

Development Consent

Section 4.38 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces under delegation executed on 26 April 2021, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

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



Director, Industry Assessments

Sydney

12 August 2021

File: SSD 10401

SCHEDULE 1

Application Number:	SSD-10401
Applicant:	SUEZ Recycling & Recovery Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Site:	Lot 2 DP 1227526 21 Muir Road Chullora
Development:	Construct and operate a Materials Recovery Facility to process up to 172,000 tonnes per annum of waste from municipal, commercial and industrial sources for reuse and recycling

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DEFINITIONS

Applicant	SUEZ Recycling & Recovery Pty Ltd, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
BDAR	Biodiversity Development Assessment Report titled <i>Biodiversity Development Assessment Report – Chullora Materials Recycling Facility</i> , prepared by ARCADIS dated 31 July 2020
Calendar year	A period of 12 months commencing on 1 January
Carrier	Operator of a telecommunication network and/ or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997</i> (Cth)
Certifier	A council or an accredited certifier (including principal certifiers) who is authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
CEMP	Construction Environmental Management Plan
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	Construction of a hardstand, internal roads, materials recovery building, fixed plant and equipment and supporting infrastructure, as described in the EIS and RtS
Council	City of Canterbury-Bankstown
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Decommissioning	The controlled process of safely retiring a facility from service, including decontamination, dismantling and disposal after the cessation of operations.
Department	NSW Department of Planning, Industry and Environment
Development	The development described in Schedule 1, the EIS and RtS, including the works and activities comprising construction and operation of a materials recovery facility, as modified by the conditions of this consent.
Development layout	The plans at Appendix 1 of this consent
DPIE	Department of Planning, Industry and Environment
EES	Environment, Energy and Science Group of the Department
EIS	The Environmental Impact Statement titled <i>Chullora Materials Recycling Facility Environmental Impact Statement (SSD-10401)</i> , prepared by Arcadis dated August 2020, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
Environment	As defined in section 1.4 of the EP&A Act
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6 pm to 10 pm
Fibre ready facility	As defined in section 372W of the Telecommunications Act 1997 (Cth)
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> , the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth), or anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance

Note: “material harm” is defined in this consent

Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Material harm	Is harm that: <ul style="list-style-type: none"> involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act
MRF	Materials Recovery Facility
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
OEMP	Operational Environmental Management Plan
Operation	The receipt, processing and storage of general solid waste (non-putrescible) and baling of sorted materials for transport off-site as described in the EIS and RtS
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
Planning Secretary	Secretary of the Department, or delegate
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Response to submissions (RtS)	The Applicant’s response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the document titled <i>Chullora Materials Recycling Facility Response to Submissions</i> , prepared by ARCADIS and dated 10 June 2021
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The land defined in Schedule 1
TAHE	Transport Asset Holding Entity
TfNSW	Transport for New South Wales
Upgrading	The carrying out of works (including replacing plant, equipment, or machinery or updating relevant technology) to improve the efficiency of the development or to enable or enhance its continued operation, and the carrying out of maintenance works
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

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

TERMS OF CONSENT

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

LIMITS OF CONSENT

Lapsing

- A5. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.

Throughput

- A6. The Applicant shall not receive more than a total of 172,000 tonnes per year of the following general solid wastes (non-putrescible) on site for waste processing:
- (a) co-mingled material collected from municipal and commercial and industrial sources;
 - (b) source separate paper and cardboard;
 - (c) external mixed plastics.

Flood Mitigation and Earthworks

- A7. Prior to the commencement of construction of the development, the Applicant must provide written evidence to the satisfaction of the Planning Secretary, confirming the flood mitigation works and earthworks described in DA 366/2020 approved by Council on 2 June 2021 have been completed to the satisfaction of Council.

NOTIFICATION OF COMMENCEMENT

- A8. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) construction;
 - (b) operation;
 - (c) cessation of operations; and
 - (d) decommissioning.
- A9. If the construction or operation or decommissioning of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary), of the date of commencement and the development to be carried out in that stage.

