

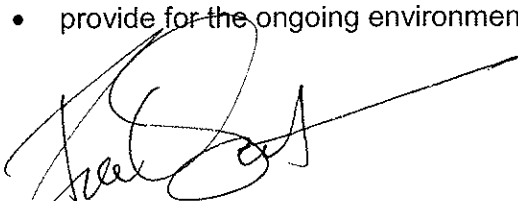
# Project Approval

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

I, the Minister for Planning, approve the project referred to in Schedule 1, subject to the conditions in Schedule 2.

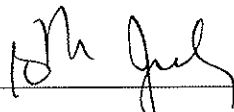
These conditions are required to:

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



Frank Sartor MP  
Minister for Planning

Sydney



2008

File No: S06/00848

### SCHEDULE 1

<b>Application No:</b>	06_0275
<b>Proponent:</b>	International Power (Australia) Pty Ltd
<b>Approval Authority:</b>	Minister for Planning
<b>Land:</b>	Lot 1 of DP 602329; Lots 173, 760, 759, 758, 765, 764, 763, 762, 500 and 409 of DP 750152; Lot 1 DP 1015719; Lot 2 DP 808701; Lot 1 DP 877903; DP 1059946 PT 7044; plus Goldrush Road Reserve, Back Trundle Road, Condobolin Road and other reserves not identifiable by DP and Lot No.
<b>Project:</b>	Construction and operation of a power station at Parkes, consisting of: <ul style="list-style-type: none"><li>• three 40MW to 50MW dual-fired gas turbines to generate a nominal total capacity of 120MW to 150MW;</li><li>• a natural gas pipeline connecting the facility to the Central West Pipeline at Parkes; and</li><li>• associated electricity transmission infrastructure.</li></ul>
<b>Major Project:</b>	The project is development of a kind that is described in Schedule 1 of the <i>State Environmental Planning Policy (Major Projects) 2005</i> – namely clause 24a being “development for the purposes of electricity generation facility that has a capital investment value of more than \$30 million” and thus is declared to be a project to which Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> applies for the purpose of section 75B of that Act.

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## SCHEDULE 2

<b>Act, the</b>	<i>Environmental Planning and Assessment Act, 1979</i>
<b>Conditions of Approval</b>	The Minister's conditions of approval for the project.
<b>Council</b>	Parkes Shire Council
<b>DECC</b>	Department of Environment and Climate Change
<b>Department, the</b>	Department of Planning
<b>Director-General, the</b>	Director-General of the Department of Planning (or delegate).
<b>Director-General's Approval</b>	A written approval from the Director-General (or delegate) where the Director-General's Approval is required under a condition. The Director-General may ask for additional information if the approval request is considered incomplete.
<b>Director-General's Report</b>	The report provided to the Minister by the Director-General of the Department under section 75I of the EP&A Act.
<b>Dust</b>	any solid material that may become suspended in air or deposited
<b>EA</b>	<i>Parkes Peaking Power Plant, Environmental Assessment</i> , prepared by URS Australia Pty Ltd and dated November 2007
<b>EPA</b>	Environment Protection Authority as part of the Department of Environment and Climate Change
<b>EPL</b>	Environment Protection Licence issued under the <i>Protection of the Environment Operations Act, 1997</i>
<b>Power Station</b>	The gas turbine generating plant and associated auxiliary plant located on Lot 1 of DP 602329
<b>Gas Pipeline</b>	The natural gas pipeline lateral from the Central West Pipeline at Parkes to the Power Station site
<b>Minister, the</b>	Minister for Planning
<b>PHLALC</b>	Peak Hill Local Aboriginal Land Council
<b>Proponent</b>	International Power (Australia) Pty Ltd
<b>Publicly Available</b>	Available for inspection by a member of the general public (for example available on an internet site or at a display centre).
<b>RTA</b>	Roads and Traffic Authority
<b>Site</b>	Land to which Major Projects Application 06_0275 applies.
<b>Submission report</b>	<i>Submissions Report, Parkes Peaking Power Plant Environmental Assessment</i> , prepared by URS Australia Pty Ltd and dated February 2008.

