

# Project Approval

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

As delegate of the Minister for Planning and Infrastructure, under delegation from the Minister enforced from 1 October 2011, the Planning Assessment Commission of NSW (the Commission) approves the project application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

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

Member of the Commission	Member of the Commission	Member of the Commission
Sydney	2011	File No: 10/04970

### SCHEDULE 1

<b>Application No.:</b>	MP 08_0236
<b>Proponent:</b>	CIC Australia Limited
<b>Approval Authority:</b>	Minister for Planning and Infrastructure
<b>Land:</b>	Lot 12, DP 1164687; Lot 14, DP 1164687; Lot 6, DP 255492; Lot 1, DP 1149329; Lot 1, DP 255492; and Lot 7, DP 592796
<b>Proposal:</b>	Stage 1 of the Googong Township Water Supply Project as described in the EA, including: <ul style="list-style-type: none"><li>• a bulk water pumping station;</li><li>• a water recycling plant to treat sewage from the Googong Township to a standard suitable for non-potable urban re-use and discharge to the environment, and associated pumping station;</li><li>• two sewage pumping stations;</li><li>• reservoirs for recycled and potable water; and</li><li>• rising and distribution mains for potable water, recycled water and sewage.</li></ul>

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Modification 2 approved on 9 July 2014

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## DEFINITIONS

BCA	Building Code of Australia
CEMP	Construction Environmental Management Plan
Construction	All pre-operation activities associated with the project other than survey; acquisitions; fencing; investigative drilling or excavation; building/road dilapidation surveys; minor clearing or translocation (except where heritage, threatened species, populations or endangered ecological communities would be affected, unless otherwise approved by the Director General in consultation with OEH); or other activities determined by the Environmental Representative to have minimal environmental impact (e.g. minor access roads and adjustments for services/utilities)
Councils	Queanbeyan City Council and Palerang Council
Department	Department of Planning and Infrastructure
Director-General	Director-General of the Department of Planning and Infrastructure (or delegate)
DPI	Department of Primary Industries
DSEWPaC	Department of Sustainability, Environment, Water, Population and Communities
EA	Environmental assessment titled <i>Googong Township Water Cycle Project Environmental Assessment</i> , dated November 2010 and prepared by Manidis Roberts, including the Submissions Report
EEC	Endangered Ecological Community as defined by the <i>Threatened Species Conservation Act, 1995</i>
Environmental Representative	Independent person engaged by the Proponent in accordance with condition C17
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence issued under <i>POEO Act</i>
Feasible	Feasible relates to engineering considerations and what is practical to build or carry out
Incident	A set of circumstances that causes or threatens to cause material harm to the environment, and/or breaches or exceeds the limits or performance measures/criteria in this approval
Material harm to the environment	Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
Minister	Minister for Planning and Infrastructure (or delegate)
Negligible	Small and unimportant, such as to be not worth considering
NOW	NSW Office of Water
OEH	Office of Environment and Heritage
OEMP	Operation Environmental Management Plan
Operation	Operation activities associated with the project, not including commissioning trials of equipment or temporary use of parts of the project during construction
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Project	The development described in the project application and the EA
Project Approval	Approval granted for a project in accordance with Section 75J of the Act
Proponent	CIC Australia Limited
Publicly Available	Available for inspection by a member of the general public (for example available on an internet site or at a display centre)
Reasonable	Reasonable 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 the nature and extent of potential improvements
Rehabilitation	The treatment or management of land disturbed by the project for the purpose of establishing a safe, stable and non-polluting environment, and includes remediation
Site	The land referred to in Schedule 1
Statement of Commitments	Concept Plan and Project Application Statement of Commitments identified in the Submissions Report
Submissions Report	<i>Googong Township Water Cycle Project Environmental Assessment Submissions Report</i> , dated May 2011 prepared by Manidis Roberts and addendum report dated 14 September 2011 by Navin Officer Heritage Consultants

## SCHEDULE 2

### PART A - ADMINISTRATIVE CONDITIONS

#### TERMS OF APPROVAL

- A1 The Proponent shall carry out the project generally in accordance with the:
- (a) EA;
  - (b) Statement of Commitments
  - (c) **Googong Township Water Cycle Project Modification Assessment, prepared by Manidis Roberts and dated February 2013;**
  - (d) **Modification to Approved Project: Googong Township Integrated Water Cycle Project – Proposed Discharge Point at Googong Creek, prepared by RPS Manidis Roberts and dated March 2014;** and
  - (e) conditions of this approval.

*Note: the general layout of the project is shown in Appendix 1*

- A2 If there is any inconsistency between the documents in condition A1, 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.
- A3 The Proponent shall comply with any reasonable requirement(s) of the Director-General arising from the Department's assessment of:
- (a) any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with this approval; and
  - (b) the implementation of any actions or measures contained in these documents.

#### LIMITS ON APPROVAL

- A4 This project approval shall lapse five years after the date on which it is granted, unless works subject of this approval have commenced before that time.

#### STAGING

- A5 Construction of the project may be undertaken in discrete work packages or stages. Where that occurs, these conditions of approval need only be complied with to the extent that they are relevant to that discrete work package or stage. Prior to the commencement of relevant construction or operation activities, the Proponent shall submit a Staging Report to the Director General which:
- (a) describes the stages; and
  - (b) identifies the relevant conditions of approval for each stage and how these will be addressed across and between the stages of the project.
- A6 With the approval of the Director-General, the Proponent may submit any strategy, plan or program required by this approval on a progressive basis.

