

Annexure A

CONDITIONS OF APPROVAL

These conditions are required to:

- prevent and/or minimise 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 Project.

SCHEDULE A

Application No:	05_0157
Proponent:	Moorebank Recyclers Pty Ltd
Approval Authority:	Land and Environment Court, New South Wales
Land:	Lots 308, 309 and 310 DP 1118048 and Lot 6 DP 1065574 Newbridge Road, Moorebank
Project:	Moorebank Materials Recycling Facility

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DEFINITIONS

AHD	Australian Height Datum
BCA	Building Code of Australia
CEMP	Construction Environmental Management Plan
CCC	Community Consultative Committee
Construction	The demolition of buildings or works, the carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure covered by this consent
Council	Liverpool City Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Environment
EA	Environmental Assessment titled <i>Environmental Assessment – Materials Recycling Facility</i> , prepared by Nexus Environmental Planning Pty Ltd, dated 19 February 2013
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning & Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning & Assessment Regulation 2000</i>
EPL	Environment Protection Licence issued under the POEO Act
Feasible	Feasible means what is practical to build having regard to relevant engineering considerations
Heavy vehicle	Any vehicle with a gross vehicle mass of 5 tonnes or more
Incident	A set of circumstances that: <ul style="list-style-type: none"> • causes or threatens to cause material harm to the environment; and/or • breaches or exceeds the limits, criteria or performance measures in this approval
Light vehicle	Class 1 or class 2 vehicles in accordance with the Austroads Vehicle Classification System and being less than 5 tonnes in total weight
Mod 1	Approval of modification application MP05_0157 MOD 1 granted 27 May 2016
Noise barriers plans	Plans for noise barriers shown in Appendix D, being: <ul style="list-style-type: none"> • Drawing No. TH925-01.5.2.P01 (R4), Site layout plan, 11 August 2016 • 'Figure 8 Amended to show height and location of ramp acoustic walls as revised 18.10.2016' prepared by Renzo Tonin, Cardno Site Plan, SK1001, Revision L • Cardno Site Plan (Sheet 1) SK 1001, Revision R, dated 27 October 2016 • Cardno Site Plan (Sheet 2) SK 1001.1, Revision B, dated 27 October 2016
NOW	NSW Office of Water
OEH	Office of Environment and Heritage
Operation	Operations are triggered by the receipt of waste
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Product	Construction material recovered from waste by a process occurring on the site
Project	The development described in condition B2 of Schedule B of this project approval
Project Plans	The development described in condition B2 of Schedule B of this project approval Plans for the Project in Appendix A being: <ul style="list-style-type: none"> • Architectural Drawings prepared by Lyle Marshall & Associates Pty Ltd: <ul style="list-style-type: none"> ○ Drawing No. 00, Issue B, Cover Sheet, 2 September 2016 ○ Drawing No. 01, Issue B, Indicative Re-graded Landform (Waste Removed From Areas 3 and 4), 2 September 2016 ○ Drawing No. 02, Issue B, Proposed Site Control Plan, 2 September 2016 ○ Drawing No. 03, Issue B, Proposed Overall Site Plan, 2 September 2016 ○ Drawing No. 04, Issue B, Proposed Detailed Site Plan, 2 September 2016 ○ Drawing No. 05, Issue B, Proposed Site Sections Sheet 1, 2 September 2016 ○ Drawing No. 06, Issue B, Proposed Site Sections Sheet 2, 2 September 2016 ○ Drawing No. 07, Issue B, Office Floor and Weigh Bridges – Plan, 2 September 2016 ○ Drawing No. 08, Issue B, Office Floor and Weigh Bridges - Sections and Elevations, 2 September 2016 ○ Drawing No. 09, Issue B, Staff Lunch Room / Amenities – Plan, 2 September 2016 ○ Drawing No. 10, Issue B, Staff Lunch Room / Amenities - Sections and Elevations, 2 September 2016 ○ Drawing No. 11, Issue B, Wheel Wash Structure – Plan, 2 September 2016

- Drawing No. 12, Issue B, Workshop Building – Plan, 2 September 2016
- Drawing No. 13, Issue B, Workshop Building - Sections and Elevations, 2 September 2016
- Drawing No. 14, Issue B, Primary Crusher Shed – Plan, 2 September 2016
- Drawing No. 15, Issue B, Primary Crusher Shed - Sections and Elevations 2 September 2016
- Drawing No. 16, Issue B, Secondary Crusher Shed & Screen Shed 1 – Plan, 2 September 2016
- Drawing No. 17, Issue B, Secondary Crusher Shed & Screen Shed 1 - Sections and Elevations, 2 September 2016
- Drawing No. 18, Issue B, Screen Shed 2 – Plan, 2 September 2016
- Drawing No. 19, Issue B, Screen Shed 2 - Sections and Elevations, 2 September 2016
- Drawing No. 20, Issue B, Workshop Shed – Plan, 2 September 2016
- Drawing No. 21, Issue B, Workshop Shed - Sections and Elevations, 2 September 2016
- Access plans prepared by Cardno:
 - Drawing No. SK 1001, Issue R, Site Plan Sheet 1, 27 October 2016
 - Drawing No. SK 1001.1, Issue B, Site Plan Sheet 2, 27 October 2016
 - Drawing No. SK 1002, Issue E, Swept Paths Plan, 20 October 2016
 - Drawing No. SK 1003, Issue H, Longitudinal Sections, 20 October 2016
 - Drawing No. SK 1004, Issue F, Cross Sections, 10 October 2016
- Acoustic Walls and Mound Plans prepared by Renzo Tonin:
 - Drawing No. TH925-01.5.2.P01 (R4), Site layout plan, 11 August 2016
 - Cardno reference SK1001, Revision L, Marked up Cardno Site Plan entitled 'Height and location of ramp acoustic wall', Cardno Date 15 August 2013
- Landscape plans prepared by Mim Woodland:
 - Revision 5, Moorebank Site Landscape Concept Plan, 26 October 2016
 - Revision 3, Landscape Concept Plan for Area 7 Panhandle Road, 20 October 2016
 - Revision 3, Landscape Plan Section Area 8 with no sight line shown, 20 October 2016
 - Revision 3, Landscape Plan Section Area 8 with sight line shown, 20 October 2016
 - Revision 3, Landscape Plan Section Area 9, 20 October 2016
 - Revision 4, Landscape Concept Plan Area 10, 26 October 2016
- Stormwater plans prepared by Dr Daniel Martens:
 - Figure A2, Indicative Arrangement for the Southern Stormwater Sump and Flood Levee Adjacent to the Eastern Leachate Bund

Proponent
Reasonable

RMS
PPR

Secretary
Site

Site Auditor
Site Audit Statement
Site Audit Report
Statement of commitments
Tpa
Waste

Moorebank Recyclers Pty Ltd, or successor
Reasonable means using judgment to arrive at a decision, taking into account mitigation benefits and costs of mitigation relative to the benefits provided, community views and the nature and extent of potential improvements
Roads and Maritime Services
Preferred Project Report titled *Preferred Project Report – Materials Recycling Facility*, prepared by Nexus Environmental Planning Pty Ltd, dated 15 August 2013
Secretary of the Department, or nominee
Land referred to in Schedule A, as generally depicted by a red line in the plan in Appendix A
As defined in the *Contaminated Land Management Act 1997*
As defined in the *Contaminated Land Management Act 1997*
As defined in the *Contaminated Land Management Act 1997*
The Proponent's updated statement of commitments in Appendix B
Tonnes per annum
As defined in the POEO Act

SCHEDULE B

ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- B1. 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, operation or decommissioning of the Project.