## **1. ADMINISTRATIVE CONDITIONS**

### **Terms of Approval**

- 1.1 The Proponent shall carry out the project generally in accordance with the:
  - a) Major Projects Application 06\_0275;
  - b) *Parkes Peaking Power Plant, Environmental Assessment*, prepared by URS Australia Pty Ltd and dated November 2007;
  - c) *Submissions Report*, prepared by URS Australia Pty Ltd and dated February 2008;
  - d) the conditions of this approval.
- 1.2 In the event of an inconsistency between:
  - a) the conditions of this approval and any document listed from condition 1.1a) to 1.1c) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
  - b) any document listed from condition 1.1a) to 1.1c) inclusive, and any other document listed from condition 1.1a) to 1.1c) inclusive, the most recent document shall prevail to the extent of the inconsistency.
- 1.3 The Proponent shall comply with any reasonable requirement(s) of the Director-General arising from the Department's assessment of:
  - a) any reports, plans or correspondence that are submitted in accordance with this approval; and
  - b) the implementation of any actions or measures contained in these reports, plans or correspondence.

### **Limits of Approval**

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

### **Statutory Requirements**

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

## **2. NATURAL GAS PIPELINE – ROUTE SELECTION**

- 2.1 The Proponent shall consult with the Council, the Rural Lands Protection Board and the RTA as relevant during the detailed design phase of the Gas Pipeline, to ensure that any conflict between the location of the natural gas off-take compound and infrastructure owned or proposed by those authorities is identified and resolved prior to the commencement of construction of the pipeline.

## **3. SPECIFIC ENVIRONMENTAL CONDITIONS**

### **Fuel Requirements and Limitations**

- 3.1 The Proponent shall preferentially use natural gas for firing the power station turbines. Distillate fuel shall be used for the firing of the power station turbines only in emergencies when the natural gas supply has been disrupted.
- 3.2 Each of the gas turbines comprising the facility shall not operate on distillate fuel in excess of 200 hours in any 12-month period. Nothing in this approval limits the operation of the power station turbines on natural gas.

## Noise Impacts

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

### Construction Noise

- 3.4 The Proponent shall only undertake construction activities associated with the project that would generate an audible noise at the residential premises identified in Table 1 during the following hours:
- 7:00 am to 6:00 pm, Mondays to Fridays, inclusive;
  - 8:00 am to 1:00 pm on Saturdays; and
  - at no time on Sundays or public holidays.

This condition does not apply in the event of a direction from police or other relevant authority for safety reasons.

- 3.5 The hours of construction activities specified under condition 3.4 of this approval may be varied with the prior written approval of the Director-General. Any request to alter the hours of construction specified under condition 3.4 shall be:
- considered on a case-by-case basis;
  - accompanied by details of the nature and need for activities to be conducted during the varied construction hours; and
  - accompanied by written evidence of the DECC's agreement with the proposed variation in construction times, after providing any information necessary for the DECC to reasonably determine that activities undertaken during the varied construction hours will not adversely impact on the acoustic amenity of receptors in the vicinity of the site.
- 3.6 The Proponent shall take reasonable measures to minimise noise emissions from all plant and equipment operated on the site. Examples of appropriate noise control measures include efficient silencers, low noise mufflers (residential standard), and alternatives to reversing alarms.

### Operation Noise

- 3.7 The Proponent shall ensure the operation of the project does not exceed the maximum allowable noise contributions specified in Table 1, at the location and during those periods indicated. The maximum allowable noise contributions apply under wind speeds up to  $3 \text{ ms}^{-1}$  (measured at 10 metres above ground level), and under temperature inversion conditions of up to  $3^\circ\text{C}/100 \text{ metres}$ .

Table 1 – Maximum Allowable Operational Noise Contribution

Location	Day 7:00am to 6:00pm Mondays to Saturdays 8:00am to 6:00pm Sundays and public holidays	Evening 6:00pm to 10:00pm on any day	Night 10:00pm to 7:00am Mondays to Saturdays 10:00pm to 8:00am Sundays and public holidays
	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)
Velvedere	35 dB(A)	35 dB(A)	35 dB(A)

- 3.8 For the purpose of assessment of noise contributions specified under condition 3.6 of this approval, noise from the project shall be:
- at any point within the residential boundary, or at any point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary; and
  - subject to the modification factors provided in Section 4 of the *New South Wales Industrial Noise Policy* (EPA, 2000), where applicable.