#### STATUTORY REQUIREMENTS

- A7 The Proponent shall ensure that all licences, permits and approvals are obtained and maintained as required throughout the life of the project. No condition of this approval removes the obligation of the Proponent to obtain, renew or comply with such licences, permits or approvals. The Proponent shall ensure that a copy of this approval and all relevant environmental approvals are available on the site at all times during the project.

#### COMPLIANCE

- A8 The Proponent shall ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.

- A9 The Proponent shall be responsible for environmental impacts resulting from the actions of all persons that it invites onto the site, including contractors, sub-contractors and visitors.

## **PUBLICLY AVAILABLE INFORMATION**

- A10 Subject to confidentiality, the Proponent shall make all documents required under this approval available for public inspection on request.

## **DETAILED DESIGN**

- A11 The detailed design and construction of the project shall be undertaken in consultation with Councils and include consideration of Councils' requirements in relation, but not limited, to:
- (a) project staging, easements and certification,
  - (b) site access, parking and servicing,
  - (c) safety, security, facilities and amenities,
  - (d) site and infrastructure maintenance, and
  - (e) design and development specifications, including relevant Australian and Council codes, standards and specifications.

## **STRUCTURAL ADEQUACY**

- A12 The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing 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 the proposed building works; and*
- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.*

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

- A13 The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation or rehabilitation of the project.

## **COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT**

### **Community Information Plan**

- A14 Prior to the commencement of construction, the Proponent shall prepare and implement a **Community Information Plan** which sets out the community communication and consultation processes to be implemented during construction and operation of the project. The Plan shall be prepared in consultation with Queanbeyan City Council and to the satisfaction of the Director-General, and include, but not be limited to:
- (a) procedures to inform the local community of planned investigations and construction activities, including blasting works (if any);
  - (b) procedures to inform the relevant community of construction traffic routes and any potential disruptions to traffic flows and amenity impacts;
  - (c) procedures to consult with local landowners with regard to construction traffic to ensure the safety of livestock and to limit disruption to livestock movements;
  - (d) procedures to inform the community where work outside the construction hours specified in condition C7, in particular noisy activities, has been approved;
  - (e) procedures to inform and consult with affected landowners to rehabilitate impacted land;
  - (f) procedures to inform the community of operational activities, including results of monitoring undertaken in accordance with conditions D7 to D9; and
  - (g) procedures to inform the community of their rights, including those relevant to the management of visual and noise amenity and the process for lodgement of complaints, as identified under this Approval.

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## Complaints Procedure

A15 Prior to the commencement of construction, the Proponent shall ensure that the following are available for community complaints for the life of each project related to the subject concept plan approval (including construction and operation) or as otherwise agreed by the Director-General:

- (a) a 24-hour 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 advertised in a newspaper circulating in the area of the project, on at least one occasion prior to the commencement of construction; and at six-monthly intervals during construction and for a period of two years following commencement of operation of the project. These details shall also be provided on the Proponent's internet site required by condition 3.2 of the associated Concept Plan Approval. The telephone number, the postal address and the email address shall be displayed on a sign near the entrance to the construction site(s), in a position that is clearly visible to the public.

A16 The Proponent shall record details of all complaints received through the means listed in condition A15 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 of the complaint;
- (b) the means by which the complaint was made (telephone, mail or email);
- (c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
- (d) the nature of the complaint;
- (e) any action(s) taken by the Proponent in relation to the complaint, including timeframes for implementing the action; and
- (f) if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken.

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

A17 The Proponent shall provide an initial response to any complaints made in relation to the project during construction or operation within 48 hours of the complaint being made. The response and any subsequent action taken shall be recorded in accordance with condition A16. Any subsequent detailed response or action is to be provided within two weeks, or as otherwise agreed by the complainant/Director-General.

## Compliance Tracking Program

A18 Prior to the commencement of construction, the Proponent shall develop and implement a **Compliance Tracking Program**, to track compliance with the requirements of this approval during the construction and operation of all project and shall include, but not necessarily be limited to:

- (a) provisions for periodic reporting of compliance status to the Director-General including at least prior to the commencement of construction of the project, prior to the commencement of operation of the project and within two years of operation commencement;
- (b) a program for independent environmental auditing in accordance with AS/NZ ISO 19011:2003 - Guidelines for Quality and/or Environmental Management Systems Auditing;
- (c) procedures for rectifying any non-compliance identified during environmental auditing or review of compliance;
- (d) mechanisms for recording environmental incidents and actions taken in response to those incidents;
- (e) provisions for reporting environmental incidents to the Director-General during construction and operation; and

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- (f) provisions for ensuring all employees, contractors and sub-contractors are aware of, and comply with, the conditions of this approval relevant to their respective activities.
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## PART B – SPECIFIC ENVIRONMENTAL CONDITIONS

### OPERATION OF PLANT AND EQUIPMENT

- B1 The Proponent shall ensure that all the plant and equipment used on site is:
- (a) maintained in a proper and efficient condition; and
  - (b) operated in a proper and efficient manner.

### SOIL AND WATER

#### Water Discharges

- B2 Except as may be expressly 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*.

#### Compensatory Water Supply

- B3 The Proponent shall provide a compensatory water supply to any land owner whose water entitlements are adversely impacted (other than an impact that is negligible) as a result of the project, in accordance with the criteria established in the Water Management Plan in condition D8.

The compensatory water supply measures shall provide an alternate water supply for the duration of the impact attributed to the project. The alternate water supply shall at least be of an equivalent quality and quantity to the affected supply and be provided within 24 hours of the loss being identified, or as otherwise agreed by the affected resident/land owner.