TERMS OF APPROVAL

- B2. The Proponent must carry out the Project in accordance with the:
- EA;
 - PPR;
 - statement of commitments (Appendix B);
 - Project plans (Appendix A);
 - noise barriers plans (Appendix D);
 - Expert Evidence of Renzo Tonin, Acoustics, dated 17 August 2016
 - the Remedial Action Plan of Dr Sophie Wood dated 29 September 2016 amended in accordance with the Amended Contamination and Waste Management Joint Report of Rowena Salmon, Andrew Kosciuszko and Sophie Wood dated 14 October 2016, as reflected in condition C32A;
 - Vegetation Management Plan prepared by Marilyn Woodland dated 8 September 2016;
 - Landscape Concept Plan Layout prepared by Marilyn Woodland, revision 5 dated 26 October 2016;
 - Mod 1; and
 - the conditions of this approval.
- B3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.
- B4. The Proponent shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:
- any audits, reports, plans, strategies, programs or correspondence that are submitted in accordance with this approval; and
 - the implementation of any actions or measures contained in these audits, reports, plans, strategies, programs or correspondence.

LIMITS OF APPROVAL

- B5. The Proponent must not receive more than 500,000 tpa of waste at the site.
- B6. The Proponent must not process more than 500,000 tpa of waste at the site.
- B7. The Proponent shall ensure that the stockpiles do not exceed the heights specified in Table 1.

Table 1: Maximum stockpile height

Stockpile	Maximum Height (AHD)
Waste	12.5 metres
Product	9.5 metres

DEVELOPMENT CONTRIBUTIONS

- B8. In accordance with Division 6 of Part 4 of the Act, the Proponent shall pay to Council monetary contributions calculated in accordance with the relevant Liverpool Contributions Plan. The monetary contributions shall be paid prior to the issue of a Construction Certificate for the Project.

STRUCTURAL ADEQUACY

- B9. The Proponent shall ensure that all new buildings and structures are constructed in accordance with the relevant requirements of the BCA.

Notes:

- Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for proposed building works.*
- Part 8 of the EP&A Regulation sets out the requirements for the certification of the Project.*

STATUTORY REQUIREMENTS

- B10. 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.

PROTECTION OF PUBLIC INFRASTRUCTURE

B11. The Proponent shall:

- a) Prior to commencement of construction of the Project, undertake and provide to Council, RMS or the responsible public authority a dilapidation report prepared by a qualified Structural Engineer, of all public infrastructure that is, or is likely to be, affected by either the construction and/or the operation of the Project which shall include, but not be limited to, Brickmakers Drive in the vicinity of the proposed intersection with the Project's access roads northwards up to Newbridge Road, and Newbridge Road for a distance of 100 metres each side of the site's current access point to that road;
- b) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the Project; and
- c) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the Project.

OPERATION OF PLANT AND EQUIPMENT

B12. The Proponent shall ensure that all plant and equipment used for the Project is:

- a) maintained in a proper and efficient condition; and
- b) operated in a proper and efficient manner.

STAGED SUBMISSION OF PLANS OR PROGRAMS

B13. With the approval of the Secretary, the Proponent may:

- a) submit any strategy, plan or program required by this consent on a progressive basis; and/or
- b) combine any strategy, plan or program required by this consent.

B14. *Not used*

STAGING

B15. The Proponent may elect to construct and/ or operate the Project in stages. Where staging is proposed, the Proponent shall submit a Staging Report to the Secretary for approval prior to the commencement of the first proposed stage. The Staging Report shall provide details of:

- a) how the Project would be staged, including general details of work activities associated with each stage and the general timing of when each stage would commence; and
- b) details of the relevant conditions of approval, which would apply to each stage and how these shall be complied with across and between the stages of the Project.

Where staging of the Project is proposed, these conditions of approval are only required to be complied with at the relevant time and to the extent that they are relevant to the specific stage(s).

The Proponent shall ensure that an updated Staging Report (or advice that no changes to staging are proposed) is submitted to the Secretary for approval prior to the commencement of each stage, identifying any changes to the proposed staging or applicable conditions.

DISPUTE RESOLUTION

B16. In the event that a dispute arises between the Proponent and Council or a public authority other than the Department, in relation to a specification or requirement applicable under this consent, the matter must be referred by either party to the Secretary, or if not resolved, to the Minister, whose determination of the dispute shall be final and binding to all parties. For the purpose of this condition, 'public authority' has the same meaning as provided under Section 4 of the EP&A Act.

LAPSING OF APPROVAL

B17. This Approval shall lapse in 5 years unless physically commenced.

SCHEDULE C ENVIRONMENTAL CONDITIONS

WASTE SCREENING AND ACCEPTANCE

- C1. The Proponent must:
- a) implement auditable procedures to:
 - screen incoming waste loads in accordance with the NSW EPA Protocol for managing asbestos from time to time;
 - ensure that waste is not accepted at the site that is not permitted by the EPL; and
 - ensure that asbestos waste is not accepted at the site.
 - b) ensure that:
 - all waste that is controlled under a tracking system has the appropriate documentation prior to acceptance at the site; and
 - staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste such as asbestos.

METEOROLOGICAL MONITORING

- C2. For the life of the Project, the Proponent shall ensure that there is a meteorological station in a suitable location on the site that complies with the latest version of the *Approved Methods for Sampling of Air Pollutants in New South Wales*. The meteorological station must be maintained so as to be capable of continuously monitoring air temperature, wind direction, wind speed, rainfall and relative humidity.

AIR QUALITY

Odour

- C3. The Proponent shall not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the POEO Act.

Greenhouse Gas

- C4. The Proponent shall implement all reasonable and feasible measures to minimise the:
- a) energy use of the Project; and
 - b) scope 1 and 2 greenhouse gas emissions of the Project.

