time.

Standard Operating Procedures

10.2 The Applicant shall develop Standard Operating Procedures (SOPs) for all plant items relating to the development, including but not necessarily limited to procedures for the handling of contaminated soils, operation of major process units and operation of pollution control equipment. The Procedures shall identify critical operating parameters for each item of plant, identifying appropriate operating levels for each parameter and indicating how these parameters will be monitored. The Procedures shall be subject to review by the Independent Environmental Expert and certified by the Expert prior to progress to operation of the development. Subject to confidentiality,

copies of the Procedures shall be made available for inspection by the Director-General, the EPA and the Rhodes Peninsula Community Consultative Committee on request.

10.3 Operation of the development shall be conducted strictly in accordance with the SOPs referred to under condition 10.2 of this consent at all times. SOPs shall be updated to reflect any changes to operations that may occur from time to time. The Applicant shall notify the Director-General, the EPA and the Rhodes Peninsula Community Consultative Committee of any update to the SOPs, indicating the scope and nature of the update. The Director-General may require that any update to an SOP be reviewed by the Independent Environmental Expert.

Environmental Training

10.4 Prior to the commencement of commissioning and proof of performance activities permitted in accordance with an approved Commissioning and Proof of Performance Program (refer to condition 10.10 of this consent), the Applicant shall develop and submit for the approval of the Director-General, an **Environmental Training Program**. The Program shall establish a framework in which relevant employees will be trained in environmental management and the operation of major process components, including pollution control equipment for development, where relevant. The Program shall include, but not necessarily be limited to:

a) identification of relevant employment positions associated with the development that have an operational or management role related to environmental performance;
b) details of appropriate training requirements for relevant employees;
c) a program for training relevant employees in operational and/ or management issues associated with environmental performance; and
d) a program to confirm and update environmental training and knowledge during employment of relevant persons.

Pre-Construction Environmental Management Plans

Water Management Plan

10.5 [72]Prior to the commencement of any site preparation or construction works on the site, the Applicant shall prepare and submit for the approval of the EPA, a **Water Management Plan** to outline measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters throughout the life of the development. The Plan shall address the requirements of the Department, the Waterways Authority and SWC and shall include, but not necessarily be limited to:

a) consideration of all reasonable options to avoid discharge to ground and/or ambient waters including methods to minimise the volume of contaminated water and effluent generated, recycling and reusing water and effluent (eg. covering excavated material and stockpiles awaiting treatment, diversion of 'clean' water away from contaminated areas, etc);
b) identification of clean and dirty water areas on site maps for different stages of the development;
c) identification of criteria for nomination of areas as clean or dirty;
d) details of water management measures to be implemented for clean and dirty waters;
e) calculations for a water balance for all waters generated on the site including potential volumes of groundwater, stormwater and process water for treatment on-site or off-site, proposed discharges, recycling or reuse;

[72] Incorporates a Waterways Authority General Term of Approval (5) and an EPA General Term of Approval (O5.1)

f) details of the remedial actions to be taken by site operators in response to an exceedance of concentration limits or other performance criteria for the on-site or ambient water management controls, including:
   i) procedures and contingency actions associated with the installation, operation and removal of the temporary sheet pile sea wall;
   ii) contingency actions for flood, heavy rainfall and storm-surges into remediation areas or damage to sheet pile sea walls; and
   iii) contingency actions for failure of any sediment controls.

g) wastewater qualities and quantities for reuse on-site shall be characterised and irrigation management practices specified. Wastewater reuse areas must be specified on site maps for different stages of the development. Specific details shall be provided in relation to the times, locations, volumes and qualities of the water to be irrigated, including how the quality for irrigation will be assessed; and

h) procedures for reviewing and updating of the Water Management Plan as works progress.

Erosion and Sedimentation Protocol

10.6 [73]Prior to the commencement of site preparation or construction works, the Applicant shall develop and implement an **Erosion and Sedimentation Management Protocol** to ensure that all erosion and sediment controls associated with the development, including sediment dam sizing, are consistent with the requirements for longer term developments as outlined in *Managing Urban Stormwater: Soils and Construction 1998,* available from the Department of Housing. The Plan shall address the requirements of the Department, the EPA and the Waterways Authority and shall include, but not necessarily be limited to:

a) identification of management responses to activities that could cause soil erosion or result in the discharge of sediments and/or other pollutants from the site;

b) specification of performance criteria for erosion, sediment, and pollution control including water sediment basin locations and discharge points (eg. parameters, testing frequency, duration and location and test methods);

