


# Project Approval

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

I, Executive Director, Development Assessment Systems and Approvals, of the Department of Planning and Infrastructure under delegation from the Minister for Planning and Infrastructure dated 27 February 2013 grant approval to the project application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.



Executive Director  
Development Assessment Systems and Approvals

Sydney *2 APRIL* 2013 File No: 10/18919

### SCHEDULE 1

**Application No:** 10\_0163

**Proponent:** East Australian Pipeline Pty Ltd

**Approval Authority:** Minister for Planning and Infrastructure

**Land:** The pipeline will extend 70 km from Young to Bethungra, NSW passing near the towns of Young, Wombat, Wallendbeen and Cootamundra. It is located in the Harden, Junee, Cootamundra & Young local government areas.

**Project:** The Young to Wagga Wagga Looping Pipeline Stage 2 (Bethungra to Young); construction and operation of a new 18-inch (450 mm) natural gas pipeline within a right of Way located between Bethungra and Young, NSW.

The project is declared to be a Project under *State Environmental Planning Policy (Major Development) 2005* (Schedule 1, clause 26(a)) because it is a Project for the purpose of a pipeline in respect of which a licence is granted under the *Pipelines Act 1967*. The project is therefore subject to Part 3A of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) as a transitional Part 3A Project.

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## SCHEDULE 2

<b>Act, the</b>	<i>Environmental Planning and Assessment Act, 1979.</i>
<b>Ancillary Facility</b>	Temporary facility for construction, including for example an office and amenities compound, construction compound, materials storage compound or material stockpile area.
<b>Construction</b>	All activities associated with the Project excluding pre-construction activities such as Design, Procurement, Approval, and Commissioning and Operations.
<b>CEMP</b>	Construction Environmental Management Plan
<b>Council(s)</b>	Harden Shire, Cootamundra Shire, Junee Shire, Young Shire
<b>Department, the</b>	Department of Planning and Infrastructure
<b>Director-General's Approval</b>	A written approval from the Director-General (or delegate) where the Director-General's Approval is required under a condition.
<b>Director-General's Report</b>	The report provided to the Minister by the Director-General of the Department under section 75I of the EP&A Act.
<b>DPI</b>	NSW Department of Primary Industries
<b>EA</b>	<i>Environmental Assessment Young to Wagga Wagga Looping Pipeline Stage 2 (Bethungra to Young)</i> prepared by the Proponent and dated 27 June 2012.
<b>EEC</b>	Endangered ecological communities
<b>Feasible</b>	Engineering considerations and what is practical to build.
<b>Heritage</b>	Encompasses both Aboriginal and historical heritage including sites that predate European settlement, and a shared history since European settlement such as a shared associations in pastoral landscapes as well as associations linked with the mission period.
<b>Heritage item</b>	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i>
<b>Incident</b>	A set of circumstances that: <ul style="list-style-type: none"> <li>• causes or threatens to cause material harm to the environment; and/or</li> <li>• breaches or exceeds the limits or performance measures/criteria in this approval.</li> </ul>
<b>Minister, the</b>	Minister for Planning and Infrastructure
<b>NOW</b>	NSW Office of Water, as part of the NSW Department of Primary Industries
<b>OEH</b>	NSW Office of Environment and Heritage
<b>Pipeline</b>	The gas pipeline proposed in the <i>Young to Wagga Wagga Looping Pipeline Stage 2 (Bethungra to Young) Environmental Assessment</i> .
<b>Reasonable</b>	The application of judgement in arriving at a decision, taking into account mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements.
<b>RMS</b>	NSW Roads and Maritime Services
<b>Sensitive receiver</b>	Residences, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children's day care facility.

<b>Submissions Report</b>	The <i>Response to Submissions Young to Wagga Wagga Looping Pipeline Stage 2 (Bethungra to Young)</i> prepared by the Proponent and dated 12 November 2012.
<b>Proponent</b>	East Australian Pipeline Pty Ltd (as part of APA Group) or anyone else entitled to act on this approval
<b>Project</b>	Project to which Project Application 10_0163 applies.

## **PART A ADMINISTRATIVE CONDITIONS**

### **OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT**

- A1. In addition to meeting the specific performance criteria established under this approval, the Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction or operation of the Project.