## Air Quality Impacts

### Dust Generation

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

### Odour

- 3.10 The Proponent shall not permit any offensive odour, as defined under section 129 of the *Protection of the Environment Operations Act 1997*, to be emitted beyond the boundary of the site.

### Manufacturer's Performance Guarantee

- 3.11 Prior to the installation of any fuel burning equipment associated with the Power Station, the Proponent shall submit, on a confidential basis to the DECC, evidence that the manufacturer has provided performance guarantees for that equipment, which, when operating at design load will comply with the air discharge limits specified in this approval.

### Monitoring and Discharge Points

- 3.12 For the purposes of this approval, air monitoring/ air discharge points shall be identified as provided in Table 2 below.

**Table 2 - Identification of Air Monitoring and Discharge Points**

Monitoring / Discharge Point Identifier	Monitoring/ Discharge Point Location
1	Turbine Stack 1
2	Turbine Stack 2
3	Turbine Stack 3

### Discharge Limits

- 3.13 The Proponent shall design, construct, operate and maintain the Power Station to ensure that for each turbine stack discharge point specified under condition 3.11, the concentration of each pollutant listed in Table is not exceeded on an annualised basis when utilising the specified fuel. This condition only applies to the operation of the Power Station, and to avoid any doubt, does not apply during start-up or shut-down.

**Table 3 - Maximum Allowable Discharge Concentration Limits (Air)**

Pollutant	Fuel Type	100 Percentile limit (mgm <sup>-3</sup> )	Averaging period	Reference conditions
Nitrogen dioxide (NO <sub>2</sub> ) or nitric oxide (NO), or both (as NO <sub>2</sub> )	Natural Gas	70	Annual	dry, 273 K, 101.3 kPa, and 15 % O <sub>2</sub>
	Diesel	90	Annual	

## Traffic and Transport Impacts

- 3.14 Where directional drilling/boring is proposed under roads or where trenching is proposed to cross roads or where trenching is proposed to occur within the road reserve in close proximity to the road pavement, prior to the commencement of construction of the Gas Pipeline, the Proponent shall develop the Gas Pipeline CEMP which shall address to the reasonable satisfaction of the relevant road authority, the following matters:
- detailed plans of the pipeline including vertical and horizontal alignment;
  - plant and equipment proposed to be used and construction compound locations;
  - construction schedule and hours of construction;
  - mitigation measures proposed to reduce impacts to traffic and pedestrian safety;

- e) indicative maintenance arrangements during operation

- 3.15 The Proponent shall ensure that any measures to restore roads are undertaken in a timely manner, in accordance with the requirements and to the satisfaction of the relevant road authority and at the full expense of the Proponent.
- 3.16 The Proponent shall ensure that all Gas Pipeline crossings of RTA-maintained roads are constructed using construction methods and depth cover determined in consultation with the RTA.
- 3.17 The Proponent shall ensure that all Gas Pipeline crossings of the Council-maintained roads are constructed using construction methods and depth of cover determined in consultation with the Council.

### Ecological Impacts

- 3.18 The Proponent shall adhere to the flora and fauna management requirements specified under condition 7.1 of this approval, and is required to:
  - a) vegetate the eastern, western and southern boundaries of the site with species that are representative of the Fuzzy Box Woodland community and locally indigenous woodland species;
  - b) avoid disturbance to all canopy trees during the construction of the Gas Pipeline; and
  - c) monitor the revegetated areas along the Gas Pipeline for weed infestation and any infestations must be actively managed.