If the Proponent is unable to provide an alternative supply of water, then it shall provide reasonable alternative compensation in consultation with the affected land owner. If the Proponent and the land owner cannot agree on the measures to be implemented, or there is a dispute about the implementation of these measures, then either party may refer the matter to the Director-General for resolution.

#### Sediment and Erosion Control

- B4 Erosion and Sediment controls consistent with *Managing Urban Stormwater: Soils and Construction Manual* (Landcom 2004, or its latest version) are to be installed prior to the commencement of soil disturbance and maintained until such time as the disturbed area has been rehabilitated in accordance with the rehabilitation objectives in the CEMP.

#### Rehabilitation

- B5 The Proponent shall carry out rehabilitation progressively, and as soon as reasonably practicable following disturbance.

### AIR QUALITY

#### Odour

- B6 The Proponent shall ensure no offensive odours are emitted from the project site, as defined under the *Protection of the Environment Operations Act 1997*.

### WASTE MANAGEMENT

- B7 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.

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- B8 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.
- B9 The Proponent shall ensure that all liquid and/or non-liquid waste generated by the project 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 those materials.
- B10 The Proponent shall ensure that no green waste is burned on site during the life of the project.

## **BIODIVERSITY**

### **Vegetation Clearing**

- B11 The Proponent shall limit the clearing of native vegetation to the minimum extent practicable. Details regarding the procedures for clearing vegetation, minimising the extent of clearing and the extent and location of these reductions shall be included in the Flora and Fauna Management Plan prepared in accordance with condition C20.
- B12 All hollow bearing trees shall be retained to the greatest extent practicable. Where this is not feasible, trees containing hollows shall be inspected by a suitably qualified ecologist prior to disturbance, and where native fauna are located using the tree hollows, procedures shall be developed and implemented under the guidance of the qualified ecologist to minimise impacts on the native fauna. Details of actions to be taken and measures to monitor their effectiveness shall be included in the Flora and Fauna Management Plan.

### **Speckled Warbler**

- B13 Where possible, the removal of trees which form potential habitat for the Speckled Warbler (*Chthonicola sagittata*) shall occur outside of the August to January period breeding season of the species.

If clearing cannot be avoided during this time, the area must be inspected by a qualified ecologist prior to any disturbance to identify potential nesting sites. If a nesting site is observed and it contains young, the area must be retained for at least 3 weeks to allow the young to fledge.

### **Pink-tailed Legless Lizard Conservation Area**

- B14 The Proponent shall establish and maintain in perpetuity a dedicated area of land on the project site for the conservation of the Pink-tailed Legless Lizard (*Aprasia parapulchella*) as outlined in the plan prepared in accordance with condition D9 and shown in Appendix 2.

## **HAZARDS AND RISK**

- B15 The Proponent shall store and handle all dangerous goods, as defined by the Australian Dangerous Goods Code, strictly in accordance with:
- all relevant Australian Standards;
  - for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
  - DECC'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.

## **VISUAL AMENITY**

### **Landscape Management Plan**

- B16 The Proponent shall prepare and implement a Landscape Management Plan for the project. The Plan shall be prepared in consultation with Councils and include, but not necessarily be limited to:
- (a) an identification of the project elements which may impact on the visual amenity of the area and potential sensitive receiver locations, including residents of the Googong Township urban development area;
  - (b) measures to minimise and/or avoid visual amenity impacts to sensitive receiver locations, including:
    - (i) landscape design, including a schedule of species to be used in landscaping and revegetation;
    - (ii) built elements, including proposed treatments, finishes and materials of exposed surfaces (including colour specifications and samples); and
    - (iii) lighting design;
  - (c) details of the timing and progressive implementation the visual mitigation works; and
  - (d) procedures and methods to monitor and maintain landscaped or rehabilitated areas.

The Plan shall be prepared and submitted to the Director-General prior to construction, unless otherwise agreed by the Director-General.

### **Lighting Emissions**

- B17 The Proponent shall:
- (a) take all practicable measures to mitigate off-site lighting impacts from the construction and operation of the project; and
  - (b) ensure that all external lighting associated with the project complies with *Australian Standard AS4282 – 1997 – Control of the Obtrusive Effects of Outdoor Lighting*.
-

## PART C – PRIOR TO AND DURING CONSTRUCTION

### WORK AREAS

- C1 Prior to the commencement of construction of the project, the Proponent shall clearly define work areas (including access trails) using the measures outlined in the CEMP under condition C19. All on-site construction movements shall be restricted to these areas to prevent uncontrolled or inadvertent access by vehicles or construction personnel.

### SOIL CONTAMINATION

- C2 Prior to commencing construction of the project, the Proponent shall investigate the presence and extent of any soil contamination on the site, including but not limited to the sites identified in the EA.
- C3 The Proponent shall ensure any areas affected by the project that are potentially contaminated are remediated prior to commencing construction in those areas. All remediation work shall be conducted in accordance with the requirements of the *Contaminated Land Management Act 1997* and *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites* (EPA, 1997).