SURRENDER OF EXISTING CONSENTS OR APPROVALS

A10. Within 12 months of the date of commencement of development to which this consent applies, or within another timeframe agreed by the Planning Secretary, the Applicant must surrender the existing development consents for the site in accordance with the EP&A Regulation, including:

- (a) DA 897/1994 for a putrescible waste transfer station and green waste platform;
- (b) DA 287/1996 for a materials recovery facility; and
- (c) DA 973/2002 for a glass processing facility.

A11. Upon the commencement of development to which this consent applies, and before the surrender of existing development consents or project approvals required under condition A10, the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals.

Note: *This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 6 of the EP&A Act. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.*

EVIDENCE OF CONSULTATION

A12. Where conditions of this consent require consultation with an identified party, the Applicant must:

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

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

A13. With the approval of the Planning Secretary, the Applicant may:

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

A14. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.

A15. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

PROTECTION OF PUBLIC INFRASTRUCTURE

A16. Before the commencement of construction of the development, the Applicant must:

- (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
- (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths);
- (c) submit a copy of the dilapidation report to the Planning Secretary and Council.

A17. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:

- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
- (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

STRUCTURAL ADEQUACY

A18. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Note:

- *Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.*
- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.*

COMPLIANCE

- A19. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

CONTRIBUTIONS TO COUNCIL

- A20. Before the issuing of a construction certificate for any part of the development, a payment of a levy of 1% of the proposed cost of carrying out the development must be paid to Council under section 7.12 of the EP&A Act.

OPERATION OF PLANT AND EQUIPMENT

- A21. All plant and equipment used on site, or to monitor the performance of the development, must be:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

EXTERNAL WALLS AND CLADDING

- A22. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.
- A23. Prior to the issuing of:
- (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and
 - (b) an Occupation Certificate,
- the Applicant must provide the Certifier with documented evidence that the products and systems proposed for use or used in the construction of external walls (including finishes and claddings such as synthetic or aluminium composite panels) comply with the requirements of the BCA.
- A24. The Applicant must provide a copy of the documentation given to the Certifier to the Planning Secretary within seven days after the Certifier accepts it.

UTILITIES AND SERVICES

- A25. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.
- A26. Before the commencement of construction, the Applicant must obtain Building Plan Approval from Sydney Water for works over or adjacent to the existing stormwater and wastewater assets on the site.
- A27. Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.
- A28. Before the issuing of a Subdivision Works or Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:
- (a) the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and
 - (b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development demonstrated through an agreement with a carrier.
- A29. Before the issuing of the Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre ready facilities are fit for purpose.
- A30. The Applicant must comply with the relevant requirements of Ausgrid for construction and operation of the substation as shown on the plans in the EIS.

SYDNEY TRAINS

- A31. No work is permitted within the rail corridor on the site, or any easements which benefit Sydney Trains / TAHE, at any time, unless the prior approval of, or an Agreement with, Sydney Trains / TAHE has been obtained by the Applicant. The Principal Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- A32. No rock anchors, rock bolts, ground anchors or rock ties, piles, foundations, rock pillars, transfer structures, basement walls, slabs, columns, beams, cut rock faces, are to be installed into Sydney Trains / TAHE property or easements. The Principal Certifier is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

- A33. Prior to the commencement of works, the Applicant shall provide written advice from a qualified Geotechnical and Structural Engineer confirming that the proposed works are to have no negative impact on the rail corridor and associated rail infrastructure.
- A34. Prior to the commencement of any works appropriate fencing must be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction works. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.
- A35. The development shall have appropriate fencing fit for the future usage of the development site to prevent unauthorised access to the rail corridor by future occupants of the development. Prior to the issuing of an Occupation Certificate the Applicant shall liaise with Sydney Trains regarding the adequacy of any existing fencing along the rail corridor boundary or design and construction of new fencing. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.
- A36. During all stages of the development the Applicant must take extreme care to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
- A37. The Applicant must ensure that all drainage from the development is adequately disposed of and managed and not allowed to be discharged into the railway corridor unless prior written approval has been obtained from Sydney Trains.
- A38. Excess soil is not allowed to enter, be spread or stockpiled within the rail corridor (and its easements) and must be adequately managed / disposed of.
- A39. The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:
- (a) oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;
 - (b) acts as the authorised representative of the Applicant; and
 - (c) is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.
- A40. Without in any way limiting the operation of any other condition of this consent, the Applicant must, during construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.
- A41. Where a condition of consent requires consultation with Sydney Trains, the Applicant shall forward all requests and/or documentation to the relevant Sydney Trains External Interface Management team. In this instance the relevant interface team is Central Interface and they can be contacted via email on Central_Interface@transport.nsw.gov.au