### **TERMS OF APPROVAL**

- A2. The Proponent shall carry out the Project generally in accordance with the:
- a) Project Application 10\_0163;
  - b) the *Environmental Assessment Young to Wagga Wagga Looping Pipeline Stage 2 (Bethungra to Young)* prepared by the Proponent and dated 27 June 2012;
  - c) the *Response to Submissions Young to Wagga Wagga Looping Pipeline Stage 2 (Bethungra to Young)* prepared by the Proponent and dated 12 November 2012; and
  - d) the conditions of this approval.
- A3. If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this approval prevail to the extent of any inconsistency.
- A4. The Proponent shall comply with any reasonable requirement(s) of the Director-General arising from the Department's assessment of:
- a) any reports, plans or correspondence that are submitted in accordance with this approval; and
  - b) the implementation of any actions or measures contained within these documents.

### **LIMITS ON APPROVAL**

- A5. This approval shall lapse five years after the date on which it is granted, unless the works the subject of this approval are physically commenced on or before that date.

### **COMPLIANCE**

- A6. The Proponent shall ensure that all licences, permits and approvals are obtained and maintained as required throughout the life of the project. No condition of this approval removes the obligation of the Proponent to obtain, renew or comply with such licences, permits or approvals. The Proponent shall ensure that a copy of this approval and all relevant environmental approvals are available in a designated office at all times during the project.
- A7. The Proponent shall ensure that all plans, sub-plans and other management documents required by the conditions of this approval are submitted to the Director General no later than one month prior to the commencement of the relevant work, unless otherwise agreed by the Director General.
- A8. In the event of a dispute between the Proponent and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the activity, either party may refer the matter to the Director-General for resolution. The Director-General's determination of any such dispute shall be final and binding on the parties.

## **PART B ENVIRONMENTAL PERFORMANCE**

### **AIR QUALITY**

- B1. During operation, the Proponent shall ensure that:
- a) Regular maintenance checks of the pipeline and valve integrity are conducted, in accordance with AS 2885.3 to ensure containment of the gas within the pipe network system; and
  - b) Any requirement for the venting of gas would be limited at all times and only undertaken during favourable meteorological conditions to facilitate rapid atmospheric dispersion of the gas.

### **Dust Management**

- B2. The Proponent shall construct and operate the project in a manner that minimises dust emissions from the site, including wind-blown and traffic-generated dust. All activities on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should such visible dust emissions occur at any time, the Proponent shall identify and implement all practicable dust mitigation measures.

### **Odour**

- B3. The Proponent shall not cause or permit the emission of offensive odours from the site in accordance with the provisions of Section 129 of the *Protection of the Environment Operations Act 1997*.

### **ANCILLARY FACILITIES**

- B4. Unless otherwise approved by the Director General, the location of Ancillary Facilities shall:
- a) be located more than 50 metres from a waterway;
  - b) be located within or adjacent to land where the Project is being carried out;
  - c) have ready access to the road network;
  - d) be located to minimise the need for heavy vehicles travel in residential areas;
  - e) be sited on relatively level land;
  - f) be separated from nearest residences by at least 200 metres (or at least 300 metres for a temporary batching plant), unless written approval from the subject residents and the Director-General is received;
  - g) not require vegetation clearing beyond that already required by the Project;
  - h) not impact on heritage items (including areas of archaeological sensitivity) beyond those already impacted by the Project;
  - i) not unreasonably affect the land use of adjacent properties;
  - j) be above the 20 ARI flood level unless a contingency plan to manage flooding is prepared and implemented; and
  - k) provide sufficient area for the storage of raw materials to minimise, to the greatest extent practical, the number of deliveries required outside standard construction hours.
- B5. The Director General's approval is not required for minor ancillary facilities (e.g. lunch sheds, office sheds, and portable toilet facilities, etc.) that do not comply with the criteria set out in condition B4 of this approval and which:
- a) are located within an active construction zone within the approved Project footprint;
  - b) have been assessed by the Environmental Representative to have:
    - (i) minimal amenity impacts to surrounding residences, with consideration to matters such as noise and vibration impacts, traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts, and

- (ii) minimal environmental impact in respect to waste management, and no impacts on flora and fauna, soil and water, and heritage beyond those approved for the Project; and
  - c) have environmental and amenity impacts that can be managed through the implementation of environmental measures detailed in the CEMP for the Project.
- B6. All land containing Ancillary Facilities shall be rehabilitated to at least their pre-construction condition, unless otherwise agreed by the landowner where relevant.