### HERITAGE

- C4 The Proponent shall salvage, through surface collection, identified artefacts at site GWTP2 prior to the commencement of construction at the water recycling plant site. Salvage should be carried out in accordance with the salvage methods described in Navin Officer Heritage Consultants Pty Ltd, October 2012 "Methodology: Googong Township Truck Water Main and Recycled Water System". Salvaged artefacts should be relocated in accordance with the artefact relocation methods as described in Navin Officer Heritage Consultants Pty Ltd, 24 June 2010, "Back to Country Proposal to Reposition Salvaged Aboriginal Artefacts from the Googong New Town (Neighbourhood 1A) Development". The Proponent shall not impact any other item of Aboriginal or non-Indigenous heritage significance identified in the EA.
- C5 In the event of uncovering unidentified Aboriginal objects or relics, work shall cease immediately in the vicinity of the site and the event shall be reported immediately to OEH and the Department. Relevant works shall not recommence until written authorisation from the Director-General to proceed in those areas has been received.
- C6 If during the course of construction the Proponent becomes aware of any previously unidentified non-Indigenous heritage object(s), all works likely to affect the object(s) shall cease immediately and the Heritage Council of New South Wales and the Department shall be notified as soon as practicable in accordance with section 146 of the *NSW Heritage Act 1977*. Relevant works shall not recommence until written authorisation from the Director-General to proceed in those areas has been received.

### NOISE AND BLASTING

#### Construction Hours

- C7 Subject to conditions C9 and C10, construction works that would generate audible noise at any sensitive receiver shall only be undertaken 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.

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

- C8 The hours of construction specified under condition C7 may be varied with the prior written approval of the Director-General. Any request to alter the hours of construction shall be:
- considered on a case-by-case basis;

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- (b) accompanied by details of the nature and need for activities to be conducted during the varied construction hours and any other information necessary to reasonably determine that activities undertaken during the varied construction hours will not adversely impact on the acoustic amenity of receptors in the vicinity of the site; and
  - (c) require that affected residential receivers are informed of the timing and duration of any construction activities approved under this condition at least 48 hours before that work commences.
- C9 Any work generating high noise that has impulsive, intermittent, low frequency or tonal characteristics, including jack hammering, line drilling, pile driving, rock hammering, rock breaking, saw cutting, sheet piling, vibratory rolling but excluding blasting, shall only be undertaken:
- (a) between the hours of 8.00 am and 6.00 pm Monday to Friday;
  - (b) between the hours of 8.00 am and 1.00 pm Saturday; and
  - (c) in continuous blocks of no more than three hours, with at least one hour respite between each block of work generating high noise impact, where the location of the work is likely to impact the same receivers;
- except as otherwise approved by the Director-General. For the purposes of this condition “continuous” includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work the subject of this condition.
- C10 Blasting associated with the construction of the project is only permitted during the following hours:
- (a) 9.00 am to 5.00 pm, Mondays to Fridays, inclusive;
  - (b) 9.00 am to 1.00 pm on Saturdays; and
  - (c) at no time on Sundays or public holidays.

Where compelling safety reasons exist, the Director-General may permit blasting outside of these hours on a case-by-case basis where any request is accompanied by details of the nature and need for blasting outside the approved hours and the measures to be implemented to minimise impacts.

### Construction Noise Criteria

- C11 The Proponent shall implement all reasonable and feasible noise mitigation measures to minimise noise generated by construction of the project, consistent with the requirements of the *Interim Construction Noise Guidelines (DECC, July 2009)*.

### Blasting Criteria

- C12 The Proponent shall ensure that blasting and vibration resulting from construction of the project does not cause exceedances of the criteria in Table C1.

**Table C1: Blast impact criteria**

<b>Location</b>	<b>Airblast overpressure (dB(Lin Peak))</b>	<b>Ground vibration (mm/s)</b>	<b>Allowable exceedance</b>
Residence on privately-owned land	120	10	0%
	115	5	5% of the total number of blasts over a period of 12 months

- C13 At least two weeks prior to commencing blasting activities, the Proponent shall notify Council and potentially affected landowners, including details of time, location and frequency of the blasting and providing a contact point for inquiries and complaints.

## TRAFFIC AND TRANSPORT

### Dilapidation Survey

- C14 Prior to the commencement of construction of the project, the Proponent shall assess the condition of roads and footpaths which may be potentially impacted by construction of the project (including over-mass or over-dimensional vehicles), in consultation with the relevant roads authorities.

### **Operating Conditions**

- C15 The Proponent shall:
- (a) ensure that any measures to restore roads as a result of the construction of the project, are undertaken in a timely manner, to the satisfaction of the relevant road authority and at the full expense of the Proponent;
  - (b) ensure that adequate signage is provided to inform road users of any change in traffic conditions resulting from construction works; and
  - (c) undertake all roadworks in consultation with Councils and any relevant road authority.

### **AIR QUALITY**

#### **Operating Conditions**

- C16 The Proponent shall:
- (a) implement best practice air quality management on site, including all reasonable and feasible measures to minimise off-site odour, fume and dust emissions generated by the project;
  - (b) minimise any visible air pollution generated by the project; and
  - (c) regularly assess the meteorological forecasting data, and relocate, modify and/or stop activities on site to ensure compliance with the relevant conditions of this approval.

### **ENVIRONMENTAL MANAGEMENT**

#### **Environmental Representative**

- C17 Prior to the commencement of construction, or as otherwise agreed by the Director-General, the Proponent shall engage a suitably qualified and experienced Environmental Representative(s) whose appointment has been endorsed by the Director-General. The Environmental Representative(s) shall:
- (a) be independent of the design, construction and operation personnel;
  - (b) oversee the implementation of all environmental management plans and monitoring programs required under this approval and advise the Proponent upon the achievement of all project environmental outcomes;
  - (c) consider and advise the Proponent on its compliance obligations against all matters specified in the conditions of this approval and any other approval, permits and/or licences; and
  - (d) have the authority and independence to:
    - (i) recommend to the Proponent reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts; and
    - (ii) 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 likely to be a significant risk of an adverse impact on the environment, until reasonable steps are implemented to avoid such impact.
- C18 The Proponent shall act on all recommendations made by the Environmental Representative(s) as soon as practicable, unless otherwise agreed by the Director-General. If the Proponent chooses not to implement recommendations of the Environmental Representative(s), it shall provide written justification of the alternate course of action to the satisfaction of the Director-General within 7 days of receiving the recommendation from the Environmental Representative(s).