### Hazards and Risk

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

- 3.19 Prior to the commencement of construction of the project, the Proponent shall prepare and submit for the approval of the Director-General, the following studies:
  - a) a **Fire Safety Study** for the project, covering all aspects detailed in the Department's publication *Hazardous Industry Planning Advisory Paper No. 2 - Fire Safety Guidelines* and the New South Wales Government's *Best Practice Guidelines for Contaminated Water Retention and Treatment Systems*. In particular, the Study should specify the fire protection inside the turbine enclosure and the protection measures to eliminate an explosion in the gas turbine enclosure. The Study shall be submitted for the approval of the Commissioner of the NSW Fire Brigades prior to submission to the Director-General;
  - b) a **Hazard and Operability Study (HAZOP)** for the project, chaired by an independent, qualified person or team. The independent person or team shall be approved by the Director-General. The Study shall be carried out in accordance with the Department's publication *Hazardous Industry Planning Advisory Paper No. 8 - HAZOP Guidelines* and shall, in particular:
    - decide on the layout and the siting of the valve stations of the supply (gas) pipeline; and
    - address the early shutdown procedures and systems in the event of a leak in the high and low pressure sections of the natural gas supply and recommended measures for early shutdown in the event of an incidentThe HAZOP report shall be accompanied by a program for the implementation of all recommendations made in the HAZOP report. If the Proponent intends to defer the implementation of a recommendation, justification must be included.
  - c) a **Final Hazard Analysis** prepared in accordance with the Department's *Hazardous Industry Advisory Paper No.6 – Guidelines for Hazard Analysis*. If the final design is identical to the design provided in the PHA, the assumptions made in the PHA are valid and the recommendations of the PHA are implemented, then the PHA may be accepted as FHA if requested by the Proponent.

#### ***Pre-Commissioning Hazards Studies***

- 3.20 Prior to the commencement of commissioning of the project the Proponent shall prepare and submit for the approval of the Director-General the following studies:

- a) an **Emergency Plan** for the project. The Plan shall be prepared in accordance with the Department's publication *Hazardous Industry Planning Advisory Paper No. 1 - Industry Emergency Planning Guidelines*. The plan shall include detailed procedures for the safety of all people outside of the development who may be at risk from the project; and
- b) a **Safety Management System**, covering all operations at the project and any associated transport activities involving hazardous materials. The System shall clearly specify all safety-related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to safety procedures. The System shall be developed in accordance with the Department's publication *Hazardous Industry Planning Advisory Paper No. 9 - Safety Management*.

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

- 3.21 Except as may be expressively provided by an Environment Protection Licence for the project, the Proponent shall comply with section 120 of the *Protection of the Environment Operations Act 1997* which prohibits the pollution of waters.
- 3.22 Soil and water management controls shall be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities, in accordance with Landcom's *Managing Urban Stormwater: Soils and Conservation*.
- 3.23 The Proponent shall ensure that all stormwater detention basins onsite shall be large enough and with enough freeboard to contain stormwater and contaminants to prevent discharge into Ridgey Creek. The stormwater basins shall be dredged according to a set maintenance program and the sediment and contaminants derived shall be removed to a licensed landfill depot where appropriate.
- 3.24 The Proponent shall ensure the evaporation ponds are lined with a synthetic or other suitable liner to prevent contaminated water entering the groundwater system.

### **Heritage Impacts**

- 3.25 The Proponent shall not disturb the three identified sites of Aboriginal heritage significance (PIF1, PIF2 and P2) located during the field survey undertaken on 21 February 2008 except in the following manner:
  - a) the artefacts PIF1 and PIF2, and the burnt clay lumps shall be collected by a qualified person prior to the commencement of any works that may directly or indirectly impact on those items;
  - b) a representative of the PHLALC shall be invited to attend the salvage of the items referred to under a) above, and shall be consulted on the management of the items;
  - c) in the event that the final detailed design of the Gas Pipeline results in any work being carried out within 20m of the scarred tree (P2), temporary fencing shall be installed around the perimeter of the scarred tree (P2) for the duration of construction works that may directly or indirectly affect that item; and
  - d) notwithstanding c), in the event that the final detailed design of the Gas Pipeline results in a unavoidable direct or indirect on the scarred tree (P2), further assessment of the tree shall be undertaken by a botanist and/or a dendrochronologist. Any further mitigation measures recommended as a result of that assessment shall be implemented to the satisfaction of the Director-General.

### **Waste Generation and Management**

- 3.26 All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.
- 3.27 The Proponent shall maximise the treatment, reuse and/ or recycling on the site of any waste oils, excavated soils, slurries, dusts and sludges associated with the project, to minimise the need for treatment or disposal of those materials outside the site. To avoid any doubt, this condition does not permit the use of any of these materials as fuels.



