

Development Consent

Section 4.38 of the Environmental Planning and Assessment Act 1979

As delegate of the Minister for Planning and Public Spaces under delegation executed on 11 October 2017, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development



Anthea Sargeant

Executive Director

Compliance, Industry and Key Sites

Sydney

5 November

2019

File: SSD 5792

SCHEDULE 1

Application Number:

SSD 5792

Applicant:

Port Macquarie-Hastings Council

Consent Authority:

Minister for Planning and Public Spaces

Site:

351E Telegraph Point Road, Pembroke NSW 2446 (Lot 1, DP 1202080)

Development:

Cairncross Waste Management Facility Expansion, including:

- progressive excavation, landfilling and rehabilitation of three new landfill cells (Stage 1, 2 and 3)
- receiving 3.7 million cubic metres of additional waste in the three new cells
- extending the life of the landfill by a further 36 years, until 2056

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DEFINITIONS

Applicant	Port Macquarie-Hastings Council or any person carrying out any development to which this consent applies
Conditions of this consent	Conditions contained in Schedule 2 of this document
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	Department of Planning, Industry and Environment
Development	The development described in the EIS and RTS, including progressive excavation, landfilling and rehabilitation of three new landfill cells (Stages 1, 2 and 3), as modified by the conditions of this consent.
Development layout	The plans at Appendix 1 of this consent
Dol	(former) Department of Industry, Lands and Water Division
EIS	The Environmental Impact Statement titled <i>Cairncross Landfill Expansion</i> , prepared by Arcadis dated 20 December 2017, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
ENM	Excavated Natural Material
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6 pm to 10 pm
General solid waste (non-putrescible)	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
General solid waste (putrescible)	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	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> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance <i>Note: "material harm" is defined in this consent</i>
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Landfilling	Placement of waste in any of the three landfill cells (Stage 1, 2 and 3)
LEMP	Landfill Environmental Management Plan
Material harm	Is harm that: a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)

Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
OEH	(former) NSW Office of Environment and Heritage, now Biodiversity and Conservation Division of the Department of Environment, Energy and Science
Operation	Progressive excavation, landfilling and rehabilitation of three new landfill cells (Stage 1, 2 and 3), excluding preliminary site establishment works such as access tracks, drainage, fencing, installation of groundwater monitoring bores and minor excavation to obtain daily cover for the existing landfill
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled " <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> " (DECCW)
Rehabilitation	Capping and revegetating the landfill cells to achieve the final landform as shown in Appendix 4
RTS	The Response to Submissions titled <i>Cairncross Waste Management Facility Expansion</i> , prepared by Arcadis dated 11 December 2018 and additional information provided by Arcadis dated 9 May 2019, in support of the application
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area.
Site	The land defined in Schedule 1
Stage 1	The landfill cell (including sub-cells) shown as Stage 1 in Figure 2 of Appendix 1
Stage 2	The landfill cell (including sub-cells) shown as Stage 2 in Figure 2 of Appendix 1
Stage 3	The landfill cell (including sub-cells) shown as Stage 3 in Figure 2 of Appendix 1
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the development, and any rehabilitation required under this consent.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) in accordance with the EIS and RTS;
 - (d) in accordance with the Development Layout in Appendix 1; and
 - (e) in accordance with the management and mitigation measures in Appendix 2.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

- A5. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.
- A6. The Applicant must not receive more than:
- (a) 150,000 tonnes of general solid waste (putrescible) waste per year on site for landfill disposal;
 - (b) 50,000 tonnes of general solid waste (non-putrescible) and asbestos waste per year on site for landfill disposal;
 - (c) the quantity of waste required to meet the final landform profile described in the RTS and shown in Appendix 4.

NOTIFICATION OF COMMENCEMENT

- A7. The date of commencement of operation of the development must be notified to the Department in writing, at least one month before that date.
- A8. The Applicant must notify the Department in writing at least one month before the commencement of landfilling in Stage 1, Stage 2 and Stage 3 of the development.

EVIDENCE OF CONSULTATION

- A9. Where conditions of this consent require consultation with an identified party, the Applicant must:
- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
 - (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

- A10. With the approval of the Planning Secretary, the Applicant may:
- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
 - (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
 - (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).

- A11. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.
- A12. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

COMPLIANCE

- A13. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

OPERATION OF PLANT AND EQUIPMENT

- A14. All plant and equipment used on site, or to monitor the performance of the development, must be:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

UTILITIES AND SERVICES

- A15. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

APPLICABILITY OF GUIDELINES

- A16. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A17. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

ADVISORY NOTES

- AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

WASTE MANAGEMENT

Receipt, Storage and Handling of Waste

- B1. The Applicant must only receive waste on site that is authorised for receipt by an EPL.
- B2. The Applicant must ensure any waste generated on the site is classified in accordance with the EPA's *Waste Classification Guidelines 2014* or its latest version and disposed of to a facility that may lawfully accept the waste.
- B3. The Applicant must provide details of the quantity, type and source of wastes received on the site to the EPA and the Planning Secretary when requested.

Waste Monitoring

- B4. From the commencement of landfilling, the Applicant must monitor incoming waste for the development. The Applicant must:
 - (a) document the quantity, type and source of wastes received on site via a controlled tracking system;
 - (b) ensure that staff receive adequate training to be able to recognise and handle any hazardous waste, asbestos or prohibited waste.

Landfill Operations

- B5. The Applicant must:
 - (a) minimise the exposed or cleared areas at the landfill;
 - (b) ensure a compaction of 650 kilograms per cubic metre is achieved for each 50,000 tonnes of waste disposed on the site;
 - (c) cover all landfilled waste in accordance with the requirements of the EPA's *Environmental Guidelines: Solid Waste Landfills 2016* or its latest version;
 - (d) ensure cover material is either overburden or Virgin Excavated Natural Material (VENM), or another alternative material approved in writing by the EPA;
 - (e) maintain at least two weeks of cover material on the site; and
 - (f) ensure landfill cells are capped progressively during operation.

Imported Soil

- B6. The Applicant must:
 - (a) ensure that only VENM, Excavated Natural Material (ENM), or other material approved in writing by EPA is used for capping the landfill;
 - (b) keep accurate records of the volume and type of fill to be used; and
 - (c) make these records available to the EPA and the Planning Secretary upon request.

Litter and Pest Control

- B7. The Applicant must:
 - (a) implement suitable measures to prevent the unnecessary proliferation of litter both on and off site, including the installation and maintenance of a mesh fence of not less than 1.8 metres high around the perimeter of the active landfill cell; and
 - (b) inspect and clear the site (and surrounding area, where necessary) of litter on at least a weekly basis.
- B8. The Applicant must:
 - (a) implement suitable measures to manage pests, vermin and declared noxious weeds on the site; and
 - (b) inspect the site on a regular basis to ensure these measures are effective, and pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area.

Note: For the purposes of this condition, noxious weeds are those species subject to an order declared under the Biosecurity Act 2015.

LEACHATE

Leachate Barrier and Collection System

- B9. The Applicant must design, install and manage the leachate barrier and collection system in accordance with the requirements of the EPA's *Environmental Guidelines: Solid Waste Landfills 2016* or its latest version.
- B10. All above ground storage tanks containing material that may cause material harm must be bunded or have an alternative spill containment system in place.

Leachate Management Plan

- B11. Prior to the commencement of landfilling, the Applicant must prepare a Leachate Management Plan (LMP) to the satisfaction of the Planning Secretary. The LMP must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) be prepared in consultation with the EPA;
- (c) detail measures to collect and store all leachate and prevent leachate from escaping to surface water, groundwater or the surrounding soils;
- (d) include best management practices and best available technology to reduce the potential for surface water to be contaminated with leachate during landfilling;
- (e) detail contingency measures for managing any leachate contamination in groundwater, surface water and surrounding soils.

B12. The Applicant must:

- (a) not commence landfilling until the LMP required by condition B11 is approved by the Planning Secretary; and
- (b) implement the most recent version of the LMP approved by the Planning Secretary for the duration of the development.