Air Quality Criteria

- C5. The Proponent shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that the particulate matter emissions generated by the Project do not cause exceedences of the criteria listed in Tables 2, 3 and 4 at any residence on privately-owned land.

Table 2: Long term impact assessment criteria for particulate matter

Pollutant	Averaging period	^d Criterion
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³

Table 3: Short term impact assessment criterion for particulate matter

Pollutant	Averaging period	^d Criterion
Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³

Table 4: Long term impact assessment criteria for deposited dust

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month

Notes to Tables 2-4:

- ^a Total impact (i.e. incremental increase in concentrations due to the Project plus background concentrations due to other sources);
- ^b Incremental impact (i.e. incremental increase in concentrations due to the Project on its own);
- ^c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: *Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method*;
- ^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Secretary.

Air Quality Impact Mitigation

- C6. The Proponent shall:
- operate the Project so that air quality impacts are minimised during all meteorological conditions; and
 - implement all reasonable and feasible measures to minimise dust emissions including, but not limited to:
 - water sprays for all external crushing, screening or sorting;
 - watering of stockpiles and exposed earth;
 - stabilising the perimeter bunds and other areas of exposed earth with vegetation;
 - ensuring heavy vehicle loads are covered at all times; and
 - maintaining trafficable areas to minimise wheel dust emissions and to ensure heavy vehicles leaving the site do not track dirt onto public roads.

Air Management

- C7. Prior to commencement of operation of the Project, the Proponent shall prepare an Air Quality Management Plan for the Project to the satisfaction of the Secretary. The plan must:
- be prepared in consultation with the EPA, and be approved by the Secretary prior to the commencement of construction;
 - describe the measures that would be implemented to ensure:
 - all reasonable and feasible measures are employed to minimise dust emissions;
 - compliance with the relevant conditions of this approval and the EPL;
 - contingency measures are deployed to minimise impacts should an exceedence of the criteria occur or appear likely to occur;
 - include an Air Quality Monitoring Program to evaluate the performance of the Project; and
 - include a protocol to determine the occurrence of an exceedence of the criteria in this approval and the EPL should an exceedence occur.
- C7A. The Proponent shall carry out the Project in accordance with the Air Quality Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.
- C7B. The Proponent shall undertake environmental monitoring required by the Air Quality Monitoring Program for a period of no less than 3 years from commencement of operation of the Project. After the 3 year monitoring period, the removal or ongoing operation of the monitoring activities will be subject to demonstration to the satisfaction of NSW EPA that the facility will in the future operate in accordance with the environmental limits (set out in condition C5 and the EPL) and that the operation could feasibly proceed without monitoring.
- C7C. The Proponent shall prepare site environmental monitoring reports and provide to the Secretary as follows:
- reports will be prepared for submission to NSW EPA for the first three months following the commencement of site operations;
 - reports will be uploaded to a website monthly for the duration of the monitoring program (minimum of 3 years). Reports for the previous month will be uploaded within two weeks of the end of the monitored month. This excludes the HVAS sampling results which are subject to equipment validation analysis; and
 - reports are to include details of any additional measures to address any exceedences.

Air Quality Validation

- C8. The Proponent shall prepare an Air Quality Validation Reports for the Project to the satisfaction of the Secretary. The reports must be prepared in consultation with the EPA by a qualified expert whose appointment has been endorsed by the Secretary. The report must be prepared within 3 12 months of commencing operation or as otherwise agreed by the Secretary. The report must:
- validate air quality impacts of the Project in operation against predictions made in the EA, the criteria in this approval and the EPL; and
 - review the effectiveness of the Air Quality Management System and measures to minimise dust emissions and if necessary make recommendations to implement and prioritise additional measures.
- C8A. The Proponent shall carry out the Project in accordance with the Air Quality Validation Report approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

NOISE AND VIBRATION

Construction and Operation Hours

- C9. The Proponent shall only carry out the Project during the hours specified in Table 5, unless otherwise agreed to in writing by the Secretary.

Table 5: Construction and Operation Hours for the Project

Activity	Day	Time
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Construction	Monday – Friday	7 am to 6 pm
	Saturday	8 am to 1 pm
	Sunday or Public Holidays	Nil
Operation	Monday - Friday	7 am to 6 pm
	Saturday	8 am to 1 pm
	Sunday or Public Holidays	Nil

No truck shall be permitted to arrive at, or depart from, the site (including the entry and exit ramps and access thereto) outside of the approved hours nominated in this condition. For the avoidance of doubt, no truck shall be permitted to arrive at, and park upon the site access road outside of the approved hours of operation and the gate across the entry ramp from Brickmakers Drive is to be closed and locked at all times outside of the approved hours of operation.

Notwithstanding the requirements of this condition, employees are permitted to enter the site by light vehicle outside of the approved hours of operation.

- C10. Construction works outside of the work hours identified in Table 5 above may be undertaken in the following circumstances:
- works (excluding piling) that generate airborne noise that is no more than 5 dB(A) above rating background level at any residence in accordance with the ICNG;
 - for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons;
 - where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or
 - exceptional circumstances with the written agreement of the Secretary.

Noise criteria

- C11. The Proponent shall ensure that noise generated by the operation of the Project does not exceed the noise criteria in Table 6 and Table 7.

Table 6: Operational noise criteria at residential receivers (dB(A))

Location	Criteria (Leq, 15 min dB(A))
Bushview Lane, Moorebank	45
Horizon Circuit, Moorebank	52
Martin Crescent, Milperra	42
Cotter Lane, Moorebank	46
Maddecks Avenue, Moorebank	50
Silverleaf Lane, Moorebank	48
32 Speare Street, Moorebank	43

Table 7: Operational noise criteria at non-residential receivers (dB(A))

Location	Criteria (Leq, period dB(A))
Marina Development – Commercial areas	65
Marina Development – Recreational areas	55

Notes:

- Noise generated by the Project is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy.

- C11A. The Proponent shall inform the EPA of the noise criteria in Table 6 and Table 7 of condition C11 above, and if necessary obtain an updated EPL prior to commencement of construction of the Project.

Vibration Criteria

- C12. The Proponent shall ensure that vibration resulting from the Project does not exceed the continuous or impulsive vibration criteria in EPA's Assessing Vibration: A Technical Guideline (February 2006) at residential receivers.

Noise Mitigation

- C13. The Proponent shall:
- carry out the Project in accordance with the plans shown in Appendix D;
 - implement the acoustic mitigation measures recommended in Section 8.1 of Report No TH925-01F03 Expert Report of Renzo Tonin in Acoustics dated 17 August 2016;
 - not object to an imposition by Council of a speed restriction on trucks on Brickmakers Drive of 30kph between the access bridge and Newbridge Road;
 - operate the Project so that noise impacts are minimised during all meteorological conditions; and
 - implement all reasonable and feasible measures to minimise noise impacts including, but not limited to:
 - modified operation during adverse meteorology;
 - wide band reversing alarms (or another suitable alternative) on trucks and other mobile plant; and
 - full enclosure of fixed crushing and grinding equipment.