- 3.28 The Proponent shall not cause, permit or allow any waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by a licence under the *Protection of the Environment Operations Act 1997*, if such a licence is required in relation to that waste.
- 3.29 The Proponent shall ensure that all liquid and / or non-liquid waste generated and / or stored on the site is assessed and classified in accordance with *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes* (DEC, 2004), or any future guideline that may supersede that document.

#### 4. ENVIRONMENTAL MONITORING AND AUDITING

##### Air Quality Monitoring

- 4.1 The Proponent shall determine the pollutant concentrations and emission parameters specified in Table 4, at each of the turbine stack discharge points (established in strict accordance with the requirements of test method TM-1 as specified in *Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales* (EPA, 2001)). Monitoring shall be undertaken during operation of the Power Station, at the frequency indicated in Table 4, unless otherwise agreed by the DECC.

**Table 4 – Periodic Pollutant and Parameter Monitoring (Air)**

Pollutant/ Parameter	Units of Measure	Method	Frequency
Nitrogen dioxide (NO <sub>2</sub> ) or nitric oxide (NO), or both (as NO <sub>2</sub> )	mgm <sup>-3</sup>	CEM-2	Continuous
Oxygen	%	CEM-3	
Velocity	ms <sup>-1</sup>	TM-2	Post commissioning and annually
Volumetric flow rate	m <sup>3</sup> s <sup>-1</sup>	TM-2	
Temperature	°C	TM-2	
Moisture content in stack gases	%	TM-22	
Dry gas density	kgm <sup>-3</sup>	TM-23	
Molecular weight of stack gases	g.gmol <sup>-1</sup>	TM-23	
Carbon dioxide	%	TM-24	

##### Air Quality Performance Verification

- 4.2 Within 90 days of the commencement of operation of the Power Station, or as may be otherwise agreed by the Director-General, and during a period in which the Power Station is operating under design loads and normal operating conditions, the Proponent shall undertake a program to confirm the air emission performance of the Power Station. The program shall include, but not necessarily be limited to:
- point source emission sampling and analysis subject to the requirements listed under condition 4.1;
  - a comprehensive air quality impact assessment, using actual air emission data collected under a). The assessment shall be undertaken strictly in accordance with the methods outlined in *Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in New South Wales* (EPA, 2001);
  - a comparison of the results of the air quality impact assessment required under b) above, and the predicted air quality impacts detailed in the documents listed under condition 1.1 of this approval;
  - a comparison of the results of the air quality impact assessment required under b) above, and the impact assessment criteria detailed in *Approved Methods and Guidance for the Sampling and Analysis of Air Pollutants in New South Wales* (EPA, 2001); and
  - details of any entries in the Complaints Register (condition 6.3 of this approval) relating to air quality impacts.

A report providing the results of the program shall be submitted to the Director-General and DECC within 28 days of completion of the testing required under a).

- 4.3 In the event that the program undertaken to satisfy condition 4.2 of this approval indicates that the operation of the Power Station, under design loads and normal operating conditions, will lead to:

- a) Greater point source emissions of air pollutants than permitted under condition 3.12 of this approval; or
- b) greater ground-level concentrations of air pollutants than the impact assessment criteria detailed in *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales* (DEC, 2005);
- c) greater point source emissions or ground level concentrations of air pollutants than predicted in the documents listed under condition 1.1 of this approval;

then the Proponent shall provide details of remedial measures to be implemented to reduce point source emissions and/ or ground-level concentrations of air pollutants to no greater than permitted under this approval. Details of the remedial measures and a timetable for implementation shall be submitted to the Director-General for approval within such period as the Director-General may require, and be accompanied by evidence that the DECC is satisfied that the remedial measures are acceptable.

- 4.4 The Proponent must provide an annual report on the pollutant emissions from the Power Station listed in Table 3 to the DECC. The report must include plots showing the cumulative distribution of 1-hour average NO<sub>x</sub> emissions for each hour of operation for each monitoring/discharge point specified in Table 2.

### Noise Monitoring

- 4.5 Within 90 days of the commencement of operation of the Power Station or as may be otherwise agreed by the Director-General, and during a period in which the Power Station is operating under design loads and normal operating conditions, the Proponent shall undertake a program to confirm the noise emission performance of the Power Station. The program shall meet the requirements of the DECC, and shall include, but not necessarily be limited to:
- a) methodologies for noise monitoring;
  - b) location of noise monitoring;
  - c) frequency of noise monitoring;
  - d) identification of monitoring sites at which pre-operational and operational noise levels can be ascertained; and
  - e) details of any entries in the Complaints Register (condition 6.3 of this approval) relating to noise impacts.

