

# 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.

  
The Hon Kristina Keneally MP  
Minister for Planning

Sydney

2009

File No: S06/00985

### SCHEDULE 1

<b>Application No:</b>	07_0105
<b>Proponent:</b>	International Power (Australia) Pty Ltd
<b>Approval Authority:</b>	Minister for Planning
<b>Land:</b>	Land to which Major Project Application 07_0105 applies.
<b>Project:</b>	Construction and operation of the Buronga peaking power station and associated infrastructure.
<b>Major Project:</b>	The project was declared a Major Project under section 75B(1)(a) of the <i>Environmental Planning and Assessment Act 1979</i> , because it is development of a kind described in clause 24 of Schedule 1 of <i>State Environmental Planning Policy (Major Development) 2005</i> .

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## SCHEDULE 2

<b>Act, the</b>	<i>Environmental Planning and Assessment Act, 1979</i>
<b>CASA</b>	Commonwealth Civil Aviation Safety Authority
<b>Conditions of Approval</b>	The Minister's conditions of approval for the project.
<b>Construction</b>	All pre-operation activities associated with the project <b>other than</b> survey, acquisitions, fencing, investigative drilling or excavation, building/road dilapidation surveys or other activities determined by the Environmental Representative to have minimal environmental impact such as minor access roads, minor adjustments to services / utilities, establishing temporary construction sites (in accordance with the requirements of this project approval), or minor clearing (except where threatened species, populations or ecological communities would be affected).
<b>Council</b>	Wentworth Shire Council
<b>DECC</b>	NSW 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, agreement or satisfaction</b>	A written approval from the Director-General (or delegate).
<b>Dust</b>	Any solid material that may become suspended in air or deposited.
<b>EPA</b>	Environment Protection Authority as part of the Department of Environment and Climate Change
<b>Minister, the</b>	Minister for Planning
<b>Operation</b>	When the power station commences contributing electricity to the grid but excluding commissioning activities.
<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>Reasonable / feasible</b>	Consideration of best practise taking into account the benefit of proposed measures and their technological and associated operational application in the NSW and Australian context. <b>Feasible</b> relates to engineering considerations and what is practical to build. <b>Reasonable</b> relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and nature and extent of potential improvements.
<b>RTA</b>	NSW Roads and Traffic Authority
<b>Site</b>	Land to which Major Project Application 07_0105 applies.

## **1. ADMINISTRATIVE CONDITIONS**

### **Terms of Approval**

- 1.1 The Proponent shall carry out the project generally in accordance with the:
  - a) Major Projects Application 07\_0105;
  - b) *Buronga Peaking Power Plant Environmental Assessment*, prepared by URS and dated August 2008;
  - c) *Submissions Report Buronga Peaking Power Plant Environmental Assessment*, prepared by URS and dated November 2008; and
  - 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) and 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) and 1.1c) inclusive, and any other document listed from condition 1.1a) and 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 and substantially commenced on or before that time.
- 1.5 The project shall be operated using distillate fuel or natural gas. The Proponent shall ensure that the project is designed, constructed and operated to be dual-fuel capable for conversion from distillate to natural gas should this fuel source become commercially viable in the future. Within 12 months of natural gas becoming commercially available, the Proponent shall convert to and operate the project using 100% natural gas unless otherwise agreed to by the Director-General.
- 1.6 The Proponent shall ensure that the water requirements of the project are sourced from recycled and/ or wastewater supplies as far as practicable.
- 1.7 The Proponent may elect to construct the project in discrete work packages or stages. In this case, these conditions of approval may be complied with separately for each discrete work package or stage, as relevant.

### **Statutory Requirements**

- 1.8 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.

## 2. SPECIFIC ENVIRONMENTAL CONDITIONS

### Air Quality Impacts

#### *Dust Generation*

- 2.1 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*

- 2.2 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 from the site which impacts on any sensitive surrounding receivers identified in the documents listed in condition 1.1.

#### *Monitoring and Discharge Points*

- 2.3 For the purposes of this approval, air monitoring/ air discharge points shall be identified as provided in Table 1 below.