SURFACE WATER AND GROUNDWATER

Erosion and Sediment Control

B13. Prior to any surface disturbance for Stage 1, Stage 2 and Stage 3, the Applicant must install and maintain suitable erosion and sediment control measures on site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004).

Discharge Limits

B14. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

Groundwater Collection System Design

B15. The Applicant must provide detailed technical specifications and full construction plans of the groundwater collection system for consideration by the EPA, prior to construction of the groundwater collection system.

B16. The Applicant must obtain relevant water access licence/s in accordance with the *Water Management Act 2000*, if the development will intercept groundwater.

Water Management Plan

B17. Prior to the commencement of landfilling, the Applicant must prepare a Water Management Plan (WMP) to the satisfaction of the Planning Secretary. The WMP must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) be prepared in consultation with the EPA and DoI Lands and Water Division;
- (c) include a Groundwater Management Plan (GMP), detailing:
 - (i) baseline data on groundwater levels and quality;
 - (ii) a program to monitor groundwater levels and quality;
 - (iii) the measures to be implemented to prevent contamination of groundwater with leachate;
 - (iv) groundwater discharge water quality trigger values and management measures for groundwater not suitable for discharge;
 - (v) contingency measures for managing any detected groundwater contamination;
 - (vi) the water licence requirements for the development.
- (d) include a Surface Water Management Plan (SWMP), detailing:
 - (i) measures to divert clean surface water away from operational areas of the site;
 - (ii) a program to monitor surface water flows and quality;
 - (iii) trigger levels for investigating any potential adverse surface water impacts;
 - (iv) a protocol for investigation and mitigation of exceedances of the surface water trigger levels.

B18. The Applicant must:

- (a) not commence landfilling until the WMP required by condition B17(a) is approved by the Planning Secretary; and
- (b) implement the most recent version of the WMP approved by the Planning Secretary for the duration of the development.

ODOUR AND AIR QUALITY

Limits

B19. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

Dust Minimisation

B20. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

B21. The Applicant must ensure that:

- (a) exposed surfaces and stockpiles are suppressed by regular watering;
- (b) all trucks entering or leaving the site with loads have their loads covered;
- (c) trucks associated with the development do not track dirt onto the public road network; and
- (d) rehabilitation works are carried out progressively on site to minimise exposed surfaces.

NOISE

Hours of Work

B22. The Applicant must comply with the hours detailed in **Table 1**, unless otherwise agreed in writing by the Planning Secretary.

Table 1 Hours of Work

Activity	Period	Time
Operation	Monday – Friday	7 am to 6 pm
	Saturdays, Sundays and Public Holidays	8 am to 5 pm

B23. Works outside of the hours identified in condition B22 may be undertaken in the following circumstances:

- (a) works that are inaudible at the nearest sensitive receivers;
- (b) works agreed to in writing by the Planning Secretary;
- (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
- (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Noise Limits

B24. The Applicant must ensure noise generated by operation of the development does not exceed the noise limits in **Table 2**.

Table 2 Noise Limits

Location	Day $L_{Aeq}(15\text{ minute})$ dB(A)
Monitoring Point 10	35
Monitoring Point 11	35

Note 1. Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to the plan in Appendix 3 for noise monitoring locations.

2. L_{Aeq} (15-minute) dB(A) is the equivalent continuous sound level over a 15 minute period, measured as A-weighted decibels.

BIODIVERSITY

Offsets

B25. Prior to any clearing works for Stage 3, the Applicant must retire the following ecosystem and species credits, as determined in accordance with the OEH's *Framework for Biodiversity Assessment* (FBA) and the *Biobanking Assessment Methodology 2014* (BAM).

- (a) 221 ecosystem credits to offset the removal of 3.4 hectares of Blackbutt-Pink Bloodwood Shrubby Open Forest of the Coastal Lowlands of the NSW North Coast Bioregion;
- (b) 84 species credits to offset the removal of koala habitat;
- (c) 248 species credits to offset the removal of Green-Thighed Frog habitat; and
- (d) 3 species credits to offset the removal of Southern Myotis habitat.

Note: If the Applicant seeks a variation to the offset rules, the Applicant must demonstrate that reasonable steps have been taken to find like-for-like offsets in accordance with Section 10.5.4.2 of the FBA and Appendix A of the OEH's *NSW Biodiversity Offsets Policy for Major Projects 2014*.

Koala Connectivity Corridor

B26. The Applicant must establish and maintain the koala connectivity corridor shown in Figure 1 in Appendix 1. The Applicant must determine the timing for establishing the koala connectivity corridor in consultation with the

Biodiversity and Conservation Division of the Department of Environment, Energy and Science. The agreed timing must be included in the Vegetation Management Plan required by condition B27.

Vegetation Management Plan

- B27. Within two years of the date of this consent and no later than prior to the commencement of Stage 2, the Applicant must prepare a Vegetation Management Plan (VMP) to the satisfaction of the Planning Secretary. The VMP must:
- (a) be prepared in consultation with the Biodiversity and Conservation Division of the Department of Environment, Energy and Science;
 - (b) detail the measures for managing impacts of the development on the Rawdon Creek Nature Reserve in accordance with the *Guidelines for developments adjoining land managed by the Office of Environment and Heritage* (OEHL, 2013);
 - (c) detail the procedures for coordinated management of the koala connectivity corridor on the southern boundary, the Strategic Fire Advantage Zone on the south-eastern boundary and the established biodiversity offset area to the west of the site; and
 - (d) detail the fencing to be installed, the timing for installation and how this will prevent access by koalas and other fauna into the landfill.
- B28. The Applicant must implement the most recent version of the VMP approved by the Planning Secretary for the duration of the development.

HAZARDS AND RISK

Dangerous Goods

- B29. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of *Planning's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.

FIRE MANAGEMENT

Defendable Space

- B30. The Applicant must establish a defendable space around the operational areas of the landfill to allow for emergency service personnel to undertake property protection activities. The defendable space shall be a minimum 10 metres in width and managed as an inner protection area (IPA) as outlined in section 4.1.3 and Appendix 5 of *Planning for Bush Fire Protection* (NSW RFS 2006) and the NSW Rural Fire Service *Standard for Asset Protection Zones*.
- B31. The Applicant must establish a 6 metre wide trafficable space with adequate access for a fully laden 15 tonne (GVM) Rural Fire Service / State Forests Category 1 Tanker around the perimeter of the landfill. The trafficable space may be contained within the defendable space area required by Condition B30.
- B32. Any hazardous materials storage, buildings and open space areas must be located a minimum 50 metres from unmanaged vegetation.
- B33. The Applicant must establish and maintain a 30 metre wide Strategic Fire Advantage Zone (SFAZ) around the southern side of Stage 2 and the eastern side of Stage 3, as shown on Figure 3 in Appendix 1.

Bush Fire and Fuel Management Plan

- B34. Within 12 months of the date of this consent, the Applicant must update the Bush Fire and Fuel Management Plan (BFFMP) for the Cairncross Waste Management Facility to include the development, to the satisfaction of the Planning Secretary. The BFFMP must:
- (a) be prepared in consultation with the NSW Rural Fire Service MidCoast District Fire Control Centre;
 - (b) be prepared by a suitably qualified and experienced person(s);
 - (c) include details of:
 - (i) 24/7 contact details including alternative telephone contact;
 - (ii) maintenance measures for the defendable spaces and SFAZ;
 - (iii) location of hazards (physical, chemical and electrical) that may impact on firefighting operations and procedures to manage identified hazards during firefighting operations;
 - (d) identify strategies to contain and minimise the effects of any threats to the environment and public health including but not limited to:
 - (i) measures to minimise the risk of fire on site, including in the landfill area/s;
 - (ii) actions to extinguish any fires on site promptly;
 - (iii) measures to ensure adequate firefighting capacity on site, including a firefighting tanker;
 - (e) include plans of site infrastructure, firefighting water supply, site access and internal roads;
 - (f) detail a communication strategy for notifying the relevant government agencies and potentially affected community in a fire event; and
 - (g) any additional matters required by the NSW Rural Fire Service.