Noise Barriers

- C14. The Proponent shall install the noise barriers shown in the noise barriers plan (see Appendix D), or as modified to allow for the intersection treatment identified in Condition 21, to the satisfaction of the Secretary prior to the commencement of operation.

Prior to the commencement of operation of the Project, the Proponent shall install the noise barriers shown in the noise barriers plans in Appendix D.

Noise Management Plan

- C15. Prior to commencement of operation of the Project, the Proponent shall prepare a Noise Management Plan for the Project to the satisfaction of the Secretary. The plan must:
- be prepared in consultation with the EPA, and be approved by the Secretary prior to the commencement of construction;
 - describe the measures that would be implemented to ensure:
 - all reasonable and feasible measures are employed to minimise noise impacts;
 - truck drivers are aware of suitable truck noise mitigation measures;
 - contingency measures are deployed to minimise impacts should an exceedence of the criteria occur or appear likely to occur; and
 - compliance with the relevant conditions of this approval and the EPL;
 - include a Noise Monitoring Program to evaluate the performance of the Project; and
 - include a protocol to determine the occurrence of an exceedence of the criteria in this approval and the EPL should such an exceedence occur.
- C15A. The Proponent shall carry out the Project in accordance with the Noise Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

Noise Validation Reports

- C16. The Proponent shall prepare Noise Validation Reports for the Project to the satisfaction of the Secretary. The reports must be prepared in consultation with the EPA by a qualified expert whose appointment has been endorsed by the Secretary. The first report must be prepared within 3 months of commencing operation and subsequent reports must be prepared every 6 months thereafter, or as otherwise agreed by the Secretary. The reports must:
- validate noise impacts of the Project in operation against predictions made in the EA, the criteria in this approval and the EPL; and
 - review the effectiveness of the Noise Management System and measures to minimise noise impacts and if necessary make recommendations to implement and prioritise additional measures.

TRAFFIC AND TRANSPORT

Construction Access

- C17. The Proponent shall construct upgrades to the existing driveway off Newbridge Road for the purposes of construction traffic in accordance with RMS requirements and to the satisfaction of RMS.
- C18. The Proponent shall:
- only use the existing driveway off Newbridge Road during the construction of the proposed ramps to Brickmakers Drive, and for oversized construction vehicle access during the construction of the Project. Once the ramps are constructed to Brickmakers Drive, all vehicles are to stop using the Newbridge Road driveway, except for the oversized construction vehicles that cannot be accommodated on the new ramps;

- b) prepare a plan, to the satisfaction of the Secretary and the RMS, showing the relocation of the existing gate on Newbridge Road to ensure that any vehicles entering via Newbridge Road can stop wholly within the site;
- c) prior to commencing any construction onsite, relocate the existing gate on Newbridge Road in accordance with the plan required at condition C18(b) above;
- d) prior to commencing any construction onsite, obtain a Road Occupancy Licence from the Transport Management Centre;
- e) prior to commencing construction of the Project, prepare a plan which indicates, to the satisfaction of the Secretary and the RMS, that the swept path of the longest vehicle (including, but not limited to, any garbage trucks, building maintenance vehicles or removalists) entering and exiting the site, as well as manoeuvrability through the site, are in accordance with AUSTROADS; and
- f) prior to the release of the Occupation Certificate for the site and commencing operation of the Project, remove the existing driveway on Newbridge Road and replace the driveway with kerb and gutter to match the existing.

Construction Traffic Management Plan

- C19. Prior to commencement of construction of the Project, the Proponent shall prepare a Construction Traffic Management Plan for the Project to the satisfaction of the Secretary. The plan must:
- a) be prepared in consultation with the RMS and Council, and be approved by the Secretary prior to the commencement of construction;
 - b) detail construction vehicle routes, estimated heavy vehicle movements, hours of construction, access arrangements and traffic control;
 - c) provide that travel routes are not to include Brickmakers Drive south of the Link Road or residential streets of Georges Fair south of the Link Road;
 - d) provide no B-Double vehicle access;
 - e) include hours of operation;
 - f) include vehicle types and loads; and
 - g) include staff parking arrangements.
- C19A. The Proponent shall carry out the Project in accordance with the Construction Traffic Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

Operational Traffic

- C20. The Proponent shall construct the new access and intersection to Brickmakers Drive in accordance with the requirements of condition C21 and to the satisfaction of Council, prior to the commencement of operation.
- C21. The intersection shall be controlled by a, STOP or GIVE WAY priority control, until traffic signals are implemented, to safely facilitate access from the link road onto Brickmakers Drive. The intersection treatment shall be:
- a. designed by a suitably qualified person, in consultation with the Proponent, RMS and Council;
 - b. designed based on the most recent traffic data and include consideration of additional measures to be implemented to ensure traffic slows and adequate sight distances are able to be met;
 - c. designed with consideration given to the plans of the bridge and associated ramps (Appendix D); and
 - d. endorsed by a suitably qualified practitioner, in accordance with AS 2890.1 - 2004 and AS 2890.2 – 2002.
- C22. The Proponent shall ensure that heavy vehicles associated with the Project do not travel along the southern section of Brickmakers Drive between the link road and Nuwarra Road or along Maddecks Avenue in Moorebank.
- C23. The Proponent shall ensure that:
- a) site access, driveways and parking areas are constructed and maintained in accordance with the latest versions of AS 2890.1 and AS 2890.2;
 - b) the Project does not result in any vehicles parking or queuing on Brickmakers Drive;
 - c) all loading and unloading of heavy vehicles is carried out on-site;
 - d) all heavy vehicles associated with the Project have their loads covered and do not track dirt onto public roads;
 - e) the drivers of all heavy vehicles making deliveries to the site are to be provided with a copy of the Operational Traffic Management Plan. The Proponent is to implement all reasonable measures to ensure compliance with the Traffic Management Plan by these drivers; and
 - f) all vehicles enter and leave the site in a forward direction via Brickmakers Drive.
- C23A. The Proponent shall ensure that during construction and operation of the Project the following measures are implemented to prevent the tracking of dirt onto the surrounding roads:
- i. a wheel wash facility will be constructed to an appropriate standard to ensure no dirt is entrained on the wheels of trucks leave the site;
 - ii. the site access roads are to be sealed for vehicles entering and leaving the site; and

- iii. the sealed access road will be regularly maintained, watered and swept to ensure no build-up of dirt occurs between the wheel wash and the exit from the site.