## **BIODIVERSITY**

### **Construction Impacts**

- B7. All clearing of native vegetation, native grassland, hollow-bearing trees and rocky outcrops during construction of the pipeline shall be limited to the minimum feasible extent. The pipeline easement width shall be reduced to the minimum feasible width in areas along the easement that are known to contain Endangered Ecological Communities.
- B8. Prior to the commencement of construction of the project, the Proponent shall clearly define work areas (including access trails) using a combination of posts, fencing or markers, and suitably marked up maps, as appropriate. All on-site construction movements by vehicles or personnel shall be restricted to these areas.
- B9. Where possible, the removal of trees for the construction of the pipeline shall occur outside of the known breeding periods of native fauna that may utilise that vegetation. Where this is not feasible, trees containing hollows shall be inspected by a suitably qualified ecologist, and where native fauna are located using the tree hollows, appropriate actions shall be developed and implemented under the guidance of the qualified ecologist to minimise impacts on the native fauna.

### **Biodiversity Offset Package**

- B10. The Proponent shall minimise disturbance of native vegetation as far as reasonable and feasible during construction. Prior to the commencement of construction the Proponent shall prepare (and following approval implement) a **Biodiversity Offset Package** in consultation with the Lachlan and/or Murrumbidgee Catchment Management Authority (CMA) and in consultation with the Office of Environment and Heritage (OEH), to the satisfaction of the Director-General. The strategy shall offset the biodiversity values of the native vegetation cleared or otherwise disturbed as part of construction of the project at a minimum 10:1 basis for areas identified as Box-Gum woodland and 5:1 for other areas of native vegetation and ensure that the biodiversity values of the offset is secured in perpetuity Specifications for any compensatory habitat, including location, composition, quality and management of the habitat, shall be determined in consultation with OEH, having regard to:
- a) the extent and types of habitat that would be lost or degraded as a result of the final design of the project;
  - b) the objectives and biodiversity outcomes to be achieved;
  - c) the final suite of the biodiversity offset measures selected and secured for construction and operation of the project;
  - d) management and monitoring requirements for compensatory habitat works and other biodiversity offset measures that will ensure the outcomes of the package are achieved, including:
    - i) monitoring the condition of species and ecological communities at offset locations;
    - ii) methodology for the monitoring program(s), including the number and location of offset monitoring sites, and the sampling frequency at these sites;

- iii) provisions for annual reporting of monitoring results for a set period of time as determined in consultation with OEH; and
- e) timing and responsibilities for the implementation of the provisions of the Package.

- B11. Biodiversity offsets shall be consistent with the *Principles for the use of Biodiversity Offsets in NSW*. Where biodiversity offsets cannot solely achieve compensation for the loss of habitat, additional measures shall be provided to collectively deliver an improved or maintained biodiversity outcome for the region.
- B12. The final quantity of offset required for the project shall be reassessed following construction in consultation with OEH to ensure the actual impacts, not forecast impacts, of the proposal are considered in determination of the offset area required. The final Biodiversity Offset Package must be approved by the Director-General upon completion of construction work.

### **Weed Management**

- B13. For two years following the completion of construction of the project, or as otherwise agreed by the Director-General, the Proponent shall monitor areas along the project alignment for weed infestation. Any infestations shall be actively managed to remove or minimise their spread.

### **HAZARDS AND RISK**

- B14. The project shall be designed, constructed, operated and maintained in accordance with Australian Standard AS2885: Pipelines, Gas and Liquid Petroleum. This shall include, but not be limited to:
- a) the pipeline must be constructed of penetration resistant material of adequate thickness and buried in accordance with Australian Standard 2885;
  - b) installation of signage along the pipeline route;
  - c) installation of security fencing and installation of adequate signage of mainline valve stations; and
  - d) installation of cathodic protection and pipeline coating.

### **Bunding and Spill Management**

- B15. The Proponent shall store and handle all dangerous goods, as defined by the *Australian Dangerous Goods Code*, and all fuels, oils chemicals or other environmentally hazardous materials strictly in accordance with:
- a) all relevant Australian Standards;
  - b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
  - c) *Bunding and Spill Management* (EPA, 2001).

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.

### **Pre-Construction Hazards Studies**

- B16. Prior to the commencement of construction of the Project, the Proponent shall prepare and submit for the approval of the Director-General, a **Construction Safety Plan** consistent with *the Australian Standard AS 2885.1 – 2007 Pipelines – Gas and Liquid Petroleum (Part 1: Design and Construction)*.
- B17. Should blasting be required the Construction Safety Plan shall include an assessment of any associated risks.