**Table 1 - Identification of Air Monitoring and Discharge Points**

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

#### *Discharge Limits*

- 2.4 The Proponent shall design, construct, operate and maintain the project to ensure that for each turbine stack discharge point, the concentration of each pollutant listed in Table 2 is not exceeded. This condition only applies to the project operating under normal operating conditions and does not apply during start-up, shut-down or emergency situations.

**Table 2 - 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>
	Distillate	90		

### Noise Impacts

#### *Vibration Impacts*

- 2.5 The Proponent shall ensure that the vibration resulting from construction and operation of the project does not exceed the preferred values vibration (for low probability of adverse comment) presented in *Assessing Vibration: A Technical Guideline* (DECC, February 2006), at any affected residential dwelling identified in the documents listed in condition 1.1.

#### *Construction Noise*

- 2.6 The Proponent shall only undertake construction activities associated with the project that would generate an audible noise at any residential premises 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.

- 2.7 The hours of construction activities specified under condition 2.6 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 2.6 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 demonstrating consultation with the DECC in relation to the proposed variation in construction times (including consideration of any comments made by the DECC).

### **Operational Noise**

- 2.8 The Proponent shall design, construct, operate and maintain the project to ensure that the noise contributions from the project to the background acoustic environment do not exceed the maximum allowable noise contributions specified in Table 3, at the locations and during the periods indicated. The maximum allowable noise contributions apply under wind speeds up to  $3 \text{ ms}^{-1}$  (measured at 10 metres above ground level), or under temperature inversion conditions of up to  $3^\circ\text{C}/100$  metres and wind speeds of up to  $2\text{m/s}$  at 10 metres above the ground. This condition only applies to the project operating under normal operating conditions and does not apply during start-up, shut-down or emergency situations.

**Table 3 - Maximum Allowable Noise Contribution**

Location	Day	Evening	Night	
	7:00am to 6:00pm Mondays to Saturdays 8:00am to 6:00pm Sundays and public holidays	6:00pm to 10:00pm on any day	10:00pm to 7:00am Mondays to Saturdays 10:00pm to 8:00am Sundays and public holidays	
	$L_{Aeq}(15 \text{ minute})$	$L_{Aeq}(15 \text{ minute})$	$L_{Aeq}(15 \text{ minute})$	$L_{A1}(1 \text{ minute})$
Receptor A as identified in the document specified in condition 1.1 b)	35 dB(A)	35 dB(A)	35 dB(A)	45 dB(A)

- 2.9 For the purpose of assessment of noise contributions specified under condition 2.8 of this approval, noise from the project shall be:
- measured at the most affected point within the residential boundary or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary to determine compliance with the  $L_{Aeq}(15 \text{ minute})$  noise limits;
  - measured at 1 metre from the dwelling façade to determine compliance with the  $L_{A1}(1 \text{ minute})$  noise limits; and
  - subject to the modification factors provided in Section 4 of the *New South Wales Industrial Noise Policy* (EPA, 2000), where applicable.

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

### **Low Frequency Noise**

- 2.10 Unless otherwise agreed by the Director-General, the modification factors presented in Section 4 of the *Industrial Noise Policy* in relation to low frequency noise, only apply if the difference between the A weighted and the C weighted noise is greater than or equal to 15 dB and the measured sound pressure level is greater than  $L_{eq} 65 \text{ dB(C)}$ .

## **Soil and Water Quality Impacts**

- 2.11 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.
- 2.12 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*.

## **Waste Generation and Management**

- 2.13 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.
- 2.14 The Proponent shall maximise the reuse and/or recycling of waste materials generated on site, to minimise the need for treatment or disposal of those materials outside the site.
- 2.15 The Proponent shall ensure that all liquid and/or non-liquid waste generated on the site is assessed and classified in accordance with *Waste Classification Guidelines* (DECC, 2008), or any future guideline that may supersede that document and where removed from the site is only directed to a waste management facility lawfully permitted to accept the materials.

## **Hazards and Risk**

### ***Bunding and Spill Management***

- 2.16 The Proponent shall store and handle all dangerous goods, as defined by the Australian Dangerous Goods Code, strictly in accordance with:
- a) all relevant Australian Standards;
  - b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
  - c) the EPA's Environment Protection Manual Technical Bulletin *Bunding and Spill Management*.