WORK AS EXECUTED PLANS

- A42. Before the issuing of the Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

APPLICABILITY OF GUIDELINES

- A43. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A44. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

ADVISORY NOTES

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

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

WASTE MANAGEMENT

Statutory Requirements

- B1. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.
- B2. All waste processing, including storage and materials handling activities must be undertaken in the enclosed MRF building. All truck loading and unloading must only be carried out within the areas designated for these activities, as described in the EIS and RtS.
- B3. The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.

Receipt, Storage and Handling of Waste

- B4. The Applicant shall only receive waste on site that is authorised for receipt by an EPL. No putrescible waste is to be received, stored or processed on site.
- B5. The Applicant must not receive or store any asbestos waste on the site.
- B6. The Applicant shall ensure that any waste received that is not permitted under this consent or the EPL is removed from the site within 48 hours of receipt, or as soon as practicable.
- B7. The Applicant must ensure the height of baled material does not exceed four metres in total.
- B8. The Applicant must maintain and operate a calibrated weighbridge to record the volume of all waste brought into the site.

Waste Management Plan

- B9. Prior to the commencement of operation of the development, the Applicant must prepare a Waste Management Plan (WMP) for the development to the satisfaction of the Planning Secretary. The WMP must form part of the OEMP and be prepared in accordance with condition C5. The WMP must:
 - (a) be prepared by a suitably qualified and experienced person(s);
 - (a) detail the type and quantity of waste to be received during operation of the development;
 - (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, *Protection of the Environment Operations (Waste) Regulation 2014* and the EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014); and
 - (c) include procedures for ensuring no build-up of waste occurs in the waste receipt area during unexpected machinery breakdown.
- B10. The Applicant must:
 - (a) not commence operation until the WMP is approved by the Planning Secretary;
 - (b) implement the most recent version of the WMP approved by the Planning Secretary for the operational life of the development.

Waste Monitoring Program

- B11. From the commencement of operation, the Applicant must implement a Waste Monitoring Program for the development. The program must:
 - (a) be prepared by a suitably qualified and experienced person(s) prior to the commencement of operation;
 - (b) include suitable provisions to monitor the:
 - (i) quantity, type and source of waste received on site;
 - (ii) quantity, type and quality of the outputs produced on site; and
 - (c) ensure that:
 - (i) all waste that is controlled under a tracking system has the appropriate documentation prior to acceptance at the site; and
 - (ii) staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos.

SOILS, WATER QUALITY AND FLOODING

Erosion and Sediment Control

- B12. Prior to the commencement of any construction for the development, the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the

Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.

Discharge Limits

- B13. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

Groundwater

- B14. The Applicant must obtain relevant water access licence/s in accordance with the *Water Management Act 2000*, if the development will intercept groundwater.

Stormwater Management System

- B15. Prior to the commencement of operation, the Applicant must demonstrate to the satisfaction of the Planning Secretary, that the stormwater management system for the development is:
- (a) designed by a suitably qualified and experienced person(s), in accordance with the conceptual design in the EIS and in consultation with Council;
 - (b) be in accordance with applicable Australian Standards;
 - (c) be consistent with the requirements of Council's DA 366/2020 for flood mitigation works;
 - (d) designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines;
 - (e) designed to:
 - (i) divert existing clean surface water around operational areas of the site; and
 - (ii) prevent discharge of leachate from the MRF building into the stormwater system.