## Pre-Commissioning Hazards Studies

- B18. Prior to the commencement of commissioning of the Project the Proponent shall prepare and submit for the approval of the Director-General, a **Final Hazard Analysis** prepared in accordance with *Hazardous Industry Advisory Paper No.6 – Guidelines for Hazard Analysis (DoP, 1992)*. If there are no significant deviations from the preliminary design of the Project, this condition may be satisfied by a statement in the hazard compliance report that there have been no significant design changes and that all prevention/ protection measures outlined in *Table 8 – Hazard Identification Word Diagram* in the Preliminary Hazard Analysis for the Project, included as part of the EA referred to under Condition A2b) of this approval, have been considered.
- B19. In accordance with Pipeline Licence No. 19 granted under the *Pipelines Act 1967*, and the requirements of *AS 2885.3 – 2001* prior to the commencement of commissioning of the Project the Proponent shall prepare and submit for the approval of the Director-General, the following documents:
- a) an **Emergency Plan** for the project; and
  - b) a **Safety and Operating Plan** or equivalent.

Where an Emergency Plan and Safety and Operating Plan (or equivalent) are in place for existing assets and the Proponent intends to operate the Project in association with those assets, the Proponent shall update the documentation to include the Project.

## HERITAGE IMPACTS

- B20. In undertaking the project, the Proponent shall not destroy, modify or otherwise physically affect the Aboriginal site (scarred trees) identified with AHIMS numbers APA-ST5-11, APA ST2 and APA ST3.
- B21. In undertaking the project, the Proponent shall not destroy, modify or otherwise physically affect the Heritage site known as Old Nubba Homestead.
- B22. If during the course of construction the Proponent becomes aware of any previously unidentified significant Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the OEH informed in accordance with the *National Parks and Wildlife Act 1974*. Relevant works shall not recommence until written authorisation from OEH is received by the Proponent.
- B23. If during the course of construction the Proponent becomes aware of any previously unidentified heritage object(s), all work likely to affect the object(s) shall cease immediately and the Heritage Branch of OEH shall be notified immediately in accordance with the *Heritage Act 1977*. Relevant works shall not recommence until written authorisation from OEH is received by the Proponent.

## NOISE AND VIBRATION

### Construction Hours

- B24. Construction activities associated with the project (except as provided in Condition B25 and B26) shall be undertaken on a standard industry work cycle during the following standard daytime construction hours:
- a) 7:00am to 6:00pm daily for a maximum period of 28 days at a time, separated by a minimum respite period of nine days; and
  - b) at no time on public holidays.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons, in an emergency to prevent loss of life or to prevent environmental harm.

- B25. The hours of construction specified under condition B24 may be varied with the prior written approval of the Director-General. Any request to alter the hours of construction shall be:
- considered on a case-by-case basis;
  - accompanied by details of the nature and need for activities to be conducted during the varied construction hours and any other information necessary to reasonably determine that activities undertaken during the varied construction hours will not adversely impact on the acoustic amenity of receptors in the vicinity of the site; and
  - commenced only affected residential receivers are informed of the timing and duration of work approved under this condition at least 48 hours before that work commences.
- B26. Except as expressly permitted by an EPL, activities resulting in impulsive or tonal noise emission (such as rock blasting, pile driving) shall only be undertaken:
- between the hours of 8:00 am to 5:00 pm Monday to Friday;
  - between the hours of 8:00 am to 1:00 pm Saturday; and
  - in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block.

### Construction Noise and Vibration Limits

- B27. The Project shall be constructed with the aim of achieving the construction noise management levels detailed in the *Interim Construction Noise Guideline* (DECC, 2009). All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the CEMP.

*Note: The Interim Construction Noise Guideline identifies 'particularly annoying' activities that require the addition of 5dB(A) to the predicted level before comparing to the construction noise management levels.*

- B28. The Project shall be constructed with the aim of achieving the following construction vibration goals for human exposure: the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: A Technical Guideline* (Department of Environment and Conservation, 2006).
- B29. The Proponent shall ensure that air blast overpressure generated by blasting associated with the Project does not exceed the criteria specified in Table 1, when measured at the most affected residence or other sensitive receiver.

**Table 1 - Airblast overpressure criteria**

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

- B30. Ground vibration generated by blasting associated with the Project shall not exceed the criteria specified in Table 2 when measured at the most affected residence or other sensitive receiver.