- B35. The Applicant must implement the most recent version of the BFFMP approved by the Planning Secretary for the duration of the development.

TRAFFIC AND ACCESS

Operating Conditions

- B36. The Applicant must ensure:
- (a) the development does not result in any vehicles queuing on the public road network;
 - (b) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
 - (c) all vehicles are wholly contained on site before being required to stop;
 - (d) all loading and unloading of materials is carried out on site; and
 - (e) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network.

ABORIGINAL AND HISTORIC HERITAGE

Unexpected Finds Protocol

- B37. If any item or object of Aboriginal heritage significance is identified on site:
- (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
 - (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and
 - (c) the Biodiversity and Conservation Division of the Department of Environment, Energy and Science (former OEH) must be contacted immediately.
- B38. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.
- B39. If any archaeological relics are uncovered during the course of the work, then all works must cease immediately in that area. Unexpected finds must be evaluated and recorded in accordance with the requirements of the Department of Premier and Cabinet Heritage Division.

FENCING

- B40. All fencing must be erected in accordance with the development plans included in the EIS and RTS.

Note: This condition does not apply to temporary construction and safety related fencing.

REHABILITATION, FINAL LANDFORM AND CLOSURE

Rehabilitation

- B41. The Applicant must progressively rehabilitate the completed landfill cells to achieve the final landform shown in Appendix 4. The vegetation types, maintenance, monitoring and performance criteria for the rehabilitation works must be detailed in the LEMP required by condition C2.

Final Landform

- B42. The Applicant must rehabilitate the site to achieve the final landform shown in Appendix 4, and in accordance with the criteria in the EPA's *Environmental Guidelines: Solid Waste Landfills 2016*, or its latest version.

Landfill Closure Plan

- B43. The Applicant must prepare and implement a Landfill Closure Plan (LCP) to the satisfaction of the Planning Secretary. The LCP must:
- (a) be prepared in accordance with section 76 of the POEO Act;
 - (b) be prepared by a suitably qualified and experienced expert(s);
 - (c) be submitted to the EPA and the Planning Secretary twelve (12) months prior to the planned closure of the landfill (Stage 3);
 - (d) be approved by the EPA and the Planning Secretary prior to the final closure of Stage 3;
 - (e) detail the requirements for ongoing management of the capped waste mass;
 - (f) detail the maintenance procedures for the final capping, in accordance with the requirements of the EPA's *Environmental Guidelines: Solid Waste Landfills 2016*, or its latest version;
 - (g) describe monitoring and management measures to ensure the integrity of the cap;
 - (h) describe ongoing surface water and leachate management, odour and dust control;
 - (i) detail landfill gas monitoring and maintenance; and
 - (j) identify future land use/s on the site.

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

- C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) detailed baseline data;
 - (b) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (d) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to paragraph (c) above;
 - (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (g) a protocol for managing and reporting any:
 - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
 - (ii) complaint;
 - (iii) failure to comply with statutory requirements; and
 - (h) a protocol for periodic review of the plan.

Note: the Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans

LANDFILL ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Landfill Environmental Management Plan (LEMP), in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the LEMP required under Condition C2 of this consent, the Applicant must include the following:
- (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (b) describe the procedures that would be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - (ii) receive, handle, respond to, and record complaints;
 - (iii) resolve any disputes that may arise;
 - (iv) respond to any non-compliance;
 - (v) respond to emergencies; and
 - (c) include:
 - (i) Leachate Management Plan (see Condition B11);
 - (ii) Water Management Plan (see Condition B17);
 - (iii) measures to control dust and odour from all emission sources on site;
 - (iv) a Landfill Gas Monitoring Plan (LGMP) developed in accordance with the requirements of the EPA's *Environmental Guidelines: Solid Waste Landfills 2016* or its latest version;
 - (v) management measures for the control of feral animals, including foxes and wild dogs;
 - (vi) measures to control litter and prevent illegal dumping, with reference to the Memorandum of Understanding between NSW National Parks and Wildlife Service, Forestry Corporation of NSW and Port Macquarie-Hastings Council;
 - (vii) details of vegetation types, maintenance, monitoring and performance criteria for progressive rehabilitation works and a weed management plan.

- C4. The Applicant must:
- (a) not commence landfilling until the LEMP is approved by the Planning Secretary; and
 - (b) operate the development in accordance with the LEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C5. Within three months of:
- (a) the submission of a Compliance Report under condition C12;
 - (b) the submission of an incident report under condition C7;
 - (c) the submission of an Independent Audit under condition C15;
 - (d) the approval of any modification of the conditions of this consent; or
 - (e) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.
- C6. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

***Note:** This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.*

REPORTING AND AUDITING

Incident Notification, Reporting and Response

- C7. The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 3.

Non-Compliance Notification

- C8. The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.
- C9. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- C10. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Compliance Reporting

- C11. No later than 6 weeks before the date notified for the commencement of operation, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department.
- C12. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).
- C13. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least 7 days before this is done.

Independent Audit

- C14. No later than 4 weeks before the date notified for the commencement of operation, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department.
- C15. Independent Audits of the development must be carried out in accordance with:
- (a) the Independent Audit Program submitted to the Department under condition C14 of this consent; and
 - (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).
- C16. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:
- (a) review and respond to each Independent Audit Report prepared under condition C15 of this consent;
 - (b) submit the response to the Department; and
 - (c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done.

Monitoring and Environmental Audits

C17. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

Note: For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.

ACCESS TO INFORMATION

C18. At least 48 hours before the commencement of operation until the completion of all works under this consent, including rehabilitation, the Applicant must:

- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - (i) the documents referred to in condition A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) the proposed staging plans for the development if the development is to be staged;
 - (v) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
 - (vi) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (vii) a summary of the current stage and progress of the development;
 - (viii) contact details to enquire about the development or to make a complaint;
 - (ix) a complaints register, updated monthly;
 - (x) the Compliance Report of the development;
 - (xi) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
 - (xii) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX 1 DEVELOPMENT LAYOUT PLANS