Operational Traffic Management Plan

C24. Prior to commencement of operation of the Project, the Proponent shall prepare an Operational Traffic Management Plan for the Project to the satisfaction of the Secretary. The plan must:

- a) be prepared in consultation with RMS and Council, and be approved by the Secretary prior to the commencement of construction;
- b) describe the measures that would be implemented to manage traffic generated by the Project including:
 - identification of designated haul routes (excluding those road segments identified in condition C25), site access, internal roads, turning areas, and parking; and
 - details of measures to minimise heavy vehicle noise impacts, including measures to minimise the impact of reversing alarms;
 - to provide that travel routes not to include Brickmakers Drive south of link road or residential streets of Georges Fair South of Link Road;
 - details of hours of Operation;
 - the maximum vehicle lengths and load limits, including no B-Double vehicle access;
 - to provide that all inbound and outbound truck loads to be covered to suppress dust and to eliminate debris from falling onto public roads;
 - measures to ensure drivers obey the Drivers Code of Conduct (DCC) at all times when under the employment or contractual arrangements with the Proponent;
 - details of staff & Visitor Parking arrangements; and
 - to provide for no access for the public other than customers.
- c) include a heavy vehicle driver Code of Conduct; and
- d) include a protocol to monitor compliance with the traffic and transport requirements of this approval;
- e) provide for the following measures to be adopted to address traffic management during flood events including:
 - i. travel routes not to include Brickmakers Drive south of Link Road or residential streets of Georges Fair south of link road;
 - ii. the Proponent is to provide advance communication to all employees and drivers of trucks involved with import and export of material to and from the site and on its website on procedures to be followed during flood events on the property;
 - iii. advance communication to the Proponent's employees and truck drivers involved with the conduct of business on the property to be via mobile phone contact including SMS messaging;
 - iv. no access will be provided to the site from Brickmakers Drive during flood events, with advice given to all the Proponent's employees and truck drivers associated with the conduct of business on the property at least 24 hours in advance of flood inundation on the site; and
 - v. measures to prohibit vehicles from entering the site from Brickmakers Drive may include a physical obstruction at the entry ramp from Brickmakers Drive, such as a gate that is closed or lockable bollards that are activated by the Proponent's staff at least 24 hours in advance of flood inundation on the site.
- f) be designed such that traffic lights can be retrofitted at a later stage as this becomes necessary; and
- g) be designed such that east-west pedestrian access can be retrofitted at the time that the development of the Tanlane residential land is complete or as otherwise necessary; and
- h) include a requirement that prior to commencement of operation of the Project, the Proponent shall install a lockable gate on the Site's entry ramp to Brickmakers Drive. The location of the gate shall be determined in consultation with the Council and shall be in a position that is readily visible to drivers on approach via Brickmakers Drive. This gate shall be locked at all times outside of the approved hours of operation, and at least 24 hours in advance of flood inundation on the site. A sign shall be placed on the gate clearly indicating that the gate is locked and drivers should not and cannot pass the gate to enter the site.

Notwithstanding the requirements of this condition, employees are permitted to enter the site by light vehicle outside of the approved hours of operation.

C24A. The Proponent shall carry out the Project in accordance with the Operational Traffic Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

SOIL AND WATER

Discharge Limits

C25. Except as may be expressly provided in an EPL for the site, the Proponent shall comply with Section 120 of the POEO Act.

Bunding and Storage of Liquids

- C26. The Proponent shall store all chemicals, fuels and oils used on site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or the EPA's *Environmental Protection Manual: Technical Bulletin Bunding and Spill Management*.

Floodplain Management

- C27. The Proponent shall offset the loss of flood storage by way of compacting part of the former landfill in area 2.

Leachate Treatment

- C27A. The Proponent shall install, operate and maintain a leachate dewatering and treatment plant for the Project to manage leachate levels in the landfill in accordance with the landfill Remediation Action Plan.
- C27B. Prior to the commencement of construction of the Project, the Proponent must obtain approval from the relevant authority for the discharge of treated leachate from the site to either sewer in Newbridge Road or the Georges River. The treatment plant and its operation shall be in accordance with the Statement of Evidence of David Bristow dated 23 August 2016 titled "Leachate Treatment Plant – August 2016".
- C27C. Prior to the commencement of construction, the Proponent shall prepare a detailed engineering design report that fully describes the required leachate treatment plant and its proper operation, along with an approval for disposal of the treated effluent, to the satisfaction of the Secretary. The treated leachate water quality shall be in accordance with the discharge approval obtained.
- C27D. The Proponent shall carry out the Project in accordance with the detailed engineering design for the leachate treatment plant in accordance with condition C27A and C27B approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

Floodplain Management Plan

- C28. Prior to the commencement of construction of the Project, the Proponent shall prepare a Floodplain Management Plan for the Project to the satisfaction of the Secretary. The plan must:
- a) be approved by the Secretary prior to the commencement of construction;
 - b) set-out the geo-technical performance requirements for the compaction of area 2 to provide additional flood storage; and
 - c) describe the measures that would be implemented during construction to minimise flooding impacts.
- C28A. The Proponent shall carry out the Project in accordance with the Floodplain Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

Sewage Management

- C29. Prior to the commencement of operation of the Project, the Proponent shall prepare an on-site sewage management system design for the Project to the satisfaction of the Secretary. The design must be prepared in accordance with the following requirements:
- a. wastewater collection tank(s) should have a minimum total capacity of 20KL;
 - b. ideally, the wastewater tank(s) should include a baffle to assist with solids separation;
 - c. all wastewater tank infrastructure should be founded on driven pile footings in order that they will not impact the integrity of the landfill liner system;
 - d. wastewater from the collection tanks should be pumped out on a minimum weekly basis;
 - e. the collection tank should be fitted with the following alarms which, when actuated, deliver a visible and audible alarm to the site office:
 - a first stage high water alarm, which is actuated when the collection tank(s) reaches a capacity of 14KL. When this alarm is actuated, a pump-out service should be ordered within the next day; and
 - a second stage high water alarm, which is actuated when the collection tank(s) reach a total capacity of 18KL.
- C29A. The Proponent shall carry out the Project in accordance with the on-site sewage management system design approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

- C30. *Not used*

Stormwater Management Plan

- C31. Prior to the commencement of construction of the Project, the Proponent shall prepare a Stormwater Management Plan for the Project to the satisfaction of the Secretary. The plan must:
- a) be prepared in consultation with Council and the EPA, and be approved by the Secretary prior to the commencement of construction;
 - b) include measures to manage stormwater impacts including, but not limited to:
 - clean water diversion and site separation into clean and dirty surface water areas;