**Table 2 – Peak particle velocity criteria**

Peak Particle Velocity (mms <sup>-1</sup> )	Allowable Exceedance
5	5% of total number of blasts over a 12 month period
10	Never

## **SOIL AND WATER QUALITY IMPACTS**

- B31. The Proponent shall comply with section 120 of the *Protection of the Environment Operations Act 1997* which prohibits the pollution of waters.
- B32. Soil and water management measures consistent with *Managing Urban Stormwater - Soils and Construction Vol 1* (Landcom, 2004) shall be employed during the construction of the Project to minimise soil erosion and the discharge of sediment and other pollutants to land and/or waters.
- B33. Stockpile locations of trench material shall be outside the vicinity of watercourses or drainage areas.
- B34. All cleared areas shall be stabilised with local native grasses and ground cover plants as soon as practicable to minimise soil erosion.

### **Watercourse crossings**

- B35. Watercourse crossings shall be designed in consultation with the NSW Office of Water, and where feasible and reasonable, be consistent with the *Guidelines for Controlled Activities Watercourse Crossings* (Department of Water and Energy, February 2008), *Policy and Guidelines for Fish Friendly Waterway Crossings* (NSW Fisheries, February 2004) and *Policy and Guidelines for Design and Construction of Bridges, Roads, Causeways, Culverts and Similar Structures* (NSW Fisheries 1999). Where multiple cell culverts are proposed for creek crossings, at least one cell shall be provided for fish passage, with an invert or bed level that mimics creek flows.
- B36. The Proponent shall design, construct, operate and maintain the Project to avoid impacts on bank stability along any watercourse to be crossed by the pipeline. This may include, but is not limited to, use of a wider Right of Way and work area for watercourses with steep banks.
- B37. Where watercourses are trenched, they shall be immediately stabilised after the pipe has been laid and backfilled.
- B38. All watercourse crossings shall be constructed during no or low flow conditions, where possible.

### **TRAFFIC AND ACCESS**

- B39. Where the project is to be located along and within a public road formation, the Proponent shall:
  - a) prior to construction, commission a qualified person to undertake a Road Dilapidation Report of all roads proposed to be used for construction and access activities in consultation with relevant road authorities. The Report shall assess the current condition of the relevant roads; and
  - b) following completion of construction a subsequent Road Dilapidation Report shall be prepared to assess any damage that may have resulted due to traffic and transport related to the construction and ongoing operation of the project.

The Proponent shall restore the relevant roads to a state described in the original Road Dilapidation report. The cost of any restorative work described in the subsequent Report or recommended by the relevant road authorities after review of the subsequent Report, shall be funded by the Proponent. Such work shall be undertaken at a time as agreed upon between the Proponent and the relevant road authorities. In the event of a dispute between the parties with respect to the extent of restorative work that may be required under this condition, any party may refer the matter to the Director-General for resolution. The Director-General's determination of any such dispute shall be final and binding on the parties.

- B40. All works to be undertaken within a road reserve shall have detailed design plans submitted to the relevant road authority for approval prior to the commencement of construction of the relevant works.
- B41. The Proponent shall ensure that all pipeline crossings of roads are constructed using construction methods and depth cover determined in consultation with and to meet the reasonable requirements of the relevant road authority.
- B42. Crossing of Classified Roads shall be conducted by directional horizontal drilling, not open trenching. The Classified Roads are:
- (i) Burley Griffin Way (MR84)
  - (ii) Cootamundra – Stockinbingal Road (MR235)
  - (iii) Gunning – Temora Road (MR241) referred to as Boorowa Street in the EA
  - (iv) Young – Grenfell Road (MR239) referred to as Henry Lawson Way in the EA
- B43. Where the Project crosses a Classified Road (as provided in condition B42) the road crossing shall be developed in consultation with and to the satisfaction of the relevant road authority.
- B44. The Proponent shall install permanent pipeline location markers along each side of road carriageways, to the satisfaction of the relevant roads authority.
- B45. The carriageway of the Burley Griffin Way shall not be permanently disturbed. No new permanent access driveways shall be constructed within the road reserve of the Burley Griffin Way. Should temporary access be required, access would be developed in consultation with and to the satisfaction of the relevant road authority.
- B46. Any public utility adjustment or relocation work required for the Project shall be the responsibility of the Proponent. The Proponent shall note that RMS is not liable for any sub-surface conditions or existing services encountered. RMS or the relevant road authority shall not be liable for any costs associated with the Project.
- B47. Access to private property shall be maintained during construction unless otherwise agreed with the property owner in advance.
- B48. The Proponent shall apply for a Road Occupancy Licence from the RMS prior to commencing work within a Classified Road reserve or within 100 metres of traffic signals.