c) details of steps to be implemented to minimise soil erosion and the discharge of sediments and/or other pollutants from the site;

d) actions and measures to be implemented to control sediments, and how they will be monitored during the works, clearly indicating who will conduct the monitoring, how the results of this monitoring will be recorded; and, if any non-compliance is detected, what corrective action will be taken;

e) details of water levels in the water sediment basin at which point discharges will cease (i.e. to prevent the discharge of sediment mobilised by the discharge event);

f) procedures for the removal and management of any contaminated water or sediment detected in the water sediment basin; and

g) triggers for commencing monitoring in the sediment basin after rainfall events, including, but not limited to, defining a rainfall event for monitoring purposes (size and duration of rainfall event), the time period before monitoring commences after rainfall and what monitoring will occur during a series of rainfall events or in response to a long rainfall event.

Waste Management Plan

10.7 [74]Prior to the commencement of any site preparation or construction works on the site, the Applicant shall prepare a **Waste Management Plan** to outline measures to minimise the production and impact of wastes handled, treated and produced at the development. The Plan shall address the requirements of the EPA and shall include, but not necessarily be limited to:

[73] Incorporates an EPA General Term of Approval (O5.3)
[74] Includes an EPA General Term of Approval (O3.4)

a) a list of all liquid and non-liquid wastes that may be generated at the site including, but not necessarily limited to:
   i) material that has undergone processing by the DHTD unit but requires off-site disposal;
   ii) materials that cannot be treated by the DHTD unit due to either size and/ or physical or chemical nature;
   iii) building or demolition materials including those generated from the demolition of the seawall or other on-site structures;
   iv) baghouse dusts; liquid waste treatment plant residues and sludges;
b) procedures for the classification or the assessment (including sampling and testing and quality assurance and quality control protocols) and classification of all identified wastes in accordance with the Protection of the Environment Operations Act 1997 and the EPA's waste guidelines;
c) procedures for handling, storage, tracking and transport of all wastes, as relevant;
d) procedures for the disposal of all wastes, ensuring that all wastes are disposed of in accordance with their respective classifications at a facility that can lawfully receive the wastes;
e) designation of waste storage areas, including stockpiles and bins, and designation of areas for segregation and storage of recyclable materials;
f) contingency plans for handling of any wastes that cannot be adequately handled/ treated on-site;
g) procedures for verifying that any material brought to the site for use as fill is equivalent to virgin excavated natural material (VENM);
h) procedures for identification and management of wastes where the contaminants of concern are not currently specified in the EPA's waste guidelines and classification criteria (contaminant limit values) must be obtained from the EPA; and
i) procedures for review and update of the Waste Management Plan.

Site Establishment and Construction Noise Management Protocol

10.8 [75]Prior to the commencement of any site preparation or construction works on the site, the Applicant shall prepare and submit for the approval of the EPA, a **Site Establishment and Construction Noise Management Protocol** to detail measures to mitigate and manage noise during site establishment and construction works. The Protocol shall include, but not necessarily be limited to:
a) establishment and construction noise objectives for each relevant receiver;
b) identification of the associated noise sources and activities that will be carried out during the 12 week site establishment and construction phase;
c) assessment of establishment and construction noise impacts against the noise objectives at all relevant receivers;
d) details of overall management methods and procedures that will be implemented to control noise from the site establishment and construction stage;
e) a pro-active and reactive strategy for dealing with complaints, with particular regard to verbal and written responses;
f) noise monitoring, reporting and response procedures;
g) internal compliance audits of all plant and equipment;
h) site establishment/construction timetabling to minimise noise impacts
i) procedures for notifying residents of construction activities likely to affect their noise amenity; and
a) arrangements established with the Rhodes Environmental Monitoring and Management Committee in relation to noise.

[75] Incorporates an EPA General Term of Approval (O11.1)

Acid Sulfate Soil Management Protocol

10.9 [76]Prior to the commencement of any site preparation or construction works on the site, the Applicant shall prepare and submit for the approval of the EPA, a **Acid Sulfate Soil Management Protocol**, prepared in accordance with guideline provided in *New South Wales Acid Sulfate Soils Manual* (Acid Sulfate Soils Management Advisory Committee, 1998). The Protocol shall also meet the requirements of the Waterways Authority.