- sediment detention, water quality control and rainwater harvesting;
 - erosion and sediment control in accordance with *Managing Urban Stormwater – Soils and Construction Volume 1 (Landcom, 2004)*;
 - stabilisation and revegetation of areas of exposed earth; and
 - volume and quality control for any stormwater discharges.
- c) include a detailed Stormwater Management System design consisting of the following key elements:
- grading within the operational area which provides a minimum grade of 2% to the stormwater collection sumps;
 - four stormwater sumps with a minimum volume of 200 kL each to collect stormwater runoff within the area enclosed by the flood protection bund;
 - a stormwater collection and re-use system comprising of pump-sets in the stormwater sumps and a delivery pipework to the on-site 1,000 kL stormwater storage / re-use tanks;
 - outlets from the stormwater collection sumps to be provided with an oil retention cap and a non-return valve to prevent backflow in the event of a flood;
 - outlets from the stormwater collection sumps to discharge into the perimeter drainage swales to be reconstructed at the outer toe of the perimeter earthworks. These swales are to be constructed as bio-retention swales to provide further treatment of any overflow from stormwater collection sumps (see Project Plans at Figure A2, Indicative Arrangements for the Southern Stormwater Sump and Flood Levee Adjacent to the Eastern Leachate Bund);
 - a bio-retention system is to be installed to treat runoff water generated from the carpark located external to the flood protection bund; and
 - in accordance with Councils engineering specifications, incorporating at a minimum:
 - final design levels;
 - locations and specifications for all pit and pipework, pumps and transfer mains, and any ancillary stormwater related infrastructure;
 - engineering drawings and design calculations for all drainage related works.
- d) describe the measures that would be implement to ensure:
- management of stormwater impacts; and
 - compliance with the relevant condition of this approval and the EPL;
- e) include a Stormwater Monitoring Program to:
- evaluate the performance of the Project; and
 - support the Stormwater Management System.

C31A. The Proponent shall carry out the Project in accordance with the Stormwater Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

Site Audit Statement

C32. The Proponent shall obtain a Site Audit Statement for the site as follows:

- a) prior to the commencement of earthworks, a NSW accredited Site Auditor shall review the Remedial Action Plan and prepare a Site Audit Statement confirming that the site can be made suitable for use; and
- b) prior to the occupation of the site, a Site Audit Statement confirming that the site is suitable for its intended use in accordance with this approval.

Remedial Action Plan

C32A. Prior to the commencement of construction of the Project, the Proponent shall amend the Remedial Action Plan of Dr Sophie Wood dated 29 September 2016 in accordance with the following, to the satisfaction of the Secretary:

- a) include recreational criteria relevant to the Undeveloped Area and Excavation Area (section 3.1.1);
- b) refer to the requirements in relation to inspection of capping materials for asbestos (section 6.3.1.1);
- c) amend Table 8.1 to identify the supervision/inspection requirements for identification of Unsuitable Waste Material with reference to the Unexpected Finds Procedure (section 6.3.13);
- d) include requirements for characterisation of existing soil stockpiles (section 6.3);
- e) include validation soil sampling frequency for capping materials located beneath existing soil stockpiles that do not comply with the chemical criteria for Suitable Capping Material (section 6.4.2); and
- f) the draft Operations EMP should be amended to include an increased monitoring frequency on leachate head for a short period of time following development, for example 1 year.

C32B. The Proponent shall carry out the Project in accordance with the Remedial Action Plan (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

C33. *Not used*

VISUAL AMENITY

Lighting

- C34. All external lighting associated with the Project shall be mounted, screened, and directed in such a manner so as not to create excessive glare, or a nuisance to the surrounding environment, properties and roadways. The lighting shall be the minimum level of illumination necessary and shall comply with Australian Standard AS4282 1997 – Control of the Obtrusive Effects of Outdoor Lighting.

Signage

- C35. The Proponent shall not install any advertising or business signage on-site without the written approval of the Secretary.

Screening to Acoustic Barriers

- C35A. Prior to commencement of operation of the Project, the acoustic barriers shown in the acoustic barrier plans (Appendix D) are to be externally screened in accordance with the following plans prepared by Marilyn Woodland:

- a) Moorebank Site Landscape Concept Plan Revision 5 dated 26 October 2016;
- b) Landscape Concept Plan for Area 7 Panhandle Road dated 20 October 2016;
- c) Landscape Plan Section Area 8 Revision 3 with no sight line shown dated 20 October 2016;
- d) Landscape Plan Section Area 9 Revision 3 dated 20 October 2016; and
- e) Landscape Concept Plan Area 10 Revision 4 dated 26 October 2016.

- C35B. The Proponent shall inspect all acoustic barriers, including, without limitation, the acoustic barriers in Appendix D every fortnight and shall, within one week of that inspection, remove any graffiti or markings found upon those walls.

Vegetation Management Plan

- C36. The Proponent shall implement the Vegetation Management Plan of Marilyn Woodland dated 8 September 2016 (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

FLORA AND FAUNA

Biodiversity Offsets

- C37. The Proponent shall offset the removal of 0.27 hectares of River Flat Eucalypt Forest by purchasing and retiring 9 ecosystem credits of the appropriate type prior to the commencement of construction.
- C37A. The Proponent must not undertake clearing of native vegetation on the site in excess of the clearing approved by this Project Approval, without the prior written approval of the Secretary. Any proposed clearing of native vegetation in excess of the clearing approved by this Project Approval must be offset and any request to the Secretary must provide details of the offsets. Offsets shall be presented in a Biodiversity Offset Strategy and developed in accordance with the *Framework for Biodiversity Assessment* (OEH 2014) and the *NSW Biodiversity Offsets Policy for Major Projects* (OEH 2014).

Aquatic Ecology Construction Environment Management Plan

- C37B. Prior to commencement of construction of the Project, the Proponent is to prepare an Aquatic Ecology Construction Environment Management Plan (CEMP) that details how potential construction impacts on aquatic habitats and associated biota are to be avoided, minimised or mitigated, to the satisfaction of the Secretary. The Aquatic Ecology CEMP is to include a water quality monitoring program and a Trigger Action Response Plan (TARP) to achieve the aim of minimising aquatic ecology impact. Within the CEMP the Proponent is to provide the following additional base-line aquatic ecological and water quality data against which potential construction impacts and potential operational impacts or improvements can be assessed:
- a. mapping of sub-catchments and the interrelationship of drainage lines, and mapping of all ponded water bodies surrounding the development site and the panhandle easement, bounded by Newbridge Road and the Benedicts site to the north, Brickmakers Drive to the west, Georges River to the east and New Brighton Golf Club to the south;
 - b. accurate mapping of surface expressed aquatic habitats of the receiving waters as defined in (a) including reed beds, freshwater and tidal bogs, fresh or brackish ponded waters and estuarine intertidal habitats (mangroves and saltmarsh);
 - c. mapping of the surface water interconnections of the identified habitats with each other, with the Development Site, the Northern Creek, Georges River and Brickmakers Drive Urban development discharges to the ponded waters west of the Site, including a discussion of impediments to flow and potential fish passage between habitats;
 - d. mapping to include sufficient survey (height and location) data to determine:
 - i. basic dimensions of the water bodies or bogs that support the identified aquatic habitats;
 - ii. depth in relation to surrounding surveyed land heights;
 - iii. the uppermost limits of tidal inundation during dry-weather king times and under minor flood conditions in the lands between the Site and the Georges River;