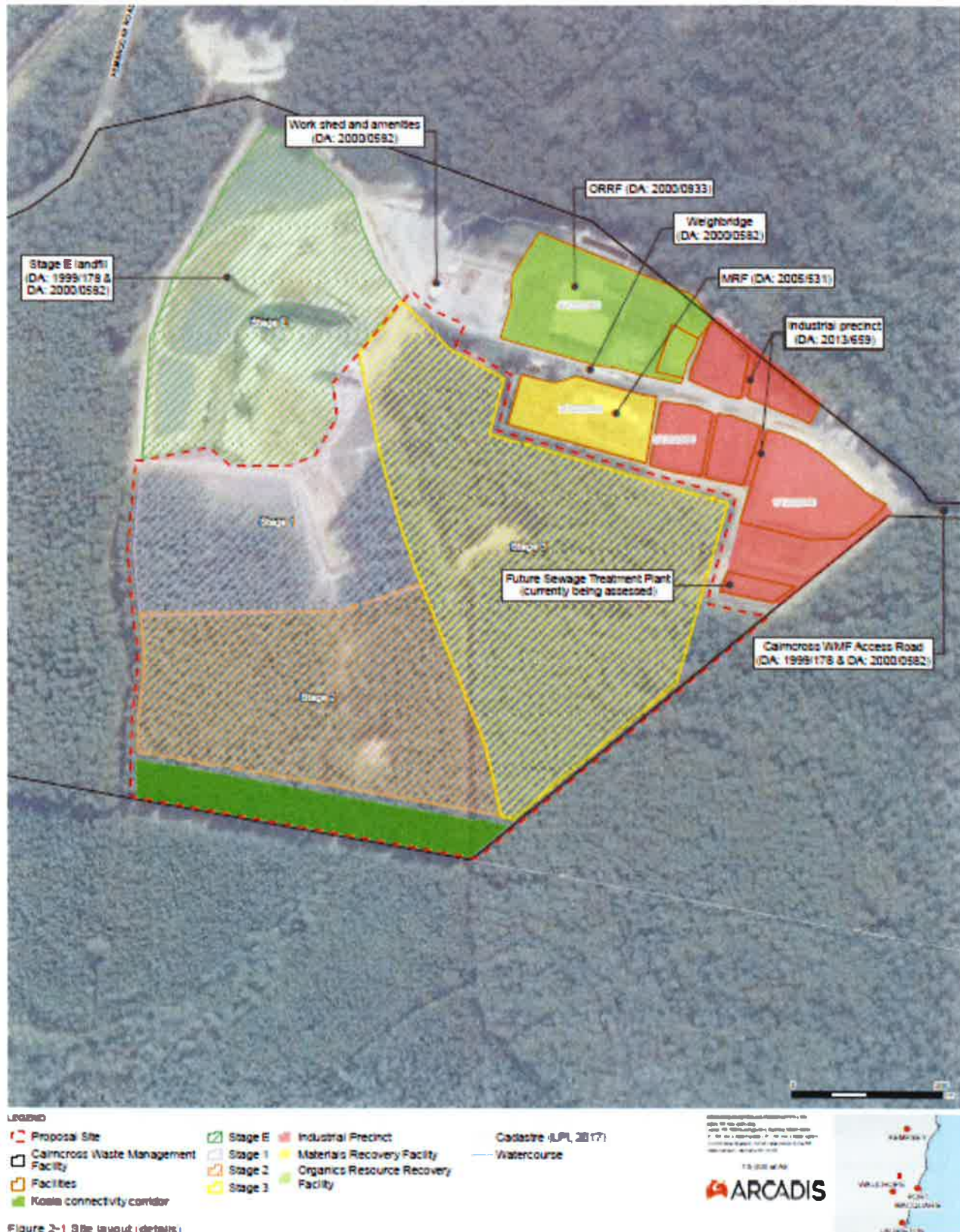


Figure 1: Landfill Layout



Figure 2: Landfill Stages