#### **Construction Environmental Management Plan**

- C19 Prior to the commencement of construction, the Proponent shall prepare and implement a Construction Environmental Management Plan (CEMP) to outline environmental management

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practices and procedures to be followed during construction of the project. The Plan shall be consistent with the *Guideline for the Preparation of Environmental Management Plans* (DIPNR 2004, or its latest revision) 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 stages of construction where relevant;
- (b) details of measures to clearly define work areas (including access trails) using a combination of posts, fencing or markers, and suitably marked up maps, as appropriate.
- (c) details of mitigation, management and rehabilitation measures specific to the site that would be implemented, including but not limited to the requirements identified in the documents referred to under condition A1;
- (d) 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;
- (e) a description of the roles and responsibilities for all relevant employees and contractors involved in the construction of the project;
- (f) a description of relevant training and induction provisions for ensuring that all employees, contractors and sub-contractors are aware of their environmental and compliance obligations under these conditions of approval;
- (g) measures to monitor and manage dust emissions, including dust generated by traffic on unsealed public roads and unsealed internal access tracks;
- (h) details of actions to be taken to address identified potential adverse environmental impacts;
- (i) 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
- (j) a complaints handling procedure during construction; and
- (k) procedures for the update of the Construction Environmental Management Plan as necessary.

The CEMP shall be prepared in consultation with the relevant authorities and Councils, and 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 as otherwise agreed by the Director-General. Construction works shall not commence until written approval has been received from the Director-General.

C20 As part of the Construction Environmental Management Plan for the project, prepared under condition C19 of this approval, the Proponent shall prepare and implement the following:

- (a) a **Soil and Water Management Plan** to manage water quality impacts and to minimise soil erosion and the discharge of sediments and other pollutants to lands and/or waters during construction. The Plan shall be prepared in consultation with OEH and Councils and shall include, but not necessarily be limited to:
  - (i) detailed engineering designs for the recycled water discharge structure;
  - (ii) detailed engineering designs and rehabilitation methodology for each category of watercourse crossing;
  - (iii) a description of the quantity and source of all water supplies relating to construction, hydro-testing and operation;
  - (iv) a description of any dewatering activities associated with groundwater interception and measures to minimise the impacts associated with dewatering activities, including the disposal or reuse of water;
  - (v) details on potential occurrence of expansive soils and saline areas within the project site and management and mitigation measures;
  - (vi) details of the measures to mitigate the risk of impacting the local groundwater recharge levels (such as the planning of construction works during dry periods and the employment of construction techniques which aim to shorten the time the trenches are left open);
  - (vii) a description of measures to minimise soil erosion and the potential for the transport of sediment to downstream waters, including progressive rehabilitation; and
  - (viii) monitoring of impacts on water quality and soils;
- (b) a **Hazards, Risk and Safety Management Plan** to address:

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- (i) the safety of construction workers in the event of a flood, bushfire and any other likely hazard or risk;
  - (ii) the management of the risk of fuel spillages and associated activities, with respect to potential groundwater contamination, including an description of designated fuel distribution points; and
  - (iii) the safety of the public (such as bushwalkers) near the site during construction, such as installation of signage and fencing as necessary;
- (c) a **Traffic Management Protocol** to outline the management of traffic impacts that may occur during construction of the project. The Plan shall be developed in consultation with Councils, the RTA and any other relevant road authority and shall include, but not necessarily be limited to:
- (i) details of traffic routes for heavy vehicles, including any necessary route or timing restriction for oversized loads;
  - (ii) measures to verify the condition of roads used by construction vehicles prior to and following construction;
  - (iii) details of how the construction of project infrastructure will be managed in proximity to local and regional roads and with respect to sensitive receivers located in close proximity to these roads (such as maintaining access to property) and any other concurrent works occurring in close proximity to the project, such as the Googong Dam Spillway Remediation Works;
  - (iv) detailed consideration of measures to be employed to ensure traffic volumes and acoustic and amenity impacts along heavy vehicle routes are minimised;
  - (v) details of requirements to restore roads used for the construction of the project, including Old Cooma Road and Googong Dam Road; and
  - (vi) demonstration that all statutory responsibilities with regard to road traffic impacts have been complied with;
- (d) a **Noise and Vibration Management Plan** to identify measures to monitor and manage noise and vibration and to identify all feasible and reasonable noise and vibration mitigation measures. The Plan shall be developed in consultation with OEH and Queanbeyan City Council and include, but not necessarily be limited to:
- (i) the identification all potentially affected sensitive receivers (such as future residents of the Googong township due to the undertaking of final works associated with the water recycling plant), and noise management levels;
  - (ii) a review of the assumptions made in Appendix J of the EA to the final determined construction noise levels;
  - (iii) details of the measures to avoid and/or mitigate the actual noise levels, including the noise mitigation measures identified under section 13.4.4 of the Environmental Assessment;
  - (iv) an assessment, if blasting is proposed, to calculate the maximum instantaneous charge (MIC) able to be used in order to meet amenity-based ground vibration and overpressure criteria in condition C12;
  - (v) details of the consultation process for noise mitigation measures with any affected sensitive receivers; and
  - (vi) details of noise monitoring to be undertaken to manage potentially elevated noise levels;
- (e) a **Flora and Fauna Management Plan** to outline measures to protect, and minimise the loss of, terrestrial, riparian and aquatic native vegetation and native fauna habitat as a result of construction of the project. The Plan shall be prepared in consultation with OEH, DSEWPaC and Queanbeyan City Council, and include, but not necessarily be limited to:
- (i) procedures for pre-construction surveys to identify key flora and fauna features within and adjacent to the construction area;
  - (ii) procedures to accurately determine the total area, type and condition of vegetation community to be cleared;
  - (iii) plan/s showing terrestrial vegetation communities, important flora and fauna habitat areas, EECs, threatened species (Hoary Sunray *Leucochrysum albicans* var. *tricolor*, Speckled Warbler *Chthonicola sagittata* and Pink-tailed Legless Lizard *Aprasia parapulchella*), weeds and areas to be cleared. The plans shall also identify vegetation adjoining the site which contains important habitat areas and/or threatened species, populations or ecological communities;
  - (iv) methods to avoid and manage potential impacts on flora and fauna species and their habitat which may be directly or indirectly affected by the project, such as