Pre-Commissioning Environmental Management Plans

Commissioning and Proof of Performance Program

10.10[77]The Applicant shall prepare and implement a **Commissioning and Proof of Performance Program** to detail an environmental management framework, practices and procedures to be followed during the commissioning of the soil drying enclosure and soil treatment process, and to demonstrate that the remediation technology is capable of meeting environmental criteria, prior to progression to full operation. The Program shall be based on *Draft Revised Outline Commissioning Plan, Including Background Information*, prepared by Earth Tech Engineering Pty Ltd, and dated 1 April 2003. The Program shall address the requirements of the EPA and shall include, but not necessarily be limited to:

Commissioning (Trials with None/Clean Soils)

a) a schedule and procedures for testing all major process components, including all pollution control equipment, both in the absence of any soil load, and with the staged introduction of uncontaminated soils, with rational and justification for staging/ composition of the schedule and procedures;
b) monitoring requirements and verification mechanisms to ensure compliance with operating design parameters for the remediation technology, including pollution control equipment, and compliance with relevant environmental and safety criteria;
c) provision for review and certification of environmental and safety performance by the Independent Environmental Expert;

Proof of Performance (Demonstration of Contaminated Soils Performance)

a) a framework for the collection of information equivalent to that required by *National Protocol – Approval/ Licensing of Trials of Technologies for the Treatment/ Disposal of Schedule X Wastes*;
b) a framework for the collection of information to demonstrate that the remediation technology is capable of meeting performance criteria outlined in the documents listed under condition 1.2 of this consent, the technology assessment submitted in accordance with condition 1.9 of this consent and relevant criteria specified in: *OCP National Management Plan*; *Chemicals Control Order in Relation to Dioxin Contaminated Wastes 1986*; *Scheduled Chemical Wastes Chemical Control Order 1994*; *Chemical Control Order in Relation to Materials and Wastes Containing Polychlorinated Biphenyl 1997*; *Protection of the Environment Operations Act 1997*; and *Environmentally Hazardous Chemicals Act 1985*;
c) a testing regime and procedures for fully characterising contaminated feed materials, based on the contaminant constituents, contaminant concentrations and other physico-chemical characteristics, prior to processing within the development;
d) provision for at least three full runs of a minimum of 250m^3 each of contaminated materials, treating materials representative of materials to be treated during operation, having regard to contaminant constituents, contaminant concentrations and the range of soil matrices;

[76] Incorporates a Waterways Authority General Term of Approval (8) and an EPA General Term of Approval (O12.1)
[77] Incorporates EPA General Terms of Approval (G1.1, G2.1 and G2.2)

e) a schedule and procedures for testing all major process components, including all pollution control equipment with rational and justification for staging/ composition of the schedule and procedures;
f) monitoring requirements and verification mechanisms to ensure compliance with operating design parameters for the remediation technology, including pollution control equipment, and compliance with relevant environmental and safety criteria, with rational and justification for staging/ composition of the schedule and procedures;
g) emissions testing consistent with the operational monitoring requirements specified in this consent and the Environment Protection Licence for the development;
h) mechanisms for review stages, changes in operational modes, or changes in equipment to address non-compliances with any design specifications, treatment standards or limits in relation to environmental or safety performance;
i) provision for review and certification of environmental and safety performance by the Independent Environmental Expert;

The Plan shall be submitted for the approval of the Director-General and the EPA, accompanied by a review of the Plan by the Independent Environmental Expert, prior to the commencement of commissioning. The Applicant shall make the Plan available to the public for inspection, on request.

10.11[78] Prior to the commencement of commissioning of the development, the Applicant shall prepare and submit for the approval of the Director-General and the EPA, an **Operation Noise Management Protocol** to detail measures to mitigate and manage noise during commissioning, proof of performance trials and operation of the development. The Protocol shall include, but not necessarily be limited to:

a) as a primary objective:
    i) attainment of the noise limits specified under this consent at all times, or;
    ii) where this is not possible, achievement at all times of best practice noise control, in terms of the noise level and duration of noise emissions at sensitive receivers;
b) procedures to generate suitable documentation for the EPA to audit, that demonstrates that the noise limits specified under this consent are being met;
c) procedures for assessment of all input/feedback, to improve the Protocol, where relevant, during the life of the development;
d) identification of all relevant receivers and the applicable criteria at those receivers commensurate with the noise limits specified under this consent;
e) identification of activities that will be carried out and the associated noise sources;
f) assessment of site remediation noise impacts at the relevant receivers against the noise limits specified under this consent;
g) details of all management methods and procedures that will be implemented to control individual and overall noise emissions from the site during the site remediation stage;
h) development of reactive and pro-active strategies for dealing promptly with any noise complaints. The strategies shall also:
    i) provide for a 24-hour staffed response telephone line, with the telephone number prominently displayed at the Mary Street frontage of the site;
    ii) give authority for the person responding to complaints to take direct action to resolve the complaint, such as shutting down equipment or permitting urgent repairs and expenditure to address any significant issue;
    iii) provide for summary reporting to the EPA of complaints and key issues;
    iv) include an internal management mechanism to identify emerging deficiencies with the noise management of the operation or impacts above