## **UTILITIES AND SERVICES**

- B49. Utilities, services and other infrastructure potentially affected by construction and operation shall be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. The Proponent shall conduct consultation with the relevant owner and/or provider of services that are likely to be affected by the Project to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure as required. The cost of any such arrangements shall be borne by the Proponent.

## **WASTE MANAGEMENT**

- B50. All waste materials removed from the site shall only be directed to a waste management facility or premises lawfully permitted to accept the materials.
- B51. The Proponent shall maximise the treatment, reuse and/or recycling on the site of any excavated soils, slurries, dusts and sludges associated with the project, to minimise the need for treatment or disposal of those materials outside the site.

- B52. The Proponent shall not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence under the *Protection of the Environment Operations Act 1997*, if such a licence is required in relation to that waste.
- B53. All liquid and/or non-liquid waste generated on the site shall be assessed and classified in accordance with Waste Classification Guidelines (DECCW, 2009), or any superseding document.
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## PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

### ENVIRONMENTAL MANAGEMENT

#### Construction Environmental Management Plan (CEMP)

- C1. The Proponent shall prepare and implement a **Construction Environmental Management Plan** for the Project in accordance with the *Guideline for the Preparation of Environmental Management Plans* (DIPNR, 2004). No construction associated with the Project shall commence until written approval of this plan has been received from the Director-General or his nominee. The Plan must:
- a) be submitted to the Director-General for approval no later than four weeks prior to the commencement of construction or demolition or within such period otherwise agreed by the Director-General;
  - b) outline all environmental management practices and procedures to be followed during construction works associated with the Project including the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Project;
  - c) be prepared by a suitably qualified and experienced expert;
  - d) describe all activities to be undertaken on the site during construction of the Project, including a clear indication of construction stages;
  - e) provide the strategic framework for environmental management of the Project;
  - f) identify the statutory approvals that apply to the Project;
  - g) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
  - h) describe the roles and responsibilities for all relevant employees involved in construction works associated with the Project;
  - i) including an out-of-hours work protocol for any construction work that occurs outside construction hours, as provided in condition B25;
  - j) include a protocol for periodic review of the plan;
  - k) describe the procedures that would be implemented to:
    - (i) keep the local community and relevant agencies informed about the progress and environmental performance of the Project;
    - (ii) receive, handle, respond to, and record complaints and incidents;
    - (iii) resolve any disputes that may arise;
    - (iv) respond to any non-compliance with statutory requirements and/or exceedences of performance criteria; and
    - (v) respond to emergencies.
- C2. As part of the Construction Environmental Management Plan required under condition C1 of this approval, the Proponent shall prepare and implement the following:
- a) a **Biodiversity Management Plan** in consultation with the Lachlan and/or Murrumbidgee Catchment Management Authority (CMA) and OEH and shall include, but not necessarily be limited to:
    - (i) a Biodiversity Offset Package for the project in accordance with Conditions B10 and B11 of this approval;
    - (ii) the method for reassessment of the Biodiversity Offset Package which will be conducted at the completion of construction works, in accordance with condition B12;
    - (iii) details of all tree and vegetation clearing activities including methods employed to minimise biodiversity impact including specific species and seasonal variations;
    - (iv) Identification of Endangered Ecological Communities and specific management strategies during and following vegetation clearing activities;
    - (v) reinstatement work for native vegetation as soon as possible after construction works progress along the easement; and
    - (vi) weed management and minimisation methodologies.