A report providing the results of the program shall be submitted to the Director-General and the DECC with 28 days of completion of the testing required under this condition.

- 4.6 In the event that the program undertaken to satisfy condition 4.5 of the approval indicates that the operation of the Power Station, under design loads and normal operating conditions, will lead to greater noise impacts than permitted under condition 3.6 of this approval, then the Proponent shall provide details of remedial measures to be implemented to reduce noise impacts to levels required by that condition. Details of the remedial measures and a timetable for implementation shall be submitted to the Director-General for approval within such period as the Director-General may require, and be accompanied by evidence that the DECC is satisfied that the remedial measures are acceptable.

### Auditing

If under conditions 4.7 and 4.8 below, the preparation and submission of a Hazard Audit Report and an Environmental Audit Report are required at the same time, the requirements of conditions 4.7 and 4.8 of this approval may be satisfied with a single report.

- 4.7 Twelve months after the commencement of operation of the project, or within such period otherwise agreed by the Director-General, the Proponent shall commission an independent, qualified person or team to undertake a Hazard Audit of the project. Separate Hazard Audits may be conducted for the Power Station and for the Gas Pipeline. The independent person or team shall be approved by the Director-General prior to the commencement of the Audit. A **Hazard Audit Report** shall be submitted for the approval of the Director-General no later than one month after the completion of the Audit. Further Hazard Audits shall be undertaken every

three years, or as otherwise agreed or required by the Director-General. Hazard Audits shall be carried out in accordance with the Department's publication *Hazardous Industry Planning Advisory Paper No. 5 - Hazard Audit Guidelines*. The hazard audit report shall be accompanied by a program for the implementation of all recommendations made in the hazard audit report. If the Proponent intends to defer the implementation of a recommendation, justification must be included.

- 4.8 Twelve months after the commencement of operation of the project, and every three years thereafter, or as otherwise agreed or required by the Director-General, the Proponent shall commission an independent, qualified person or team to undertake an Environmental Audit of the project. Separate Environmental Audits may be conducted for the Power Station and for the Gas Pipeline. The independent person or team shall be approved by the Director-General prior to the commencement of the Audit. An **Environmental Audit Report** shall be submitted for the approval of the Director-General within one month of the completion of the Audit. The Audit shall:
- a) be carried out in accordance with *ISO 19011:2002 - Guidelines for Quality and/ or Environmental Management Systems Auditing*;
  - b) assess compliance with the requirements of this approval, and other licences and approvals that apply to the project;
  - c) assess the environmental performance of the project against the predictions made and conclusions drawn in the documents referred to under condition 1.1 of this approval; and
  - d) review the effectiveness of the environmental management of the project, including any environmental impact mitigation works.

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

## 5. COMPLIANCE MONITORING AND TRACKING

### Compliance Tracking Program

- 5.1 The Proponent shall develop and implement a **Compliance Tracking Program** to track compliance with the requirements of this approval. The Program shall be submitted to the Director-General for approval prior to the commencement of construction or operation as appropriate. The Program shall relate to both construction and operational stages of the project and shall include, but not necessarily be limited to:
- a) provisions for periodic review of the compliance status of the project against the requirements of this approval;
  - b) provisions for periodic reporting of compliance status to the Director-General;
  - c) provisions for specific reporting requirements as required by conditions 5.2 and 5.3;
  - d) mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance.
- 5.2 One month prior to the commencement of project operation, or as otherwise agreed by the Director-General, the Proponent shall submit to the Director-General a **Pre-Operation Compliance Report** detailing compliance with conditions 3.18 and 3.19, including:
- a) dates of study/plan/system submission, approval, commencement of construction and commissioning;
  - b) actions taken or proposed to implement recommendations made in the studies/plans/systems; and
  - c) response to any requirements imposed by the Director-General under condition 1.3.
- 5.3 Six months after the commencement of project operation, or as otherwise agreed by the Director-General, the Proponent shall submit to the Director-General, an **Operational Compliance Report** verifying that:
- a) the Emergency Plan required under condition 3.19 a) is in place and effective and that at least one emergency exercise has been conducted; and

- b) the Safety Management System required under condition 3.19 b) has been fully implemented and that records required by that system are being kept on site.