[78] Incorporates an EPA General Term of Approval (O11.2)

the noise goals, and documentation of actions that may be identified to improve the overall Protocol as a result of the issues identified;

i) noise monitoring and reporting procedures;
j) regular internal audits of compliance of all plant and equipment with the noise levels established in the Protocol for those specific items of plant and equipment (e.g. quarterly, subject to negotiation with EPA);
k) scheduling/timetabling of remediation work to minimise noise impacts;
l) procedures for notifying residents of forthcoming remediation activities likely to affect their noise amenity; and
m) arrangements established with the Rhodes Environmental Monitoring and Management Committee in relation to noise.

Pre- Operation Environmental Management Plans

10.12[79] Prior to the commencement of operation of the development, the Applicant shall prepare and submit for the approval of the EPA, an **Operation Environmental Management Plan** detailing the works proposed in preparation of commercial treating of contaminated materials within the development. The Protocol shall include, but not necessarily be limited to:

a) details of pre-treatment of contaminated material prior to processing, including the storage, handling and management of wastes and emissions resulting from pre-treatment;
b) determination of the operating range of the development in treating contaminated material based on the results of proof of performance trials;
c) details of the introduction of contaminated material (scheduled waste, dioxin and PCBs) into the treatment facility, having regard to;
    i) the range of matrices, which may have different handling and pre-treatment requirements;
    ii) the range of contaminant concentrations;
    iii) the potential for air emissions ;
d) rationale and justification for the testing and staging of the treatment process;
e) monitoring and verification tests to demonstrate compliance with all relevant criteria; and
f) emissions testing in accordance with the relevant conditions of this consent.

Pre-Decommissioning Environmental Management Plans

Decommissioning Environmental Management Plan

10.13 The Applicant shall prepare a **Decommissioning Environmental Management Plan** to detail an environmental management framework, practices and procedures to be followed during the decommissioning, deconstruction and rehabilitation of the development and the site. The Plan shall address the requirements of the EPA and shall include, but not necessarily be limited to:

a) procedures for treatment of residual waste products and plant/ equipment from the development;
b) a program to verify that all storage and processing areas of the development are appropriately decontaminated;
c) procedures for the deconstruction of the development, including a schedule for deconstruction activities; and
d) [80]a stormwater management scheme for the remediated site, consistent with the Stormwater Management Plan for the catchment, or in the absence of such a Plan, consistent with guidance in *Managing Urban Stormwater: Council Handbook*.

[79] Incorporates an EPA General Term of Approval (G3.2)
[80] Incorporates an EPA General Term of Approval (O5.4)

The Plan shall be submitted for the approval of the Director-General no later than six months prior to the conclusion of operation of the development, or within such period otherwise agreed by the Director-General. The Plan shall be implemented after the conclusion of operation of the remediation process. A copy of the Plan shall be made available for public inspection on request.

11. ENVIRONMENTAL REPORTING

Incident Reporting

11.1 [81]The Applicant shall notify the EPA and the Director-General of any incident with actual or potential significant off-site impacts on people or the biophysical environment within 12 hours of becoming aware of the incident. The Applicant shall provide full written details of the incident to the EPA and the Director-General within seven days of the date on which the incident occurred. The Applicant shall provide a copy of the written report to the Rhodes Community Consultative Committee, and shall make a copy of the report available for public inspection, on request.

11.2 The Applicant shall meet the requirements of the Director-General to address the cause or impact of any incident, as it relates to this consent, reported in accordance with condition 11.1 of this consent, within such period as the Director-General may require.

Note: Condition 11.2 of this consent does not limit or preclude the EPA from requiring any action to address the cause or impact of any incident, in the context of the EPA's statutory role in relation to the development.