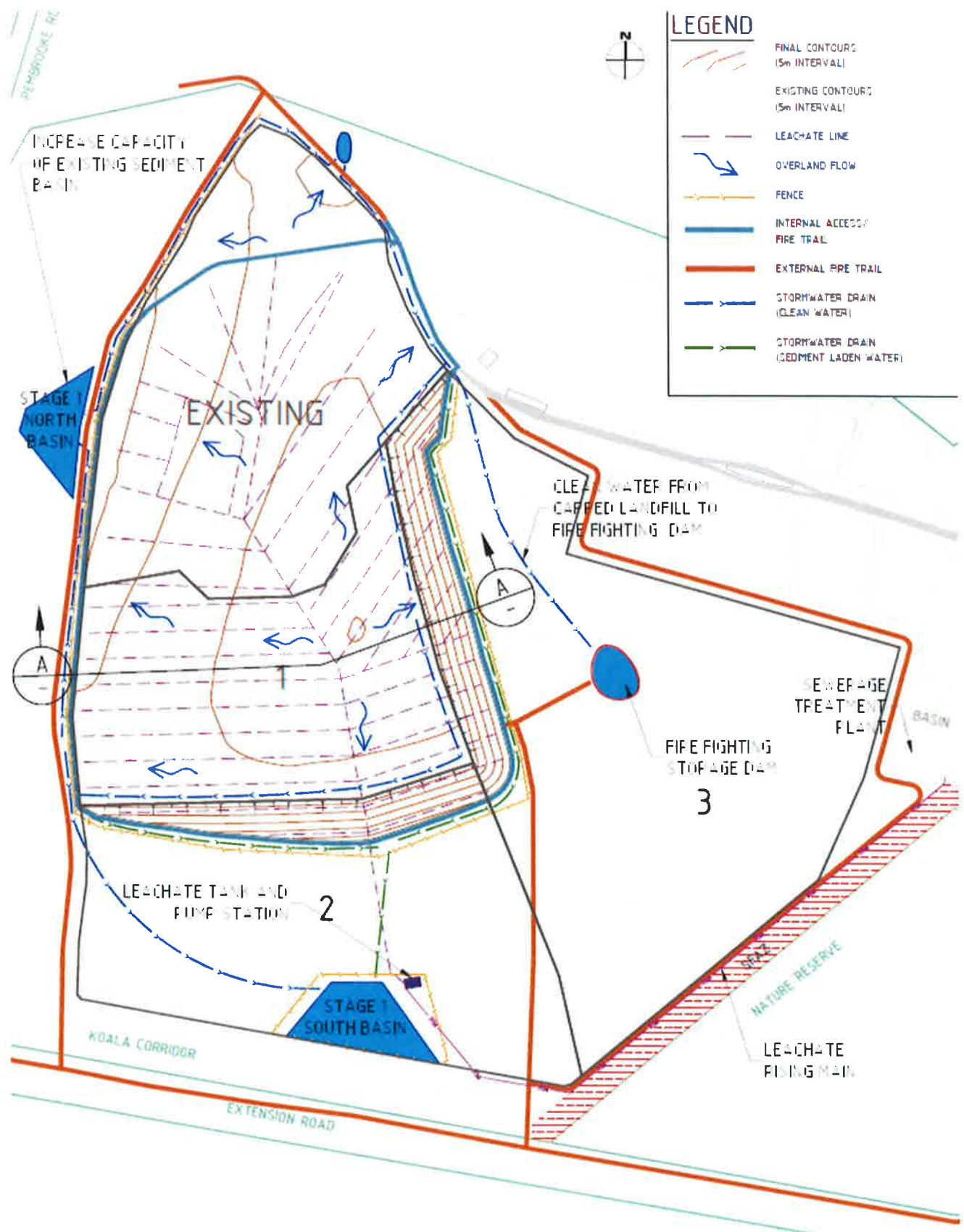
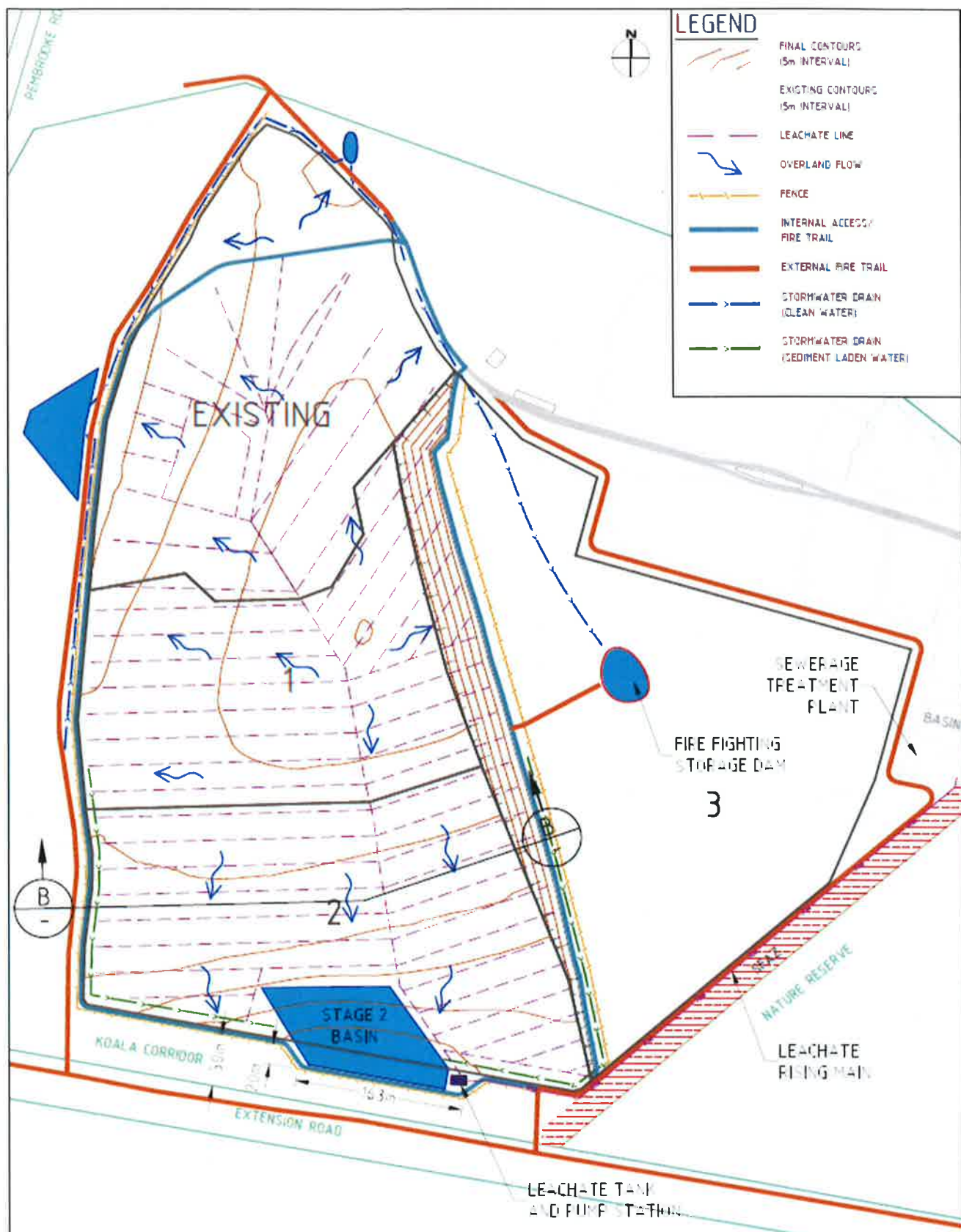
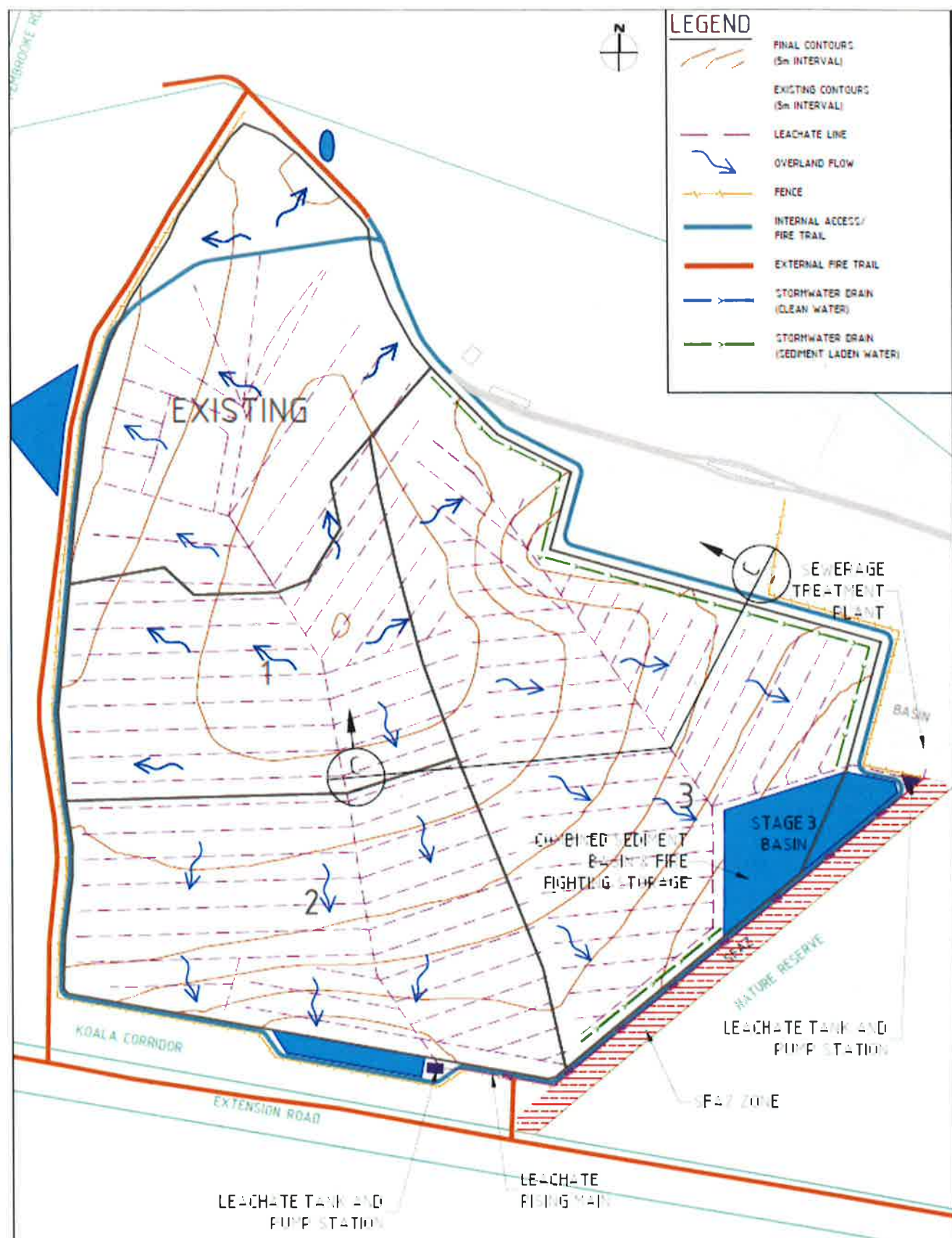