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

### ***Aviation Hazards***

- 2.17 Prior to the commencement of construction of the project, the Proponent shall consult with CASA and AirServices Australia in relation to the management of aviation hazards associated with the project and provide written evidence to the Director-General that the following matters have been address to the satisfaction of these agencies:
- a) updates to navigational aids including flight plans, maps and other relevant documentation to identify the project as a potential aviation hazard;
  - b) updates to instrument flight procedures for Mildura Airport; and
  - c) such other matters as the agencies may consider relevant.

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

- 2.18 At least one month 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 relevant aspects of the Department's publication *Hazardous Industry Planning Advisory Paper No. 2 - Fire Safety Guidelines* and the New South Wales Government's *Best Practice Guidelines for Contaminated Water Retention and Treatment Systems*. The study shall be submitted for approval to

- the Commissioner of the NSW Fire Brigades and NSW Rural Fire Service prior to submission to the Director-General; and
- b) a **Final Hazard Analysis** prepared in accordance with the Department's *Hazardous Industry Advisory Paper No.6 – Guidelines for Hazard Analysis*.

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

- 2.19 At least two months prior to the commencement of commissioning of the project the Proponent shall prepare and submit for the approval of the Director-General a **Safety Management System**, covering all on site operations and 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*. System records shall be kept on site and shall be available for inspection by the Director-General on request.

### **Traffic and Transport Impacts**

- 2.20 Prior to the commencement of construction of the project, the Proponent shall commission an independent, qualified person or team to prepare a **Road Dilapidation Report** to cover each of the haulage routes to be used during the construction and operation of the project. The report shall assess the current condition of the roads and detail mechanisms to monitor and restore any damage that may result due to haulage traffic related to the construction and ongoing operation of the project. The Report shall be provided for review to Council and the RTA prior to finalisation and a copy of the finalised Report shall be submitted to the Director-General prior to the commencement of construction of the project, clearly identifying the issues raised by these agencies and how the issues have been addressed.

The cost of any restorative work described in the Report or recommended by the Council or the RTA following review of the Report, shall be funded by the Proponent. Such work shall be undertaken at a time as agreed upon between the Proponent, the Council and the RTA and details of this timing shall be provided in the Report. In the event of a dispute between the parties with respect to the extent of restorative work that may be required under this condition, any party may refer the matter to the Director-General for resolution. The Director-General's determination of any such dispute shall be final and binding on the parties.

- 2.21 Prior to the commencement of the operation of the project the Proponent shall establish access provisions from Arumpo Road to the site comprising a Basic Right Turn (BAR) and Basic Left Turn (BLT) intersection treatment and provide internal access arrangements consistent with a "rural property access" in accordance with the requirements of and to the satisfaction of the RTA.

### **Flora and Fauna Impacts**

- 2.22 Prior to the commencement of construction of the project, the Proponent shall in consultation with the DECC finalise a compensatory habitat package to offset the biodiversity values affected by the project consistent with "maintain or improve" principles including mechanism for securing the conservation values of the site in perpetuity, to the satisfaction of the Director-General. Unless otherwise agreed to by the Director-General, the package shall comprise:
- a) the purchase of a minimum of four hectares of land (depending on habitat quality), on a "like for like" basis as close as possible to the project site, with long term security of the site to be achieved through a mechanism such as a Voluntary Conservation Agreement; or
  - b) the purchase a minimum of four hectares of land (depending on habitat quality) on a "like for like" basis adjacent to the Mallee Cliffs National Park located approximately 30 kilometres to the east of the site and transferring landownership to the DECC; or



- c) the implementation of an equivalently offset strategy via the DECC biobanking scheme.

The offset package shall provide details of any ongoing management, monitoring and/ or maintenance requirements for the offset area including responsibility and timing for the implementation of these measures.

### Heritage Impacts

- 2.23 If during the course of construction or operation of the project the Proponent uncovers any Aboriginal cultural object(s), all works likely to affect the object(s) shall cease in the immediate area to prevent any further impact to the find(s). A suitably qualified archaeologist and Aboriginal community representatives shall be contacted to determine the significance of the find(s) and appropriate management measures. The Proponent shall register the site and management outcome in the AHIMS in accordance with the *National Parks and Wildlife Act 1974*.