- b) an **Aboriginal Heritage Management Plan** to monitor and manage Aboriginal heritage, shall be developed in consultation with OEH and registered Aboriginal stakeholders, and shall include the following:
- (i) details of further archaeological investigations and/or salvage measures to be carried out prior to construction;
  - (ii) procedures for the management of identified objects within the project site;
  - (iii) procedures for dealing with unidentified objects and/or human remains;
  - (iv) Aboriginal cultural heritage induction processes for construction personnel; and
  - (v) procedures for ongoing Aboriginal consultation and involvement.
- c) a **Traffic Management Plan** to manage traffic impacts that may be generated during construction of the project. The Plan shall be drafted in consultation with and address the requirements of the relevant road authority and shall include, but not necessarily be limited to:
- (i) details of how construction of the project will be managed in proximity to local and regional roads;
  - (ii) details of traffic routes for heavy vehicles, including any necessary route or timing restriction for oversized loads;
  - (iii) demonstration that all statutory responsibilities with regard to road traffic impacts have been complied with;
  - (iv) details of measures to minimise interactions between the project and other users of the roads such as the use of fencing, lights, barriers, traffic diversions etc;
  - (v) procedures for informing the public where any road access will be restricted as a result of the project;
  - (vi) procedures to manage construction traffic to ensure the safety of livestock and to minimise disruption to livestock;
  - (vii) speed limits to be observed along routes to and from the site and within the site;
  - (viii) minimum requirements for vehicle maintenance to address noise and exhaust emissions, particularly along roads in close proximity to residences; and
  - (ix) details of the expected behavioural requirements for vehicle drivers travelling to and from the site and within the site.
- d) a **Construction Noise and Vibration Management Plan** to manage noise and vibration impacts during construction and to identify all feasible and reasonable noise and vibration mitigation measures. The Plan shall be developed in accordance with *NSW Interim Construction Noise Guidelines* (DECC, July 2009) and shall include, but not necessarily be limited to:
- i) details of all potentially noise-affected receivers;
  - ii) an analysis of all feasible mitigation measures to reduce construction noise and vibration impacts including the use of noise attenuation barriers, alternative construction methods and work practices where potential noise impacts exceed the relevant objectives;
  - iii) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity;
  - iv) contingency plans to be implemented in the event of non-compliance and / or noise and vibration complaints; and
  - v) details of a contact person to follow up complaints.
- e) a **Surface and Groundwater Water Management Plan** to manage water quality impacts during construction. The Plan shall be prepared in consultation with and to the satisfaction of NOW and shall include, but not necessarily be limited to:
- i) detailed engineering designs and rehabilitation measures for each category of watercourse crossing, culvert or instream works;
  - ii) a description of the quantity and source of all water supplies relating to construction, hydrostatic testing and operation;
  - iii) a description of any dewatering activities associated with groundwater interception along the pipeline easement that includes the quantity of groundwater to be used and a description of any expected impacts associated with the works; and

- iv) a contingency plan for events during construction that have the potential to pollute or contaminate surface water or groundwater, including threshold levels, remediation actions and communication strategies for the effective management of such an event.

C3. The Proponent shall review, and if necessary revise, the management sub-plans and monitoring results required under this approval to the satisfaction of the Director-General, to incorporate any recommended measures to improve performance of the Project

*Note: The approval of a Construction Environmental Management Plan does not relieve the Proponent of any other requirements associated with this project approval. In the event of any inconsistency between the Construction Environmental Management Plan and the conditions of this approval, the requirements of this project approval prevail.*

### **Accredited Environmental Management System**

C4. Where the Proponent operates an ISO accredited Environmental Management System (EMS) and can demonstrate in writing to the satisfaction of the Director General that the requirements of any condition in this part, can be addressed through the operation of the EMS, the Director General may, in writing, direct that the EMS can operate in lieu of those conditions.

C5. In accrediting the operation of an EMS in accordance with Condition C4, the Director General may specify that particular environmental management documentation and reporting (e.g. audit reports), be submitted to the Department for its consideration, and that the Proponent comply with any directive of the Director General with regard to any required management or mitigation measures arising from the environmental management of the Project.

## **ENVIRONMENTAL MONITORING AND REPORTING**

### **Hazard Compliance**

C6. At least one month prior to the commencement of operation of the project, or as agreed by the Director-General, the Proponent shall submit a report detailing compliance with conditions B16 and B18 of this approval. The report shall include, but not necessarily be limited to:

- a) dates of study, plan or system completion, and commencement of construction and commissioning;
- b) actions taken or proposed to implement recommendations made in the studies, plans or systems; and
- c) responses to each requirement that may be requested by the Director-General in respect to the implementation of any measures arising from recommendations of the studies or reports described by conditions B16 and B18.

### **Auditing**

C7. Twelve months after the commencement of operation of the project, or within such period otherwise agreed by the Director-General, the Proponent shall commission an independent, experienced person to carry out a Safety Management Study of the pipeline in accordance with the requirements of AS2885. The independent audit team shall be led by a suitably experienced auditor approved by the Director-General prior to the commencement of the Audit.

C8. In accordance with Pipeline Licence 19 granted under the *Pipelines Act 1967*, and AS2885.3 the Proponent shall update the Safety Management Study at intervals not exceeding 5 years, or at such intervals as the Director-General may approve, and provide the Department of Trade and Investment with certification that the Safety and Operating Plan meets all relevant quality management and safety standards, and the requirements of Schedule 2 of the Licence.