Figure 3: Stage 1





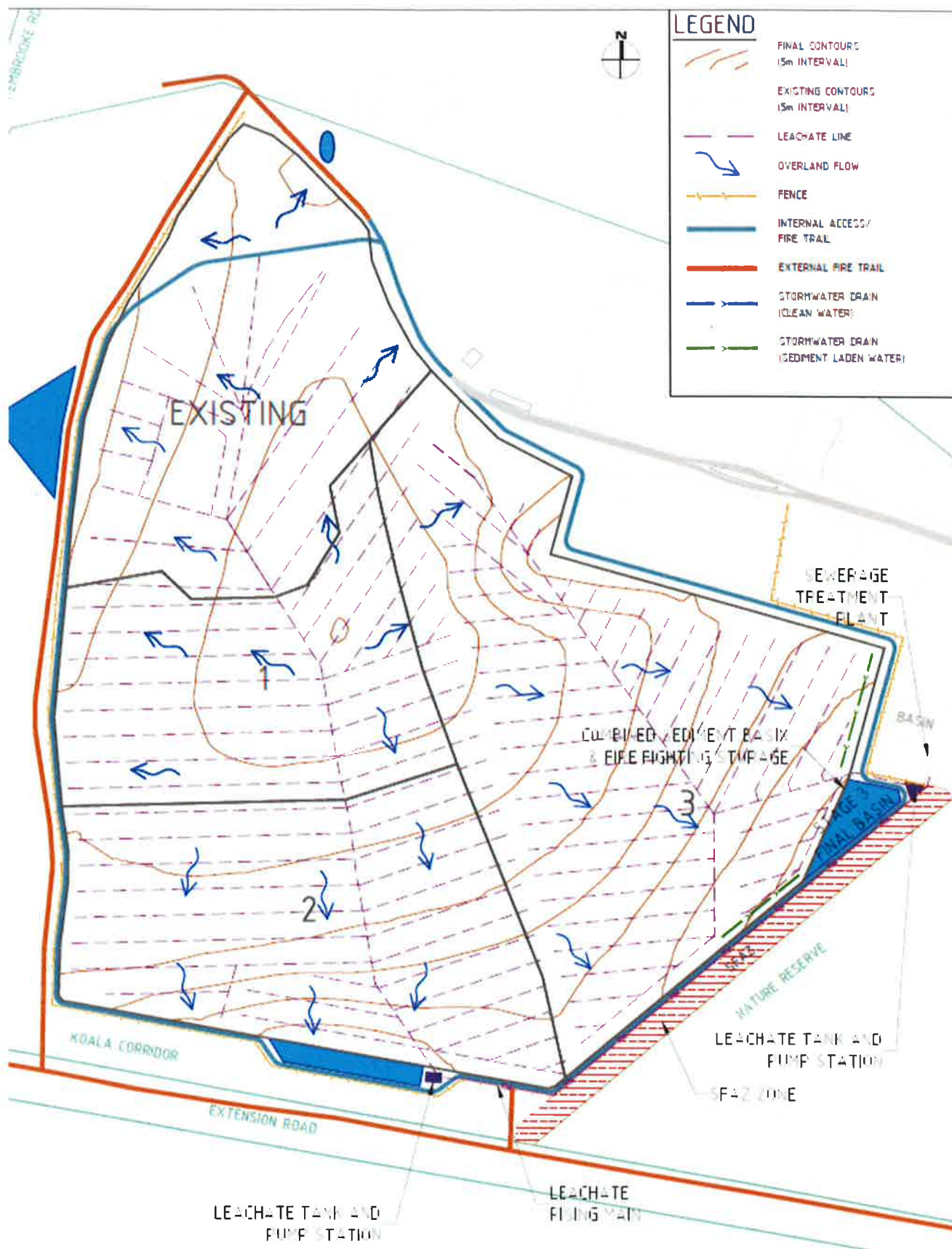


Figure 7: Stage 3 (final layout)

APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

#	Measure	Timing
Flora and Fauna		
FF-01	Clearing of vegetation and excavation activities would not be undertaken during overland flow events (where there is surface runoff present after rainfall and prior to entering a waterway).	Construction / operation
FF-02	Stabilisation of disturbed areas adjacent to retained native vegetation, including revegetation where appropriate, would be undertaken as soon as feasible and reasonable after disturbance.	Construction / operation
FF-03	A biobanking agreement, or equivalent, would be established to secure an offset site in accordance with applicable legislation prior to clearing the 3.4 ha of native vegetation within the Stage 3 area. The offsets site would secure the ecosystem and species credit offset requirements outlined in Section 8.2.3. All offset land will be funded and managed in perpetuity under Councils Public Bushland Management Programme. Management actions would include, but not be limited to, the following: • Identification of type and location of weeds of concern within the site • Identification of sensitive receivers (such as native vegetation and waterways) within or adjacent to the Proposal Site • Management and disposal of weeds (including declared noxious weeds) in accordance with requirements of the Noxious Weeds Act 1993.	Pre-construction / construction / operation Note: the offset site would need to be established prior to clearing the 3.4 ha of native vegetation within the Stage 3 area.
FF-04	Fauna microhabitat, such as logs, would be removed from areas to be cleared and relocated to suitable nearby habitat.	Pre-construction / construction
FF-05	Extent of clearing would be fenced with highly visible temporary fencing to ensure that clearing does not extend beyond the area necessary.	Pre-construction / construction
FF-06	A hollow replacement program would be implemented in the Koala corridor and on any proposed offset site. Hollows would be replaced at 1:1 ratio to offset the impacts to one small hollow, 10 medium hollows and five large hollows.	Pre-construction / construction
FF-07	All injured fauna to be reported to the site manager. Contact details would be kept on site for the local animal rescue group (Fawna Wildlife Rescue, Port Macquarie) and veterinarian if any fauna are injured on site or require capture and/or relocation.	Pre-construction / construction / operation
FF-08	A two-stage clearing process will be implemented in areas of the Proposal site containing hollow-bearing trees. An experienced ecologist would be present on site to supervise all stages of removal of hollow bearing trees, as well as relocation of any fauna.	Pre-construction / construction / operation
FF-09	If feasible and reasonable, vegetation clearing should not be undertaken during the breeding seasons for threatened fauna species with potential habitat on the Development Site. This will not be possible for all identified threatened species as breeding seasons collectively span a large portion of the year. In order of preference of avoidance, the breeding periods are:	Pre-construction / construction

#	Measure	Timing
	• Koala – September to February (breeding season) • Glossy Black Cockatoo – March to August (breeding season) • Spotted-tail Quoll – June to January (maternal den season) • Grey-headed Flying Fox – October to March (breeding season) • Southern Myotis – November to February (breeding season) Scheduling the vegetation removal for Autumn months would generally avoid the breeding season of most species that could occur on site.	
FF-10	The Koala connectivity corridor will be managed in perpetuity and rezoned for environmental protection with the next standard LEP instrument amendment by Council.	Construction / operation
FF-11	A Vegetation Management Plan will be prepared in accordance with the OEH Guidelines for development adjoining land managed by the Office of Environment and Heritage (2013) and will include measures for the maintenance, management and revegetation of the Koala connectivity corridor and the setback area, including: • Clear objectives for management outcomes • A remediation and revegetation strategy • Management measures for existing plantation vegetation • Environmental and noxious weed management actions • Implementation strategies for the hollow replacement program • Vegetation management in accordance with the Cairncross Waste Management Facility Bush Fire and Fuel Management Plan • Roles, responsibilities and timing for implementation	Construction / operation
Water		
W-01	Measures to minimise the water demand for dust generation would be implemented (e.g. minimising vehicle movements on unsealed roads and minimising excavation/earth moving during windy periods, where possible).	Construction / operation
W-02	A groundwater assessment report would be prepared at least once every five years, or should the groundwater monitoring program detect a possible failure of the leachate containment system.	Pre-construction / construction / operation
W-03	A detailed Water Management Plan would be developed to cover both construction and operation of the Amended Proposal, including: • A Surface and Groundwater Monitoring program developed in accordance with requirements outlined in the Hydrogeological Assessment (Appendix F of the EIS), Section 8 of the Revised Concept Design Report (Appendix B of the RtS), the Hydrogeological Addendum Assessment (Appendix C of the RtS) and the Guidelines. The monitoring program would include: – Monitoring period – Surface water and groundwater monitoring locations – Testing parameters	Preconstruction/ Construction/ Operation

#	Measure	Timing
	– Frequency of monitoring to be undertaken • Measures to manage erosion and sediment control, in accordance with the Blue Book, including: – Installation of erosion and sediment controls prior to construction commencing – Separation of clean and dirty water – Minimisation of ground disturbance and areas of exposed soils, where possible – Stabilisation and revegetation of exposed soils as soon as practicable – Avoidance/minimisation of clearing and earthworks during periods of heavy rain – Measures to reduce the velocity and erodibility of surface water flows across the site – Measures for management of stockpiles and sediment basins – Requirements for classification of surplus excavated materials under the NSW EPA Waste Classification Guidelines 2014. • Measures to manage impact to, and discharge of, surface water, including: – Surface water discharge water quality trigger values in accordance with the ANZECC methodology and management measures for water not suitable for discharge – Contingency measures in event of contamination detected in surface water • Measures to manage impacts to, and discharge quality of, groundwater, including: – Measures for management of groundwater flows and discharge locations – Groundwater discharge water quality trigger values and management measures for water not suitable for discharge – Contingency measures in event of contamination detected in groundwater	
W-04	Further consideration will be given to options, such as the installation of energy dissipaters, to reduce discharge velocities during detail design.	Pre-construction/ Construction/ Operation
Leachate		
L-01	Consideration of, and recommendations regarding, a leachate extraction and level-control system (including a collection sump and leachate risers) would be developed to facilitate extraction of leachate from each cell.	Pre-construction