### Visual Amenity Impacts

- 2.24 The Proponent shall minimise the use of reflective building elements and maximise the use of building materials and treatments which visually complement the surrounding bushland.
- 2.25 The Proponent shall ensure that all external lighting associated with the project is mounted, screened, and directed in such a manner so as not to create a nuisance to the surrounding environment, properties and roadway. The lighting shall be the minimum level of illumination necessary and shall comply with *AS 4282(INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting*.

Note: this clause does not apply to any aviation hazard lighting that may be required by the CASA and AirServices Australia under condition 2.17.

## 3. ENVIRONMENTAL MONITORING

### Air Quality Monitoring

- 3.1 The Proponent shall determine the pollutant concentrations and emission parameters specified in Table 4 below, 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 project, at the frequency indicated in the Table, 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 thereafter
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	

\*Nitrogen dioxide (NO<sub>2</sub>) or nitric oxide (NO), or both (as NO<sub>2</sub>) shall be reported on consistent with the reference conditions (dry, 273 K, 101.3 kPa, and 15 % O<sub>2</sub>) identified in Table 2.

### Air Quality Performance Verification

- 3.2 Within 90 days of the commencement of operation of the project, or as may be agreed by the Director-General, and during a period in which the project is operating under normal

operating conditions, the Proponent shall undertake a program to confirm the air emission performance of the project. The program shall include, but not necessarily be limited to:

- a) point source emission sampling and analysis subject to the requirements listed under condition 3.1 to determine compliance with the stack discharge concentration limits identified in condition 2.4;
- b) a comprehensive air quality impact assessment in accordance with the methods outlined in *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales* (DECC, 2005), using actual air emission data collected under condition 3.1 to determine performance against the ground-level concentrations limits for air pollutants predicted in the documents listed under condition 1.1 of this approval; and
- c) details of any entries in the Complaints Register (condition 5.3 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).

3.3 In the event that the program undertaken to satisfy condition 3.2 of this approval indicates that the operation of the project, under normal operating conditions, will lead to:

- a) greater point source emissions than the stack discharge concentration limits identified in condition 2.4; or
- b) greater ground-level concentrations of air pollutants than that 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 to no greater than the stack discharge concentration limits identified in condition 2.4 and to reduce ground-level concentrations of air pollutants to no greater than that predicted in the documents listed under condition 1.1 of this approval and under no circumstance greater than the limits detailed in the *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales* (DECC, 2005). 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.

### Noise Monitoring

3.4 Within 90 days of the commencement of operation of the project, or as may be agreed by the Director-General, and during a period in which the project is operating under normal operating conditions, the Proponent shall undertake a program to confirm the noise emission performance of the project. The program shall meet the requirements of the DECC, and shall include, but not necessarily be limited to:

- a) noise monitoring, consistent with the guidelines provided in the *New South Wales Industrial Noise Policy* (EPA, 2000), to assess compliance with condition 2.8 of this approval;
- b) methodologies, locations and frequencies for noise monitoring;
- c) identification of monitoring sites at which pre- and post-project noise levels can be ascertained; and
- d) details of any entries in the Complaints Register (condition 5.3 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 a).

3.5 In the event that the program undertaken to satisfy condition 3.4 of the approval indicates that the operation of the project, under normal operating conditions, will lead to greater noise impacts than permitted under condition 2.8 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.

#### 4. COMPLIANCE MONITORING AND TRACKING

- 4.1 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. 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, Statement of Commitments and relevant environmental approval, licence or permit required and obtained in relation to the project;
  - b) provisions for periodic reporting of compliance status against the requirements of this approval and Statement of Commitments to the Director-General including at least one month prior to the commencement of construction and operation of the project;
  - c) a program for independent environmental auditing in accordance with *AS/NZ ISO 19011:2003 - Guidelines for Quality and/or Environmental Management Systems Auditing*; and
  - d) mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance.

#### 5. COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

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

##### Complaints Procedure

- 5.2 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, postal address and email address shall be published in a newspaper circulating in the local area prior to the commencement of construction of the project. The above details shall also be provided on the website required by condition 5.4 of this approval.

- 5.3 The Proponent shall record details of all complaints received through the means listed under condition 5.2 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 the timing for implementing action; and
  - f) if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken.