Flood Management

- B16. Prior to the commencement of construction, the Applicant must prepare a Flood Emergency Management Plan to the satisfaction of the Planning Secretary. The plan must form part of the CEMP and OEMPs required by conditions C2 and C5 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) address the provisions of the *Floodplain Risk Management Guideline* (OEH, 2007);
 - (c) be consistent with the requirements of Council's DA 366/2020 for flood mitigation works;
 - (d) include details of:
 - (i) the flood emergency responses for both construction and operation phases of the development;
 - (ii) predicted flood levels;
 - (iii) flood warning time and flood notification;
 - (iv) assembly points and evacuation routes;
 - (v) evacuation and refuge protocols; and
 - (vi) awareness training for employees and contractors.
- B17. The Applicant must:
- (a) not commence construction until the Flood Emergency Management Plan required by condition B16 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Flood Emergency Management Plan approved by the Planning Secretary for the duration of the development.
- B18. All floor levels for the development must be no lower than the 1% Annual Exceedance Probability flood level plus 500 mm of freeboard.

TRAFFIC AND ACCESS

Construction Traffic Management Plan

- B19. Prior to the commencement of construction, the Applicant must prepare a Construction Traffic Management Plan for the development. The plan must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared in consultation with Council and TfNSW;
 - (c) detail the measures to be implemented to ensure road safety and network efficiency during construction;
 - (d) detail heavy vehicle routes, work zones, crane locations, access and parking arrangements;
 - (e) detail vehicle types and movements, including minimisation of movements during peak periods;

- (f) include pedestrian and traffic management measures, including minimising disruption to public transport routes;
- (g) include a Driver Code of Conduct to:
 - (i) minimise the impacts of construction on the local and regional road network;
 - (ii) minimise conflicts with other road users;
 - (iii) minimise road traffic noise; and
 - (iv) ensure truck drivers use specified routes;
- (h) include a program to monitor the effectiveness of these measures; and
- (i) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.

B20. The Applicant must implement the Construction Traffic Management Plan for the duration of construction.

Parking

B21. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

Operating Conditions

B22. The Applicant must ensure:

- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of *AS 2890.1:2004 Parking facilities Off-street car parking* (Standards Australia, 2004), *AS 2890.2:2018 Parking facilities Off-street commercial vehicle facilities* (Standards Australia, 2018) and *AS 2890.6:2009 Parking facilities Off-street parking for people with disabilities* (Standards Australia, 2009)
- (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
- (c) the development does not result in any vehicles queuing on the public road network;
- (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
- (e) all vehicles are wholly contained on site before being required to stop;
- (f) all loading and unloading of materials is carried out on-site;
- (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and
- (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

Operational Traffic Management Plan

B23. Prior to the commencement of operation, the Applicant must prepare an Operational Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the OEMP required by condition C5 and must:

- (a) be prepared by a suitably qualified and experienced person(s), in consultation with Council;
- (b) detail the numbers and frequency of vehicle movements, including light and heavy vehicles, size of heavy vehicles, routes and peak movements;
- (c) detail the measures to be implemented to ensure road safety and network efficiency throughout operation;
- (d) detail measures to minimise noise from development related traffic, including procedures for receiving and addressing complaints from the community about development related traffic and noise;
- (e) include a Driver Code of Conduct and induction training that includes procedures for:
 - (i) ensuring drivers implement safe driving practices and adhere to designated routes including prioritising the use of arterial roads and avoiding residential streets;
 - (ii) minimising road traffic noise, particularly during night-time operations;
 - (iii) ensuring drivers adhere to site-specific speed limits.
- (f) include a program to monitor the effectiveness of these measures;
- (g) recommend and implement additional traffic management measures where necessary, that have been developed in consultation with Council and to the satisfaction of the Planning Secretary, to maintain road safety and network efficiency throughout operation; and

- (h) include a Work Place Travel Plan detailing measures to promote public transport usage and describing pedestrian and bicycle linkages and end of trip facilities available on site.

B24. The Applicant must:

- (a) not commence operation until the Operational Traffic Management Plan required by Condition B23 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Operational Traffic Management Plan approved by the Planning Secretary for the duration of operation.

Operational Traffic Movement Reports

B25. Within three months after the first year of commencement of operation of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit Operational Traffic Movement Reports to Council. The reports must:

- (a) detail and summarise total truck movements from the development on Muir Road including all inbound and outbound deliveries, including empty trucks; and
- (b) detail and summarise axle loadings of all truck movements entering and leaving the site.