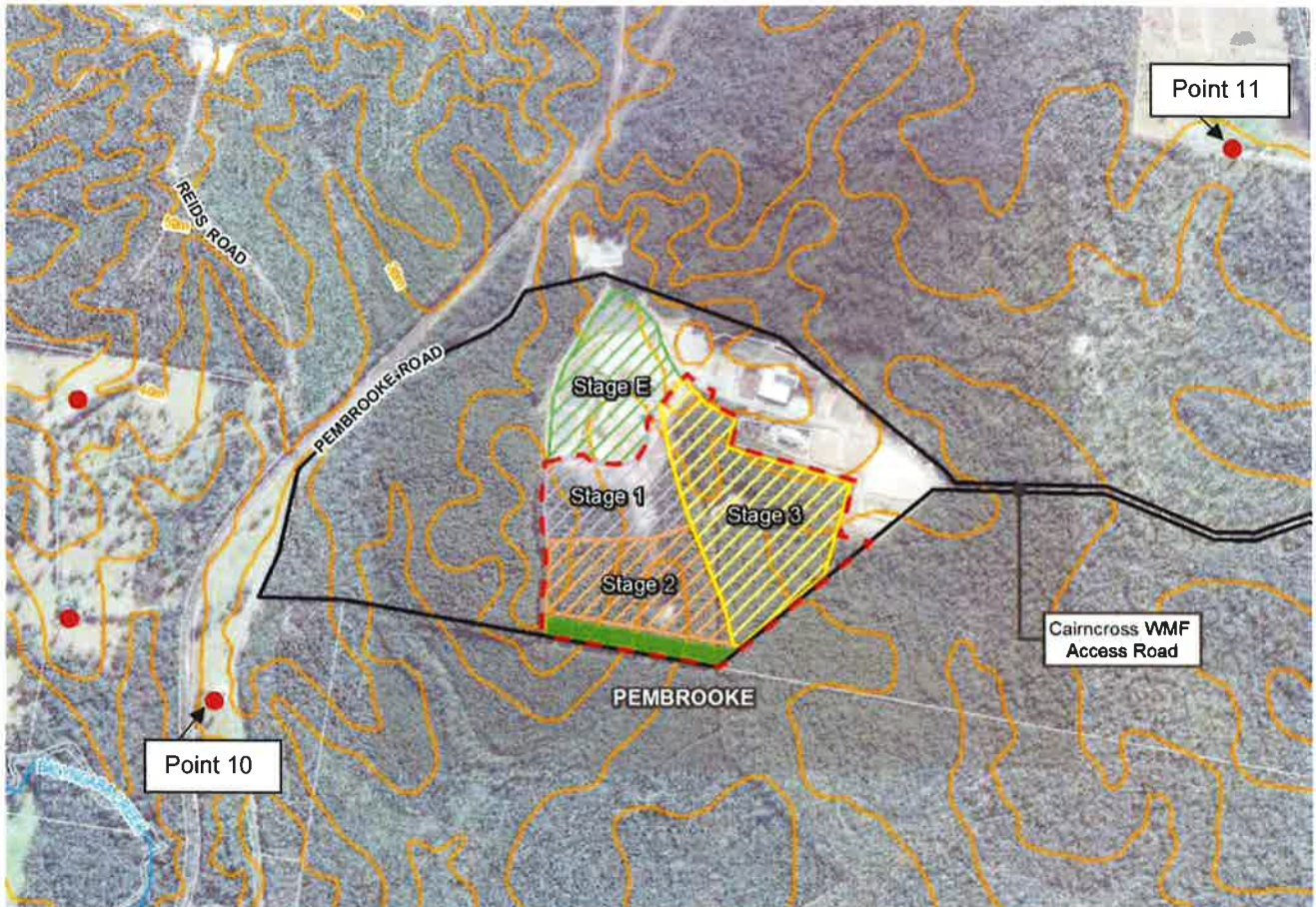
#	Measure	Timing
L-02	A leachate monitoring program would be developed in accordance with the requirements outlined in the Revised Concept Design Report (Appendix B of the RtS) and Leachate Assessment (Appendix S of the EIS)	Pre-construction / operation
Air quality and odour		
A-01	Procedures and training for staff would be developed to report the presence of strong odours around the perimeter of the Proposal Site	Operation
A-02	The active tipping face would be kept as small as practicable.	Pre-construction / construction / operation
A-03	Vehicles will be maintained and serviced according to the manufacturer's specifications and engines will be switched off when not in use	Construction / operation
A-04	All trucks entering and leaving the premises carrying loads must be covered at all times, except during loading and unloading	Construction / operation
A-05	Vehicles would be limited to a speed limit of 20 km/h	Construction / operation
A-06	Appropriate dust management practices would be maintained, including use of washing down as required and reducing drop heights from loading and handling equipment, where possible.	Construction / operation
A-07	The complaints management procedures currently in place at the Cairncross WMF would be continued for the future landfill stages, including maintenance of the existing Complaints Register.	Construction / operation
Noise and vibration		
N-01	Implement requirements for on-going maintenance of fixed and mobile plant in accordance with manufacturers specifications, ensuring silencers are fitted where reasonably practicable and considering replacing tonal reversing alarms with broadband devices on all site-owned plant.	Construction / operation
N-02	Awareness training would be provided for staff and contractors for managing environmental noise issues including: • Ensuring that vehicles don't queue at the site entrance prior to opening • Limiting unnecessary idling of plant • Minimising the use of horn signals and maintaining a low volume.	Pre-construction / construction / operation

#	Measure	Timing
Traffic		
T-01	Standard Operating Procedures (SOPs) to educate waste collection contractors/ heavy-vehicle drivers about appropriate exit procedures and avoidance of corner-cutting when exiting the Cairncross WMF Access Road would be developed	Operation
Greenhouse gas		
GHG-01	Project planning would be undertaken to ensure that on-site vehicle movements and construction activities are efficient, avoid double handling of materials and avoid unnecessary fuel use.	Pre-construction / construction / operation
GHG-02	A landfill gas monitoring program would be established in accordance with the requirements of the Environmental Guidelines – Solid Waste Landfills, Second Edition 2016, or equivalent, and would be undertaken for Stages 1 to 3	Pre-construction / construction / operation
GHG-03	A landfill gas management plan based on the findings of the 2017 landfill gas pumping trial would be developed. The extent of landfill gas controls to be designed and implemented for the existing and proposed stages of the landfill would be guided by the results of the gas pumping trial. If feasible, the implementation of a gas capture or flaring system will be considered.	Pre-construction / construction / operation
Aboriginal heritage		
AB-01	Prior to their on-site involvement, all personnel engaged for tree clearing and topsoil stripping would undergo a general site induction prior to their on-site involvement that provides information on legal obligations with respect to Aboriginal objects, including 'stop-work' conditions applicable in the event that any identified or suspected heritage objects are discovered at any time	Pre-construction / construction / operation
AB-02	In the event that any identified or suspected Aboriginal objects are detected at any time, all disturbance work should immediately cease within 20m of the find and temporary protective fencing erected around this 'no-go zone' pending further management advice from the OEH (Planning and Aboriginal Heritage Section, North Coast Region). If the find consists of or includes human remains, the NSW Police Department and NSW Coroner's office would be contacted. If the burial is identified as being of Aboriginal origin a heritage professional and NSW OEH would be contacted to determine the subsequent course of action.	Pre-construction / construction / operation
AB-03	PMHC would provide the OEH AHIMS Registrar with Aboriginal Site Impact Recording Forms for sites CWD 3 and CWD 4 once these sites are affected by the Proposal.	Pre-construction / construction / operation
AB-04	Operational procedures for responses to detection of unexpected, identified or suspected Aboriginal objects would be included in the update to the 2015 OEMP.	Pre-construction / construction / operation
Non-Aboriginal heritage		
NA-01	Prior to their on-site involvement, all personnel engaged for tree clearing and topsoil stripping would undergo a general site induction prior to their on-site involvement that provides information on legal obligations with respect to archaeological relics, including	Pre-construction