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

## Provision of Electronic Information

- 5.4 Prior to the commencement of construction of the project, the Proponent shall establish a dedicated website or maintain dedicated pages within its existing website for the provision of electronic information associated with the project subject to confidentiality. The Proponent shall publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to:
- a) information on the current implementation status of the project;
  - b) the documents referred to under condition 1.1 of this approval;
  - c) a copy of this approval and any future modification to this approval;
  - d) a copy of each relevant environmental approval, licence or permit required and obtained in relation to the project;
  - e) all plans, monitoring programs and strategies required under this project approval; and
  - f) details of the outcomes of compliance reviews and audits of the project.

## 6. ENVIRONMENTAL MANAGEMENT

### Environmental Representative

- 6.1 Prior to the commencement of any construction activities, or as otherwise agreed by the Director-General, the Proponent shall nominate for the approval of the Director-General a suitably qualified and experienced Environmental Representative(s) independent of the design, construction and operation personnel. The Proponent shall engage the Environmental Representative(s) during any construction activities. The Environmental Representative(s) shall:
- a) review and audit the implementation of all environmental management plans and monitoring programs required under this approval, and advise the Proponent upon the achievement of these plans/programs;
  - b) consider and advise the Proponent on its compliance obligations against all matters specified in the conditions of this approval and the Statement of Commitments as referred to under condition 1.1c) of this approval, and any other relevant environmental approval, licence or permit required and obtained in relation to the project; and
  - c) have the authority and independence to recommend to the Proponent reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts, and, failing the effectiveness of such steps, to recommend to the Proponent that relevant activities are to be ceased as soon as reasonably practicable if there is a significant risk that an adverse impact on the environment will be likely to occur.

### Construction Environmental Management Plan

- 6.2 The Proponent shall prepare and implement a **Construction Environmental Management Plan (CEMP)** to outline environmental management practices and procedures to be followed during construction of the project. The CEMP shall be prepared 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 activities to be undertaken on the site during construction including an indication of stages of construction, where relevant;
  - b) a description of the statutory obligations that the Proponent is required to fulfil prior to and during construction including all relevant approvals, licences and permits required and applicable key legislation and policies;
  - c) a description of the roles and responsibilities for all relevant employees involved in the construction of the project;
  - d) an environmental risk analysis to identify the key environmental performance issues associated with the construction phase and details of how environmental performance would be monitored and managed to meet acceptable outcomes including 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 manage noise and vibration;
- iii) measures to minimise offsite flora and fauna impacts and unintended harm to fauna on site;
- iv) measures for soil and water management;
- v) measures for the control and management of construction-related traffic, including provisions for safe access onto the site and personnel parking in consultation with the RTA;
- vi) measures to manage bushfire; and
- vii) emergency management; and
- e) complaints handling procedures during construction consistent with condition 5.2 of this approval.

The CEMP shall be submitted for the approval of the Director-General no later than one month prior to the commencement of any 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.

### **Operation Environmental Management Plan**

6.3 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 Plan 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 key operational and maintenance activities associated with the project;
- b) identification of all statutory and other obligations that the Proponent is required to fulfil in relation to operation of the project, including all approvals, licences, approvals and consultations;
- 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;
- f) an environmental risk analysis to identify the key environmental performance issues associated with the construction phase and details of how environmental performance would be monitored and managed to meet acceptable outcomes including 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 air quality;
  - ii) measures to monitor and manage noise and vibration;
  - i) measures for landscaping and offset management and maintenance;
  - ii) measures for soil and water management;
  - iii) measures to manage bushfire; and
  - iv) emergency management; and
- g) complaints handling procedures during construction consistent with condition 5.2 of this approval.

The Plan 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. ENVIRONMENTAL REPORTING**

### **Incident Reporting**

7.1 The Proponent shall notify the Director-General of any incident with actual or potential significant off-site impacts on people or the biophysical environment within 24 hours of

becoming aware of the incident. The Proponent shall provide full written details of the incident to the Director-General within fourteen days of the date on which the incident occurred.

- 7.2 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 7.1 of this approval, within such period as the Director-General may require.

Note: Nothing in this approval removes the Proponent's obligation under Section 148 of the *Protection of the Environment Operations Act 1997* to notify the appropriate regulatory authority (as defined under Section 6 of the *Protection of the Environment Operations Act 1997*) where a pollution incident occurs in the course of the development so that material harm to the environment is caused or threatened.