- location of fencing to exclude access to sensitive areas, procedures for vegetation clearing or soil removal/stockpiling and procedures for re-locating hollows or installing nesting boxes and managing weeds;
- (v) measures for conserving and reusing topsoil;
  - (vi) procedures to be implemented for controlling weeds and feral pests;
  - (vii) rehabilitation details and success criteria;
  - (viii) a program for reporting on the effectiveness of flora and fauna management measures; and
  - (ix) a procedure to review management methods where they are found to be ineffective;
- (f) a **Heritage Management Plan** to manage potential impacts on Aboriginal and non-Indigenous heritage items. The plan shall be prepared in consultation with OEH and include, but not necessarily be limited to:
- (i) details of measures to be carried out to avoid impacts to known and potential Aboriginal sites and deposits;
  - (ii) procedures for dealing with previously unidentified Aboriginal objects (excluding human remains), including:
    - o halting of works in the vicinity;
    - o assessment of the significance of the item(s) and determination of appropriate mitigation measures (including when works can recommence) by a qualified archaeologist in consultation with registered Aboriginal stakeholders;
    - o assessment of the consistency of any new Aboriginal heritage impacts against the approved impacts of the project; and
    - o registering of the new site/s in the OEH AHIMS register;
  - (iii) procedures for dealing with human remains (including halting of works in the vicinity and notification of the NSW Police, OEH and registered Aboriginal stakeholders and not re-commencing any works in the area unless authorised by OEH and the NSW Police); and
  - (iv) Aboriginal cultural heritage induction processes for construction personnel and procedures for ongoing Aboriginal consultation and involvement.
-

## PART D – OPERATION

### NOISE

- D1 Noise emitted from the operation of project-related infrastructure shall not exceed 35 dB(A) ( $L_{Aeq}(15min)$ ) at any residence on privately-owned land.

*Note: 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.*

### WATER QUALITY

#### Potable Water

- D2 Water provided as drinking water to service the Googong Township, as outlined under the documents referred to in condition A1, shall comply with the *Australian Drinking Water Guidelines 2004*.
- D3 Ongoing management and monitoring of the supply of the drinking water shall form part of the NSW Drinking Water Monitoring Program.

#### Recycled Water

- D4 Water provided as recycled water to service the Googong Township, as outlined under the documents referred to in condition A1, shall comply with *National Water Quality Management Strategy - Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Natural Resource Management Ministerial Council, Environment Protection and Heritage Council and Australian Health Ministers' Conference, 2006)*.

#### Waterway Discharge

- D5 The recycled water discharged to the environment [or any water discharged to the environment through Discharge Point 3](#) shall not exceed the water quality parameters identified in Table D1 below.

**Table D1: Effluent Quality Limits**

Parameter	Effluent discharge limits to environment	
	Units	90 <sup>th</sup> Percentile
BOD	mg/L	10
Suspended Solids	mg/L	10
TN	mg/L	10
TP	mg/L	0.5
TDS	mg/L	700
Faecal Coliforms	cfu/100mL	150
pH		6.5-8.0
Free Chlorine (residual)	mg/L	0.1
Nitrogen – Ammonia	mg/L	2
Oil & Grease	mg/L	2

If the results of water quality monitoring undertaken in accordance with the Water Management Plan in condition D8 indicates that the downstream ambient water quality criteria of the Queanbeyan River is exceeded as a result of the project, then the project shall be adjusted to reduce the concentration of the relevant parameters in the recycled water discharged to the environment.

- D5A [Prior to the discharge of any water to the environment through Discharge Point 3, evidence of compliance with the water quality parameters identified in Condition D5 must be provided for the Secretary's information.](#)

- D6 No recycled water shall be discharged to the environment until at least 12 months of baseline data for the receiving waterways has been obtained and the flow release protocol has been established, in accordance with the approved Water Management Plan in condition D8.