11.3 [82]Notwithstanding condition 11.1 of this consent, if the Applicant identifies, through monitoring or otherwise, environmental or safety performance of the development outside the environmental or safety limits specified in this consent or the Environment Protection Licence for the site, operation of the relevant components of the development shall cease immediately (subject to safe shut-down procedures). The Applicant shall notify the Director-General and the EPA of the cause of the required shut-down and identify additional measures to be applied to address the cause of the shutdown. Operation of the development shall only recommence with written confirmation of the acceptability of additional measures and approval from the Director-General and the EPA.

Monthly Performance Reporting

11.4 [83]The Applicant shall, throughout the life of the development, prepare and submit to the Director-General and the EPA, a **Monthly Performance Report**. The Report shall review the performance of the development against the requirements of this consent and the Environment Protection Licence, and shall include:

a) all monitoring data collected for the development during the month, in accordance with this consent and the EPL;
b) a copy of the Complaints Register (refer to condition 8.3 of this consent) for the month and details of how theses complaints were address and resolved;
c) identification of any non-compliance with the conditions of this consent and the EPL; and
d) details of additional measures to be implemented to address any non-compliance with the conditions of this consent and the EPL;

[81] Incorporates an EPA General Term of Approval (R1.2)
[82] Incorporates an EPA General Term of Approval (G3.4)
[83] Incorporates EPA General Terms of Approval (R1.1 and U3.2)

The first report shall be submitted within one month of the commencement of operation, and every month thereafter, or as otherwise agreed by the Director-General. The Applicant shall provide copies of Monthly Performance Reports to the Rhodes Community Consultative Community, and to the public on request.

11.5 The Director-General may require the Applicant to address certain matters in relation to the environmental performance of the development, in response to review of each Monthly Performance Report, and any advice from the Independent Environmental Expert or the EPA. Any action required to be undertaken shall be completed within such period as the Director-General may require.

ATTACHMENT A – NOTES ON RHODES PENINSULA COORDINATION

The Department of Infrastructure, Planning and Natural Resources (DIPNR) recognises the potential for cumulative impacts from concurrent remediation and redevelopment proposals on the Rhodes Peninsula, and the need to ensure that these impacts are addressed in a coordinated, cooperative manner. The Department intends, therefore, to establish a coordinated framework under which relevant proponents and affected members of the community (or their nominated representatives) can be involved in the coordinated management of environmental issues that may be generated by works on the Rhodes Peninsula. The interrelation of parties under this framework is provided as Figure 1, with a general description of each role summarised below.

Rhodes Regulatory Panel – the Panel is to be convened by the Department of Infrastructure, Planning and Natural Resources and would include representatives from relevant regulatory bodies, including integrated approval bodies (Environment Protection Authority, Waterways Authority and NSW Fisheries). The purpose of the Panel is to receive information in relation to the environmental and safety performance of remediation works, and relevant redevelopment works, as coordinated by the Rhodes Environmental Monitoring and Management Committee. In relation to information associated with remediation proposals, an independent person will provide additional comment/ advice to the Panel on technical remediation matters. The Panel will also receive comment from, and respond to, the Rhodes Community Consultative Committee, on an as needs basis. The Panel will provide a "whole of Government" response to matters of environmental and safety performance, but will not restrict the respective regulatory roles or powers of its constituent members.

Rhodes Environmental Monitoring and Management Committee – the Committee is to provide a coordinated approach to the environmental monitoring and management of remediation works and relevant redevelopment works on the Rhodes Peninsula. Proponents of the redevelopment works may be involved in the Committee, as required by the Director-General, given that redevelopment works have the potential to be impacted by remediation works, as well as contributing to cumulative impacts (such as dust, traffic and noise). The operation of the Committee would be governed by Cumulative Impacts and Coordination Protocol(s) between the parties. The Committee would be responsible for reporting to the Rhodes Regulatory Panel, and provided consolidated environmental management and monitoring data to the Rhodes Community Consultative Committee. Expenses of the Committee would be shared appropriately among its constituent members, as agreed in Cumulative Impacts and Coordination Protocol(s).

Rhodes Community Consultative Committee – the Committee is to provide a single point of reference for the local community in relation to remediation and redevelopment works on the Rhodes Peninsula. The Committee would receive all environmental and safety management and monitoring data, in a coordinated and consolidate manner, from the Rhodes Environmental Monitoring and Management Committee. The Committee would also provide feedback to the Rhodes Environmental Monitoring and Management Committee, highlighting community concerns, requests or queries.

Figure 1 – Rhodes Environmental Management Coordination Framework