## 6. COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

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

### Complaints Procedure

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

The telephone number, the postal address and the email address shall be displayed on a sign near the entrance to the Power Station site, in a position that is clearly visible to the public, and which clearly indicates the purposes of the sign.

Separate complaints arrangements may be established for the Power Station and for the Gas Pipeline.

- 6.3 The Proponent shall record details of all complaints received through the means listed under condition 6.2 of this approval in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to:
  - a) the date and time, where relevant, of the complaint;
  - b) the means by which the complaint was made (telephone, mail or email);
  - c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
  - d) the nature of the complaint;
  - e) any action(s) taken by the Proponent in relation to the complaint, including any follow-up contact with the complainant; and
  - f) if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken.

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

## 7. ENVIRONMENTAL MANAGEMENT

- 7.1 A separate Construction Environmental Management Plan (CEMP) and an Operational Environmental Management Plan (OEMP) may be developed for the Power Station and for the Gas Pipeline.

### Construction Environmental Management Plan

- 7.2 The Proponent shall prepare and implement a **Construction Environmental Management Plan** to outline environmental management practices and procedures to be followed during construction of the project. The CEMP shall be consistent with *Guideline for the Preparation of Environmental Management Plans* (DIPNR 2004) and shall include, but not necessarily be limited to:
  - a) a description of all relevant activities to be undertaken on the site during construction, including the total number of mature trees to be removed;
  - b) statutory and other obligations that the Proponent is required to fulfil during construction including all relevant approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;

- c) details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified potential adverse environmental impacts. In particular, the following environmental performance issues shall be addressed in the Plan:
  - i) measures to monitor and manage dust emissions;
  - ii) measures to monitor and minimise soil erosion and the discharge of sediment and other pollutants to lands and/ or waters during construction activities;
  - iii) measures to monitor and control noise emissions during construction works;
  - iv) measures to monitor and control air emissions during construction to ensure that air emissions are both minimised and in compliance with the requirements of this approval and the Environment Protection Licence for the site;
  - v) measures to minimise the impact of construction on local flora and fauna, consistent with the mitigation measures described in section 12.8 of the document referred to under condition 1.1b);
  - vi) measures to minimise the impact from the construction of the Gas Pipeline on the disturbed woodland;
- d) a description of the roles and responsibilities for all relevant employees involved in the construction of the project;
- e) the additional studies listed under condition 7.3 of this approval; and
- f) complaints handling procedures during construction.

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

- 7.3 As part of the Construction Environmental Management Plan for the project, required under condition 7.2 of this approval, the Proponent shall prepare and implement the following:
- a) a **Construction Noise Management Plan** to manage noise impacts during construction and to identify all feasible and reasonable noise mitigation measures. The Plan shall address the requirements of the DECC and shall include, but not necessarily limited to:
    - i) a review of the assumptions made in documents referred to under conditions 1.1b) and 1.1c) to the determined calculated noise levels for the construction of the Power Station and Gas Pipeline;
    - ii) details of the measures to avoid and/or mitigate the actual noise levels; and
    - iii) details of the consultation process for noise mitigation measures with any affected residences, including the residence at Location 1 (Velvedere) as specified in document referred to under condition 1.1b) and 1.1 c).
  - b) a **Traffic Management Protocol** to outline management of traffic conflicts that may be generated during construction of the project. The Plan shall address the requirements of Council, the RTA and any other relevant road authority and shall include, but not necessarily be limited to:
    - i) details of how construction of project infrastructure will be managed in proximity to local and regional roads;
    - ii) details of traffic routes for heavy vehicles, including any necessary route or timing restriction for oversized loads;
    - iii) detailed consideration of measures to be employed to ensure traffic volume, acoustic and amenity impacts along the heavy vehicle routes are minimised;
    - iv) detailed consideration of alternative routes (where necessary); and
    - v) demonstration that all statutory responsibilities with regard to road traffic impacts have been complied with.
  - c) a **Water Management Plan** to outline measures that will be employed to manage water on the site, to minimise soil erosion and the discharge of sediments and other pollutants to lands and/ or waters throughout the life of the project.