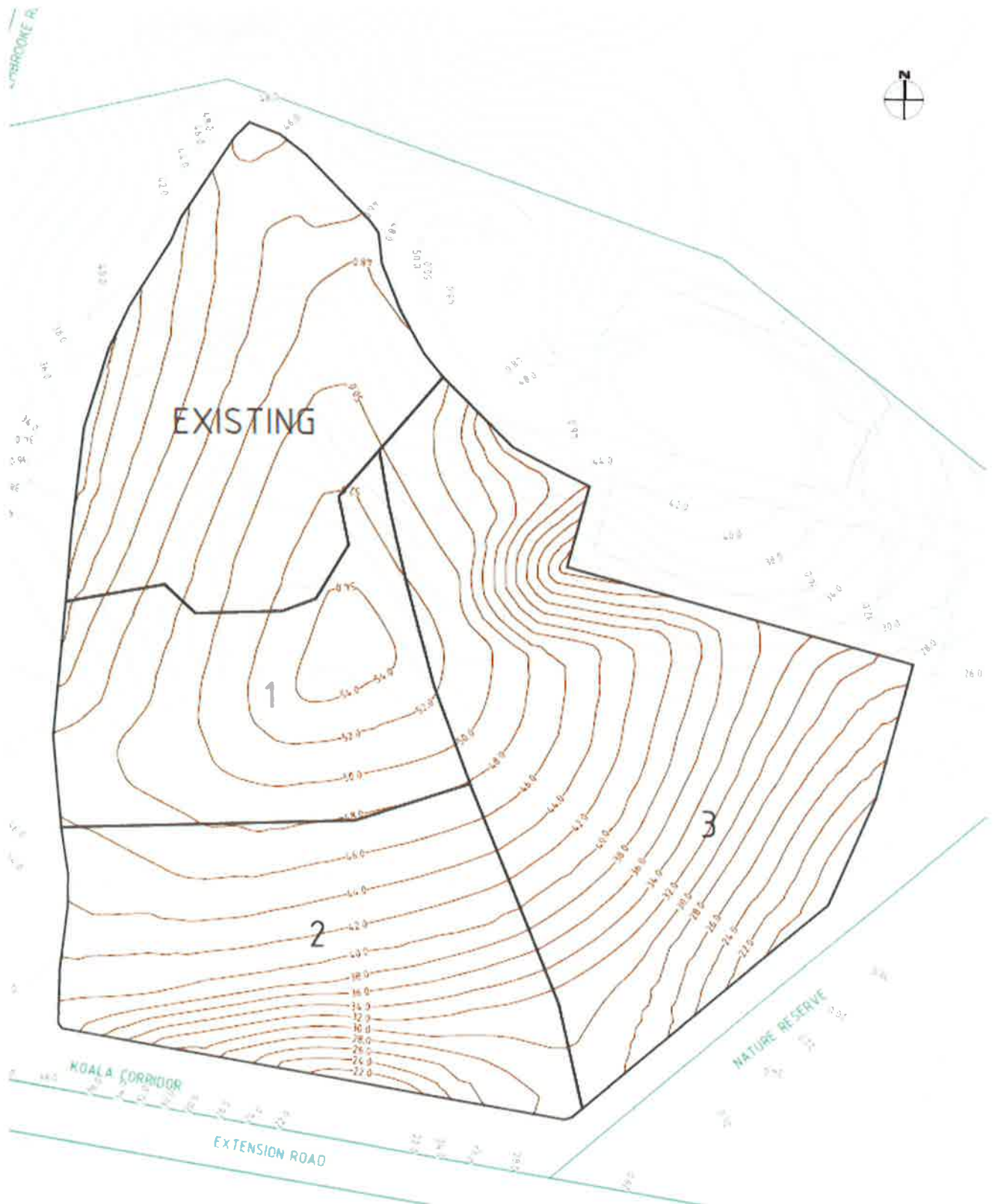
#	Measure	Timing
	'stop-work' conditions applicable in the event that any identified or suspected heritage relics are discovered at any time.	
NA-02	In the event that any identified or suspected historical relics are detected at any time, all disturbance work should immediately cease within 20m of the find and temporary protective fencing erected around this 'no-go zone' pending further management advice from the OEH (Planning and Aboriginal Heritage Section, North Coast Region). If the find consists of or includes human remains, the NSW Police Department and NSW Coroner's office would be contacted.	Pre-construction / construction / operation
Hazards and risks		
HR-01	Operational procedures for responses to fire would be included in the update to the 2015 OEMP in accordance with: - AS 3745 - 2010 Planning for emergencies in facilities - AS 1815 Maintenance of Fire Suppression System and Equipment - AS 2419.1-2005 Fire hydrant installations - System design, installation and commissioning.	Operation
HR-02	The existing Cairncross WMF emergency response plan will be updated to include the Proposal Site	Construction / operation
HR-03	The following safe operating procedures would be adopted: - Clear signage and road markings (speed limits, give way signs, directions, no access areas and disposal areas) - Limited number of heavy vehicles to be onsite at any one time - Ensure all personnel operating vehicles on site are licenced and competent - Inspection of trucks entering facility to ensure any hazardous waste is identified prior to entering the site - Excavator operators will receive training	Construction / operation
HR-04	Defendable Spaces would be maintained by regular slashing to limit vegetation (grass) height to 150 mm during the Bushfire Danger Period.	Operation
HR-05	The Strategic Fire Advantage Zone adjacent to the adjoining nature reserve would be provided and maintained along the boundary. This zone would be managed in accordance with the prescriptions provided by the NSW Rural Fire Service's 'Environmental Assessment Code 2006'.	Construction / operation
HR-06	The forest vegetation retained within each landfill stage, being the residual vegetation beyond the operating cell, would be fuel managed by hazard reduction burning in accordance with the prescriptions provided by the NSW Rural Fire Service's 'Environmental Assessment Code 2006'. Management of the combustible fuels would be undertaken to maintain a Low – Moderate Overall Fuel Hazard, pursuant to the DSE Overall Fuel Hazard Guide.	Construction / operation

#	Measure	Timing
HR-07	The Landfill plant and equipment such as Water Tankers and heavy earth moving plant would be maintained on 'stand-by' readiness during days of Total Fire Ban status.	Construction / operation
HR-08	Work practices would be established in recognition of the likely risk of ignition of the vegetation on the adjoining land by the operation of machinery such as slashers etc. These would include the provision of portable fire extinguishers during maintenance activities that involve cutting, grinding, welding and slashing etc.	Construction / operation
HR-09	To mitigate the risk of ignition of the surrounding vegetation, contractors undertaking drilling, cutting, grinding, welding and slashing operations on the site would not undertake such works without the provision of a portable fire extinguisher.	Construction / operation
HR-10	For the purpose of fuel reduction from hazard reduction burning, the following should be part of the ongoing management: • All perimeter trails clear and maintained; • Internal trails maintained to allow for mosaic burning; • Asset Protection Zones/Defendable Spaces to be constructed and maintained around infrastructure; • Provide and maintain temporary fire trails, Asset Protection Zones/Defendable Spaces adjacent to each stage.	Construction / operation
HR-11	The Cairncross Waste Management Facility Bush Fire and Fuel Management Plan (2001) will be updated to include the proposed bush fire mitigation measures for the Amended Proposal (HR-04 to HR-10), with consideration of the progressive development of the site.	Construction / operation
HR-12	Contractors will not undertake drilling, cutting, grinding, welding and slashing operations on Total Fire Ban days – unless during an emergency.	Construction / operation

APPENDIX 3 NOISE MONITORING LOCATIONS



APPENDIX 4 FINAL LANDFORM



APPENDIX 5 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C7 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - a. identify the development and application number;
 - b. provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - c. identify how the incident was detected;
 - d. identify when the applicant became aware of the incident;
 - e. identify any actual or potential non-compliance with conditions of consent;
 - f. describe what immediate steps were taken in relation to the incident;
 - g. identify further action(s) that will be taken in relation to the incident; and
 - h. identify a project contact for further communication regarding the incident.

INCIDENT REPORT REQUIREMENTS

3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - a. a summary of the incident;
 - b. outcomes of an incident investigation, including identification of the cause of the incident;
 - c. details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - d. details of any communication with other stakeholders regarding the incident.