FIRE SAFETY

B26. The Applicant must design, install and operate the development to meet the requirements of FRNSW's *Fire Safety in Waste Facilities 2020*, or as otherwise approved by Fire & Rescue NSW (FRNSW).

B27. The Applicant must consult FRNSW during the fire engineering brief consultation process for the development.

B28. If there are any significant changes to the approved site layout, processing capacity or accepted waste streams, including combustible materials, the Applicant must reassess the fire and life safety measures for the development, re-consult FRNSW and obtain approval from the Planning Secretary.

NOISE

Hours of Work

B29. The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.

Table 1 Hours of Work

Activity	Day	Time
Construction	Monday – Friday	7 am to 6 pm
	Saturday	8 am to 1 pm
Operation	Monday – Sunday	24 hours

B30. Works outside of the hours identified in condition B29 may be undertaken in the following circumstances:

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

Operational Noise Limits

B31. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2.

Table 2 Noise Limits (dB(A))

Location	Day L _{Aeq} (15 minute)	Evening L _{Aeq} (15 minute)	Night L _{Aeq} (15 minute)	Night L _{AFMax}
Any residential receiver	43	43	40	52

Note: Noise generated by the development is to be measured in accordance with the relevant procedures and modifications (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time).

Construction Noise Limits

- B32. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures included in the CEMP in accordance with condition C2.

AIR QUALITY

Dust and Odour Minimisation

- B33. The Applicant must take all reasonable steps to minimise dust and odour generated during all works authorised by this consent.
- B34. During operation of the development, the Applicant must ensure that:
- (a) all trucks entering or leaving the site with loads have their loads covered, except during material inspection, unloading and loading;
 - (b) trucks associated with the development do not track dirt onto the public road network; and
 - (c) truck idling is minimised where possible.

Air Quality Discharges

- B35. The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.

Odour Management

- B36. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

Dust and Odour Audit

- B37. The Applicant must carry out a Dust and Odour Audit of the development no later than six months after the commencement of operation of the development. The audit must:
- (a) be undertaken by a suitably qualified and experienced person(s);
 - (b) audit the development in full operation;
 - (c) include a summary of dust and odour complaints and any actions taken to address the complaints;
 - (d) benchmark the design and management practices, against industry best practice for minimising dust and odour emissions. This should include, but not be limited to, fast close roller doors;
 - (e) include an action plan that identifies and prioritises any dust and odour mitigation measures and management practices that may be necessary to reduce emissions.

Note: *The Dust and Odour Audit may be prepared so that it addresses the requirements of this consent and the EPL for the development.*

- B38. Within six months of commissioning of the Dust and Odour Audit required by condition B37, or as otherwise agreed by the Planning Secretary, the Applicant must submit a copy of the Dust and Odour Audit report to the satisfaction of the Planning Secretary, together with the Applicant's response to any recommendations contained in the Dust and Odour Audit report.

CONTAMINATION

Long Term Environmental Management Plan

- B39. Prior to the commencement of construction of the development, the Applicant must provide written evidence to the satisfaction of the Planning Secretary, confirming:
- (a) the Applicant has submitted a Long-Term Environmental Management Plan (LTEMP) for the site to Council; and
 - (b) the LTEMP details measures to ensure the integrity of the capping layer would be maintained during construction and operation of the MRF.

HAZARDS AND RISK

Dangerous Goods

- B40. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of *Planning's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.

- B41. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled 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 Environment Protection Manual for *Authorised Officers: Bunding and Spill Management – technical bulletin* (EPA, 1997).
- B42. In the event of an inconsistency between the requirements of conditions B41(a) to B41(c), the most stringent requirement must prevail to the extent of the inconsistency.

Bunding

- B43. The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

Emergency Plan

- B44. Prior to the commencement of operation, the Applicant must prepare and submit to the Planning Secretary an Emergency Plan for the development. The Emergency Plan must be prepared in accordance with Australian Standard AS 7345 – *2010 Planning for emergencies in facilities*.