## ENVIRONMENTAL MANAGEMENT

### Operation Environmental Management Plan

- D7 The Proponent shall prepare and implement an Operation Environmental Management Plan (OEMP) for the project, in accordance with *Guideline for the Preparation of Environmental Management Plans* (DIPNR, 2004) or its latest version. The Plan shall be prepared in consultation with Councils, OEH and NOW and include, but not necessarily be limited to:
- (a) identification of all statutory and other obligations that the Proponent is required to fulfil in relation to the operation of the development, including all consents, licences, approvals and consultations;
  - (b) specific consideration of relevant measures to address any requirements identified in the documents referred to under condition A1;
  - (c) a management organisational chart identifying 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) management policies to ensure that environmental performance goals are met and to comply with the conditions of this approval;
  - (f) standards and performance measures to be applied to the project, and means by which environmental performance can be periodically reviewed and improved (where appropriate), 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) detailed contingency procedures for dealing with: power failures; sewer overflow following failures at the sewage pumping stations and/or during extended periods of wet weather flows; and structural failures in the sewage and recycled water transfer pipeline infrastructure;
    - (ii) noise emissions including measures for regular performance monitoring of noise generated by the project and measures to proactively respond to and deal with noise complaints;
    - (iii) air quality impacts, particularly odour;
    - (iv) operational traffic impacts, particularly during maintenance, and procedures to restore any damage attributable to the project during the operation phase;
    - (v) mosquito control and the potential for algal blooms;
    - (vi) impacts of operational activities on the Googong Dam and foreshores area, particularly water quality;
    - (vii) hazard and safety and emergency management measures including measures to prevent and control bushfires;
  - (g) procedures for the periodic review and update of the Operation Environmental Management Plan as necessary;
  - (h) the Management Plans listed under conditions D8 and D9; and
  - (i) the environmental monitoring requirements outlined under this approval.

The 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 as otherwise agreed by the Director-General. Operation activities shall not commence until written approval has been received from the Director-General.

### Water Management Plan

- D8 The Proponent shall prepare and implement a Water Management Plan for the project to manage potential impacts on surface water and groundwater systems during operation of the project. The plan must be prepared in accordance with *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZECC & ARMCANZ, 2000), particularly Volume 1, Chapter 5: *Guidelines for Recreational Water Quality and Aesthetics* and Volume 2, section 8.2.3: *Aquatic Ecosystems*, and include:
- (a) a **Surface Water Monitoring Program**, including:

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- (i) procedures to obtain detailed baseline data on surface water flows and quality in creeks and other waterbodies that could potentially be affected by the project, including relevant parameters and monitoring locations;
- (ii) surface water and stream health impact assessment criteria including trigger levels for investigating any potentially adverse surface water impacts and for the supply of compensatory water;
- (iii) a program to monitor and assess:
  - o surface water flows and quality;
  - o impacts on water users;
  - o stream health and habitat; and
  - o channel stability;
- (b) a **Groundwater Monitoring Program**, including:
  - (i) detailed baseline data of groundwater levels, yield and quality in the region, and privately-owned groundwater bores, that could be affected by the project;
  - (ii) groundwater impact assessment criteria including trigger levels for investigating any potentially adverse groundwater impacts;
  - (iii) a program to monitor and assess:
    - o impacts on the groundwater supply of potentially affected landowners;
    - o impacts on any groundwater dependent ecosystems and riparian vegetation;
- (c) a **Recycled Water Flow Release Protocol**, including:
  - (i) recommended discharge rates based on baseline data of receiving waterways and meteorological conditions;
  - (ii) the detailed design and operation specifications for the discharge structure/s; and
  - (iii) procedures for the review and amendment of flow release protocols based on the outcomes of monitoring;
- (d) a **Surface and Ground Water Response Plan**, including:
  - (i) a response protocol for any exceedances of the surface water and groundwater assessment criteria;
  - (ii) measures to compensate landowners of privately-owned land whose water supply is adversely affected by the project; and
  - (iii) measures to mitigate and/or offset any adverse impacts on waterways, groundwater dependent ecosystems and/or riparian vegetation; and
- (e) an **Irrigation Management Plan** prepared in accordance with relevant guidelines including *Environmental Guidelines: Use of Effluent by Irrigation* (DEC, 2004) and *National Guidelines for Water Recycling: Managing Health and Environmental Risks* (Natural Resource Management Ministerial Council, Environment Protection and Heritage Council and Australian Health Ministers' Conference, 2006), which must:
  - (i) include detailed baseline data of the soil properties of the proposed irrigation areas, including salinity levels and a nutrient budget;
  - (ii) identify any potential off-site risks and impacts and describe measures to minimise any environmental impacts;
  - (iii) include a protocol for the use of recycled effluent for irrigation including application rates and restrictions; and
  - (iv) include a program to monitor areas subject to irrigation.

The Water Management Plan and sub-plans shall be prepared in consultation with OEH, NOW, NSW Health and DTIRIS (Fisheries), and be submitted to the Director-General for approval by the end of June 2012 and prior to commencing operation of the project, unless otherwise agreed by the Director-General.

#### **Aprasia Conservation Management Plan**

- D9 The Proponent shall prepare and implement an Aprasia Conservation Management Plan for the project to provide and maintain habitat for the Pink-tailed Legless Lizard in accordance with condition B14. This plan must be prepared in consultation with OEH and DSEWPaC, and be submitted to the Director-General for approval by the end of June 2012. The plan must:
- (a) be prepared or peer reviewed by a suitably qualified ecologist;
  - (b) be based on the recommendations in the EA and the objectives of the National Recovery Plan for the species;

- (c) outline the roles and responsibilities of parties that would implement the plan;
- (d) set out the appropriate objectives, actions and milestones for the Proponent, prior to handing over ownership of this land to Queanbeyan City Council;
- (e) include:
  - (i) procedures to survey and mark the boundary of the conservation area and a 20 metre buffer zone;
  - (ii) procedures for the establishment and maintenance of boundary fencing, including measures to promote kangaroo grazing;
  - (iii) procedures and success criteria for habitat restoration and weed management;
  - (iv) procedures to control and monitor access and use of the conservation area by domestic and feral animals;
  - (v) a community education program;
  - (vi) procedures to achieve long-term security for the conservation area;
  - (vii) a program to monitor the Pink-tailed Legless Lizard population within the conservation area; and
  - (viii) a program which sets out milestone dates for achieving the actions and measures in the plan.