- iv. the permanence of water bodies including their overall response to varying weather conditions (wet, prolonged-dry and flood) and varying groundwater levels;
- v. the ability of ponded and interconnecting waters to support fish and/or provide fish passage between each habitat and the river; and
- vi. their overall relationship to groundwater levels; and
- e. assessment of the range of water quality of the identified receiving surface-expressed water bodies identified and mapped for (a) and (b) under dry (stressed and possibly disconnected) conditions and under wet (well connected) conditions, to include physical parameters, nutrients and selected heavy metals as identified in groundwater studies.

C37C. The Proponent shall carry out the construction of the Project in accordance with the Aquatic Ecology CEMP approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary

Aquatic Ecology Operational Environment Management Plan

C37D. Prior to commencement of operation of the Project, the Proponent is to prepare an Aquatic Ecology Operational Environment Management Plan (OEMP) that details how potential operational impacts on aquatic habitats and associated biota are to be avoided, minimised or mitigated, to the satisfaction of the Secretary. The Plan is to include a Trigger Action Response Plan (TARP) to achieve the aim of minimising aquatic ecology impact. Mitigation is to include management measures to improve water quality and interconnection of the identified habitats, and management options to protect and enhance the aquatic ecology of the surrounding aquatic habitats and associated biota. The Aquatic Ecology OEMP is to include a water quality and aquatic ecology monitoring program that will be able to demonstrate no operational impact and that can demonstrate net improvements in aquatic habitat water quality following implementation of management options.

C37E. The Proponent shall carry out the Project in accordance with the Aquatic Ecology OEMP approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary

Biodiversity Management Plan

C38. The Proponent shall prepare and implement a Biodiversity Management Plan for the Project to the satisfaction of the Secretary. The plan shall:

- a) be prepared in consultation with the OEH and approved by the Secretary prior to the commencement of construction;
- b) include a biobanking assessment identifying the appropriate type of ecosystem credits to be purchased and retired to offset the Project;
- c) describe measures (using text, maps and diagrams) to be implemented to minimise impacts on flora and fauna during construction; and
- d) include a protocol for identifying and fencing off the Endangered Ecological Communities near the south west site boundary and any other vegetation this is to be retained.; and
- e) prepare appropriate aquatic ecology monitoring and remediation plans as per Conditions C37B and C37D.

HERITAGE

C39. In the event that an item of Aboriginal heritage is unexpectedly uncovered, the Proponent shall:

- a) immediately cease work in the vicinity of the item;
- b) notify Police (in the case of human remains), the OEH and registered Aboriginal stakeholders; and
- c) only recommence works authorised by Police and/or the OEH.

FIRE, FLOOD AND EMERGENCY RESPONSE

Fire Management

C40. The Proponent shall:

- a) implement suitable measures to minimise the risk of fire on-site;
- b) extinguish any fires on-site promptly; and
- c) maintain adequate fire-fighting capacity on-site.

Flood Management

C41. Prior to commencement of construction of the Project, the Proponent shall:

- a) ensure the finished floor level of:
 - the office building is at least RL 6m AHD; and
 - any other building is at least RL 5.5m AHD;
- b) only use building materials that can tolerate repeated immersion in floodwater below RL 6m AHD;
- c) ensure any power point, control panel or other electrical item is installed above RL 6.5m AHD;
- d) implement suitable measures to ensure mobile plant, other equipment, oils, fuels and other consumables are protected and/or secured during flooding; and
- e) implement an early warning flood readiness and evacuation plan for the site.

- C41A. The finished flood protection bund shall be designed such that it is no lower than 6m AHD at the crest.
- C41B. The entry ramp into the bunded area, at its highest point, should not be lower than 6m AHD.
- C41C Prior to commencement of construction of the Project, the Proponent shall prepare to the satisfaction of the Secretary:
- a) a flood risk and evacuation management plan that provides further details for the implementation of the plan that forms Annexure D to Appendix 14 of the Preferred Project Report. This should include details of the driver warning process, location of flood warning signage, site evacuation process, clean-up process, etc; and
 - b) certification from an appropriately qualified engineer that the flood protection bunds are capable of withstanding any hydrostatic pressures.
- C41D. The Proponent shall carry out the Project in accordance with the flood risk and evacuation management plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

Emergency Response Plan

- C42. Prior to commencement of construction, the Proponent shall prepare ~~and implement~~ an emergency response plan for the site. The plan must:
- a) be submitted to the Secretary for approval prior to the commencement of construction;
 - b) be accessible on the site at all times;
 - c) include a risk assessment of likely incidents that could occur on-site (e.g. spills, explosion, fire and flood) based on the activities being undertaken, site risks and consequence to the receiving environment;
 - d) include the early warning flood readiness and evacuation plan for the site; and
 - e) document the systems and procedures to deal with the types of incidents identified including relevant incident notification procedures.
- C42A. The Proponent shall carry out the Project in accordance with the emergency response plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

SCHEDULE D
ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Construction Environment Management Plan

- D1. Prior to commencement of construction of the Project, the Proponent shall prepare ~~and implement~~ a Construction Environmental Management Plan for the construction of the Project to the satisfaction of the Secretary. The plan must:
- a) be prepared by a suitably qualified and experienced expert or team of experts;
 - b) be submitted to the Secretary for approval no later than 4 weeks prior to the commencement of construction of the Project, or within an alternative timeframe agreed to in writing by the Secretary (see Condition D3 for management plan requirements);
 - c) identify the statutory licences, permits and approvals that apply to the Project;
 - d) include a copy of all relevant management plans and monitoring programs relevant under this approval;
 - e) incorporate all relevant management and mitigation measures outlined in Appendix C of this approval;
 - f) outline all environmental management practices and procedures to be followed during construction and demolition works associated with the Project;
 - g) describe all activities to be undertaken on the site during construction of the Project, including a clear indication of construction stages;
 - h) detail how the environmental performance of the construction of the Project will be monitored, and what actions will be taken to address identified adverse environmental impacts and issues, including (but not limited to):
 - air quality (see conditions C3 to C8A);
 - noise and vibration (see conditions C9 to C16);
 - traffic and transport (see conditions C17 to C24A);
 - soil and water (see conditions C25 to C32B);
 - visual amenity (see conditions C34 to C36);
 - flora and fauna (see conditions C37 and C38);
 - heritage (see condition C39);
 - fire, flood and emergency response (see conditions C40 to C42A); and
 - earthworks environmental management plan in accordance with the Remedial Action Plan (as revised and approved by the Secretary from time to time).
 - i) describe the roles and responsibilities for all relevant employees involved in construction and demolition works associated with the Project;
 - j) include arrangements for community consultation at key stages of the Project;
 - k) include a complaints handling procedure during construction, demolition and operation; and,
 - l) include appropriate procedures to allow the regular review of the requirements of each plan to ensure that they are effective and allow for adaptive management to address contingencies that may arise over the life of the Project.