### Operation Environmental Management Plan

- 7.4 The Proponent shall prepare and implement an **Operation Environmental Management Plan** to detail an environmental management framework, practices and procedures to be followed

during operation of the project. The OEMP shall be consistent with *Guideline for the Preparation of Environmental Management Plans* (DIPNR 2004) and shall include, but not necessarily be limited to:

- a) identification of all relevant statutory and other obligations that the Proponent is required to fulfil in relation to operation of the project, including all relevant approvals, licences, approvals and consultations;
- b) specific consideration of relevant measures to address any requirements identified in the documents referred to under conditions 1.1b) and 1.1c) of this approval;
- c) a description of the roles and responsibilities for all relevant employees involved in the operation of the project;
- d) overall environmental policies and principles to be applied to the operation of the project;
- e) relevant standards and performance measures to be applied to the project, and a means by which environmental performance can be periodically reviewed and improved, where appropriate;
- f) management policies to ensure that environmental performance goals are met and to comply with the conditions of this approval;
- g) the additional studies listed under condition 7.4 of this approval; and
- h) the environmental monitoring and auditing requirements outlined under conditions 4.1 to 4.8 of this approval, inclusive.

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

7.5 As part of the Operation Environmental Management Plan for the Power Station, required under condition 7.4 of this approval, the Proponent shall prepare and implement the following Management Plans:

- a) an **Air Quality Management Plan** to outline measures to minimise impacts from the project on local and regional air quality. The Plan shall include, but not necessarily be limited to:
  - i) identification of all major sources of particulate and gaseous air pollutants that may be emitted from the Power Station, being both point-source and diffuse emissions, including identification of the major components and quantities of these emissions;
  - ii) monitoring for gaseous and particulate emissions from the Power Station, in accordance with any requirements of the DECC;
  - iii) pro-active and reactive management and response mechanisms for particulates and gaseous emissions, with specific reference to measures to be implemented and actions to be taken to minimise and prevent potential elevated air quality impacts on surrounding land uses as a consequence of meteorological conditions, upsets within the project, or the mode of operation of the project at any time;
  - iv) specific procedures for the monitoring and management of generating efficiency with the aim of optimising greenhouse gas emissions per unit of electricity generated;
  - v) procedures aimed at maximising the efficiency of the start-up and shut-down cycles for the Power Station;
  - vi) provision for regular review of air quality monitoring data, with comparison of monitoring data with that assumed and predicted in the documents listed under condition 1.1 of this approval, including verification of air quality modelling and predictions, as may be relevant;
  - vii) plans for regular maintenance of process equipment to minimise the potential for leaks and fugitive emissions; and
  - viii) a contingency plan should an incident, process upset or other initiating factor lead to elevated air quality impacts, whether above normal Power Station operating conditions or environmental performance goals/ limits.
- b) a **Noise Management Plan** to detail measures to mitigate and manage noise during operation of the Power Station. The Plan shall include, but not necessarily be limited to:

- i) procedures to ensure that all reasonable and feasible noise mitigation measures are applied during operation of the Power Station;
- ii) procedures to generate suitable documentation for environmental auditing, that demonstrates that the noise limits and noise goals specified under this approval, or best practice noise control operations, are being met;
- iii) identification of all relevant receivers and the applicable criteria at those receivers commensurate with the noise limits and noise goals specified under this approval;
- iv) identification of noise-generating activities and/or sources in relation to the Power Station;
- v) procedures for periodic consideration of noise impacts at the relevant receivers against the noise limits and noise goals specified under this approval;
- vi) details of all management methods and procedures that will be implemented to control individual and overall noise emissions from the site during operation;
- vii) a description of reactive and pro-active strategies for dealing promptly with any noise complaints, including documentation of a fast response (eg within one hour or as soon as reasonably practical), the completed action on a complaint and feedback from the complainant (eg within 24 hours); and
- viii) noise monitoring and reporting procedures.

## **8. ENVIRONMENTAL REPORTING**

### **Incident Reporting**

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

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

- 8.2 The Proponent shall meet the requirements of the Director-General to address the cause or impact of any incident, as it relates to this approval, reported in accordance with condition 8.1 of this approval, within such period as the Director-General may require.
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