## **TRAFFIC AND TRANSPORT**

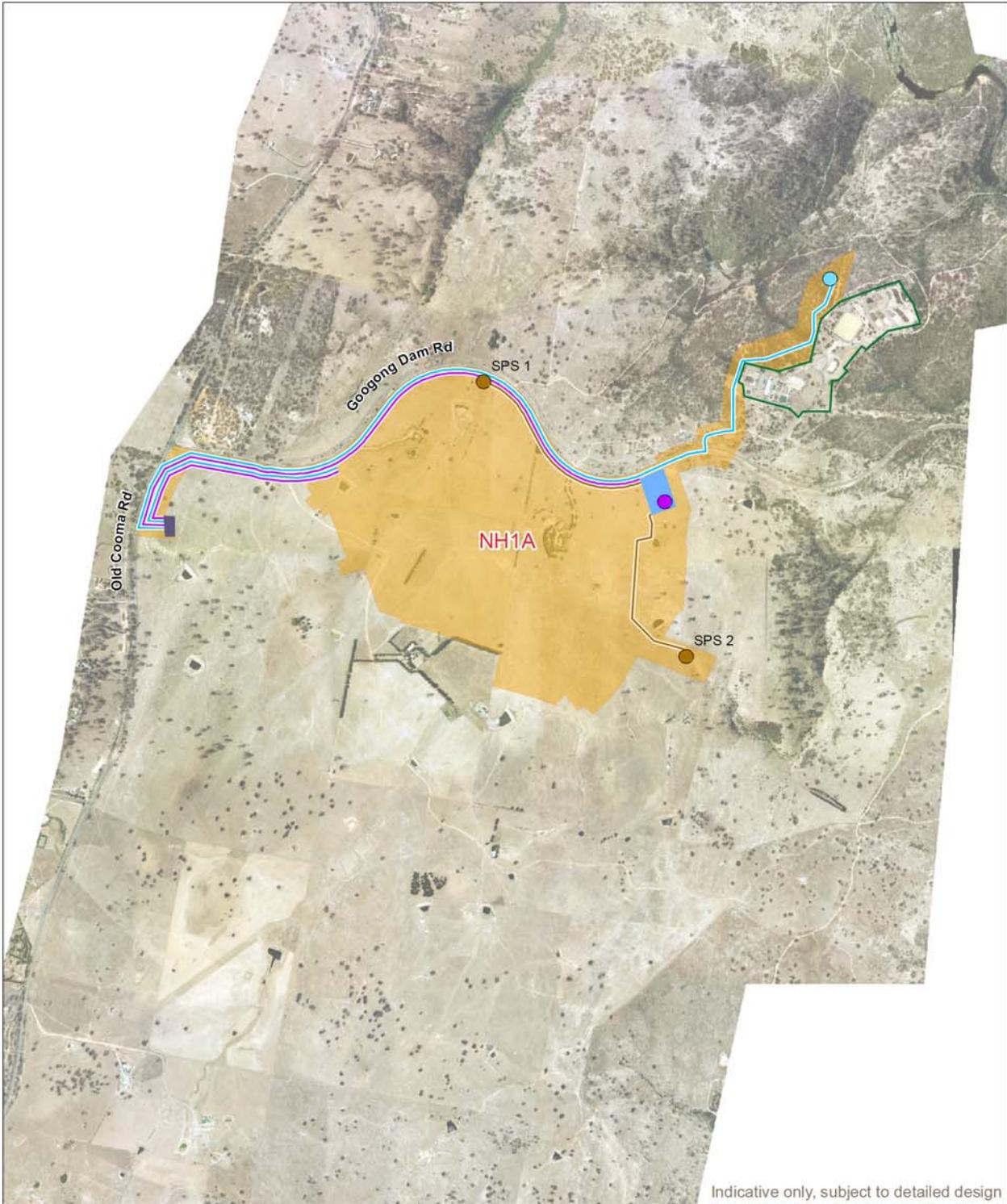
- D10 Prior to the commencement of operation of the project, the Proponent shall assess the condition of all public roads and footpaths traversed by construction traffic associated with the project (including over-mass or over-dimensional vehicles) in consultation with the relevant road authorities. Should this assessment identify any damage to roads or footpaths attributable to the project, the Proponent shall repair the damage to the satisfaction of the relevant road authority.
- D11 Prior to the commencement of operation, the Proponent shall submit to the Director-General details of recommendations made by the relevant road authority and how these have been addressed.
-

## **PART E – INCIDENT REPORTING**

### **INCIDENT REPORTING**

- E1 The Proponent shall notify the Director-General and any other relevant agencies of any incident associated with the project as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of becoming aware of the incident, the Proponent shall provide the Director-General and any relevant agencies with a detailed report on the incident.
  - E2 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 E1 of this approval, within such period as the Director-General may require.
-

**APPENDIX 1**  
**PROJECT LAYOUT PLAN**



**Googong Environmental Assessment**

Proponent CIC Australia

Date 23 March 2011

Drawing no. 08003g\_ea\_figES-4

Source Brown Consulting, MWH

- |  |   |
|--|---|
|  Bulk water pumping station     |  Existing ACTEW Googong water treatment plant site |
|  Recycled water pumping station |  Water recycling plant                             |
|  Sewage pumping station         |  Interim reservoir area                            |
|  Potable water mains            |  Subject site                                      |
|  Recycled water mains           |   |
|  Sewage mains                   |   |

1:20,000

0 150 300 450 600m



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## APPENDIX 2

### PINK-TAILED LEGLESS LIZARD CONSERVATION AREA



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