### **Incident Reporting**

C9. The Proponent shall notify the Director-General and any relevant Government authority of any incident with actual or potential significant off-site impacts on people or the biophysical environment as soon as practicable after the occurrence of the incident. The Proponent shall

provide written details of the incident to the Director-General within seven days of the date on which the incident occurred.

- C10. The Proponent shall meet the requirements of the Director-General to address the cause or impact of any incident, as it relates to this approval, reported in accordance with condition C9 of this approval, within such period as the Director-General may require.

### **Complaints Procedure**

- C11. Prior to the commencement of construction of the project, the Proponent shall ensure that the following are available for community complaints for the life of the project (including construction and operation):

- a) a 24 hour telephone number for complaints about construction and operational activities at the site to 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 e-mail address shall be advertised in a newspaper circulating in the locality on at least one occasion prior to the commencement of construction and of operation of the project. These details shall also be provided on the Proponent's internet site. The telephone number, postal address and email address shall be displayed on a sign near the entrance to the site, in a position that is clearly visible to the public.

- C12. The Proponent shall record details of all complaints received through the means listed under condition C11 of this approval in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to:
- a) the date and time, where relevant, of the complaint;
  - b) the means by which the complaint was made (telephone, mail or email);
  - c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
  - d) the nature of the complaint;
  - e) any action(s) taken by the Proponent in relation to the complaint, including timeframes for implementing the action; and
  - f) if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken.

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

- C13. The Proponent shall provide an initial response to any complaints made in relation to the project during construction or operation within 48 hours of the complaint being made. The response and any subsequent action taken shall be recorded in accordance with condition C12.

### **COMPLIANCE TRACKING PROGRAM**

- C14. Prior to the commencement of construction, the Proponent shall develop and implement a **Compliance Tracking Program** for the project, to track compliance with the requirements of this approval during the construction and operation of the project and shall include, but not necessarily be limited to:
- a) provisions for periodic reporting of the compliance status to the Director-General including at least prior to the commencement of construction of the project, prior to the commencement of operation of the project and within two years of operational commencement;
  - b) a program for independent environmental auditing in accordance with AS/NZ ISO 19011:2003 - Guidelines for Quality and/or Environmental Management Systems Auditing;
  - c) procedures for rectifying any non-compliance identified during environmental auditing or review of compliance;

- d) mechanisms for recording environmental incidents and actions taken in response to those incidents;
- e) provisions for reporting environmental incidents to the Director-General during construction and operation; and
- f) provisions for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.

### **ACCESS TO INFORMATION**

C15. Subject to confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request.

C16. Prior to the commencement of construction of the project, the Proponent shall establish a dedicated website or maintain dedicated pages within its existing website for the provision of electronic information associated with the project subject to confidentiality. The Proponent shall publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to:

- a) the documents referred to in Condition A2;
- b) the current implementation status of the project;
- c) a copy of this approval and any future modification to this approval;
- d) a copy of each relevant environmental approval, licence or permit required and obtained in relation to the project;
- e) a copy of each plan, report or required monitoring program and monitoring results under this approval; and
- f) details of the outcomes of compliance reviews and audits of the project, including any independent environmental audit of the project, and the Proponent's response to the recommendations in any audit.

### **ENVIRONMENTAL REPRESENTATIVE**

C17. Prior to the commencement of construction of the Project, or as otherwise agreed by the Director-General, the Proponent shall nominate for the approval of the Director-General, a suitably qualified and experienced Environment Representative(s) that is independent of the design and construction personnel. The Proponent shall employ the Environment Representative(s) for the duration of construction, or as otherwise agreed by the Director-General. The Environment Representative(s) shall:

- a) be the principal point of advice in relation to the environmental performance of the Project;
- b) monitor the implementation of environmental management plans and monitoring programs required under this approval and advise the Proponent upon the achievement of these plans/ programs;
- c) have responsibility for considering and advising the Proponent on matters specified in the conditions of this approval, and other licences and approvals related to the environmental performance and impacts of the Project;
- d) ensure that environmental auditing is undertaken in accordance with the Proponent's EMS(s);
- e) be given the authority to approve/ reject minor amendments to the CEMP. What constitutes a "minor" amendment shall be clearly explained in the CEMP required under condition C1;
- f) be 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; and
- g) be consulted in responding to the community concerning the environmental performance of the Project where the resolution of points of conflict between the Proponent and the community is required.