The approval of a Construction Environmental Management Plan does not relieve the Proponent of any requirement associated with this approval. If there is an inconsistency with an approved Construction Environmental Management Plan and the conditions of this approval, the requirements of this approval prevail.

Note: Construction of the Project shall not commence until the written approval is received from the Secretary.

- D1A. The Proponent shall carry out the Project in accordance with the Construction Environmental Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

Operational Environmental Management Plan

- D2. Prior to commencement of operation of the Project, the Proponent shall prepare an Operational Environmental Management Plan for the Project to the satisfaction of the Secretary. This plan must:
- a) be submitted to and approved by the Secretary prior to the commencement of operation of the Project (see Condition D3 for management plan requirements);
 - b) provide the strategic framework for environmental management of the Project;
 - c) identify the statutory licences, permits and approval/approvals that apply to the Project;
 - d) include a copy of all relevant management plans and monitoring programs under this approval;
 - e) consolidate all relevant management and mitigation measures for the existing operations that will continue to be implemented on site together with those outlined in Appendix C of this approval;
 - f) outline all environmental management practices and procedures that will followed during the operation of the Project, including those that will continue to be implemented by the Proponent in respect of the existing operations;
 - g) include a description of all activities to be carried on the site during the operation of the Project;
 - h) detail how the environmental performance of the operation of the Project will be monitored, and what actions will be taken to address identified adverse environmental impacts, including (but not limited to):
 - air quality (see conditions C3 to 0);
 - noise and vibration (see conditions C9 to C16);

- traffic and transport (see conditions C17 to C24);
- soil and water (see conditions C25 to C27);
- visual amenity (see conditions C34 to C36);
- flora and fauna (see conditions C37 and C38);
- heritage (see condition C39);
- fire, flood and emergency response (see conditions C40 to C42).
- describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Project;
- i) describe the procedures that will be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the Project;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the Project;
 - respond to any non-compliance; and
 - respond to emergencies; and
- j) include:
 - copies of any strategies, plans and programs approved under the conditions of this approval; and
 - a clear plan depicting all the monitoring required to be carried out under the conditions of this approval.

D2A. The Proponent shall carry out the Project in accordance with the Operational Environmental Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

Management Plan Requirements

- D3. The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:
- a) detailed baseline data;
 - b) a description of:
 - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - any relevant limits or performance measures/criteria; and
 - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the Project or any management measures;
 - c) a description of the measures that will be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
 - d) a program to monitor and report on the:
 - impacts and environmental performance of the Project; and
 - effectiveness of any management measures (see (c) above);
 - e) a contingency plan to manage any unpredicted impacts and their consequences;
 - f) a program to investigate and implement ways to improve the environmental performance of the Project over time;
 - g) a protocol for managing and reporting any:
 - incidents;
 - complaints;
 - non-compliances with statutory requirements; and
 - exceedences of the impact assessment criteria and/or performance criteria; and
 - h) a protocol for periodic review of the plan; and
 - i) an Operations Environmental Management Plan in accordance with the Remedial Action Plan (as revised and approved by the Secretary from time to time).

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

Annual Review

- D4. Within 1 year of the commencement of operations of the Project, and annually thereafter, or as otherwise agreed in writing by the Secretary, the Proponent shall review the environmental performance of the Project to the satisfaction of the Secretary. This review must:
- a) describe the Project that was carried out in the previous calendar year, and the Project that is proposed to be carried out over the current calendar year;
 - b) include a comprehensive review of the monitoring results and complaints records of the Project over the previous calendar year, which includes a comparison of these results against:
 - the relevant statutory requirements, limits or performance measures/criteria;
 - the monitoring results of previous years; and
 - the relevant predictions in the EIS;
 - c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;
 - d) identify any trends in the monitoring data over the life of the Project;
 - e) identify any discrepancies between the predicted and actual impacts of the Project, and analyse the potential cause of any significant discrepancies; and

- f) describe what measures will be implemented over the current calendar year to improve the environmental performance of the Project.

Revision of Strategies, Plans & Programs

D5. The Proponent shall review, and if necessary revise, the plans and programs required under this approval to the satisfaction of the Secretary within three (3) months of:

- a) an Air Quality Validation Report under condition C8 of Schedule C;
- b) a Noise Validation Report under condition C16 of Schedule 3;
- c) an annual review under condition D4 of Schedule D;
- d) an incident report under condition D6 of Schedule D;
- e) an independent environmental audit under condition D8 of Schedule D; or
- f) a modification to the approval.

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

REPORTING

Incident Reporting

D6. The Proponent shall notify the Secretary and any other relevant agencies of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment associated with the Project immediately after the Proponent becomes aware of the incident. Within 7 days of the date of this incident, the Proponent shall provide the Secretary and any relevant agencies with a detailed report on the incident.

Regular Reporting

D7. The Proponent shall provide regular reporting on the environmental performance of the Project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.

INDEPENDENT ENVIRONMENTAL AUDIT

D8. Within a year of the commencement of operation of the Project, and every 3 years thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the Project. This audit must:

- a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
- b) include consultation with the relevant agencies;
- c) assess the environmental performance of the Project and whether it is complying with the relevant requirements in this approval and any relevant statutory licences, permits and approval/approvals that apply to the Project (including any assessment, plan or program required under these approvals);
- d) review the adequacy of any approved strategy, plan or program required under these approvals; and
- e) recommend measures or actions to improve the environmental performance of the Project, and/or any assessment, plan or program required under these approvals.

Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Secretary.

D9. Within 3 months of commissioning this audit, or as otherwise agreed by the Secretary, the Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.

ACCESS TO INFORMATION

D10. The Proponent shall, unless otherwise agreed to in writing by the Secretary:

- a) make the following information publicly available on its website:
 - the EIS;
 - current statutory approvals for the Project;
 - approved strategies, plans or programs;
 - a summary of the monitoring results of the Project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval;
 - a complaints register, updated on a quarterly basis;
 - copies of any annual reviews (over the last 5 years);
 - any independent environmental audit, and the Proponent's response to the recommendations in any audit; and
 - any other matter required by the Secretary; and
- b) keep this information up-to-date.