BIODIVERSITY

- B45. The Applicant must implement measures to protect the endangered ecological community, *Cooks River/Castlereagh Ironbark Forest in the Sydney Basin bioregion*, adjacent to the site during construction and operation, including the measures detailed in the BDAR. The measures must be included in the CEMP required by condition C2 and the OEMP required by condition C5.

HERITAGE

Unexpected Finds Protocols

- B46. If any item or object of Aboriginal heritage significance is identified on site:
- (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
 - (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and
 - (c) Heritage NSW must be contacted immediately.
- B47. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.
- B48. If any archaeological relics are uncovered during the course of the work, then all works must cease immediately in that area. Unexpected finds must be evaluated and recorded in accordance with the requirements of Heritage NSW.

VISUAL AMENITY

Lighting

- B49. The Applicant must ensure the lighting associated with the development:
- (a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 2019); and
 - (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Signage and Fencing

- B50. All signage and fencing must be erected in accordance with the development plans included in the EIS.

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

COMMUNITY ENGAGEMENT

- B51. The Applicant must consult with the community throughout key stages of construction of the development and as required during operation to keep the community informed about the development, including consultation with the nearby sensitive receivers, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders.

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

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

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

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Erosion and Sediment Control Plan (see condition B12);
 - (b) Flood Emergency Management Plan (see condition B16);
 - (c) Construction Traffic Management Plan (see condition B19);
 - (d) Noise management and mitigation measures (see condition B32); and
 - (e) Biodiversity protection measures (see condition B45).
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
 - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C5. The Applicant must prepare an Operational Environmental Management Plan (OEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C6. As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:
- (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (b) describe the procedures that would be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - (ii) receive, handle, respond to, and record complaints;
 - (iii) resolve any disputes that may arise;

- (iv) respond to any non-compliance;
- (v) respond to emergencies; and
- (c) include the following environmental management plans:
 - (i) Waste Management Plan (see condition B9);
 - (ii) Flood Emergency Management Plan (see condition B16);
 - (iii) Operational Traffic Management Plan (see condition B23);
 - (iv) Dust and Odour minimisation measures (see condition B34); and
 - (v) Biodiversity protection measures (see condition B45).

C7. The Applicant must:

- (a) not commence operation until the OEMP is approved by the Planning Secretary; and
- (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

REVISION OF STRATEGIES, PLANS AND PROGRAMS

C8. Within three months of:

- (a) the submission of a Compliance Report under condition C14;
- (b) the submission of an incident report under condition C10;
- (c) the submission of an Independent Audit under condition C16;
- (d) the approval of any modification of the conditions of this consent; or
- (e) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,

the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing of the outcomes of any review.

C9. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C8, or such other timing as agreed by the Planning Secretary.

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

REPORTING AND AUDITING

Incident Notification, Reporting and Response

C10. The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 3.

Non-Compliance Notification

C11. The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.

C12. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

C13. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Compliance Reporting

C14. Within three months after the first year of commencement of operation of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also:

- (a) identify any trends in the monitoring data over the life of the development;
- (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
- (c) describe what measures will be implemented over the next year to improve the environmental performance of the development.

- C15. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least seven days before this is done.

Independent Audit

- C16. Within one year of the commencement of operation of the development, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:
- (a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020)
 - (b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; and
 - (c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary).
- C17. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2020), the Applicant must:
- (a) review and respond to each Independent Audit Report prepared under condition C16 of this consent;
 - (b) submit the response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations;
 - (c) implement the recommendations to the satisfaction of the Planning Secretary; and
 - (d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.

Monitoring and Environmental Audits

- C18. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

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

ACCESS TO INFORMATION

- C19. At least 48 hours before the commencement of construction of the development until the completion of all works under this consent (or such other time as agreed by the Planning Secretary), the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - (i) the documents referred to in condition A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
 - (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (vi) a summary of the current stage and progress of the development;
 - (vii) contact details to enquire about the development or to make a complaint;
 - (viii) a complaints register, updated monthly;
 - (ix) the Compliance Report of the development;
 - (x) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
 - (xi) any other matter required by the Planning Secretary; and
 - (b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX 1 DEVELOPMENT LAYOUT PLANS

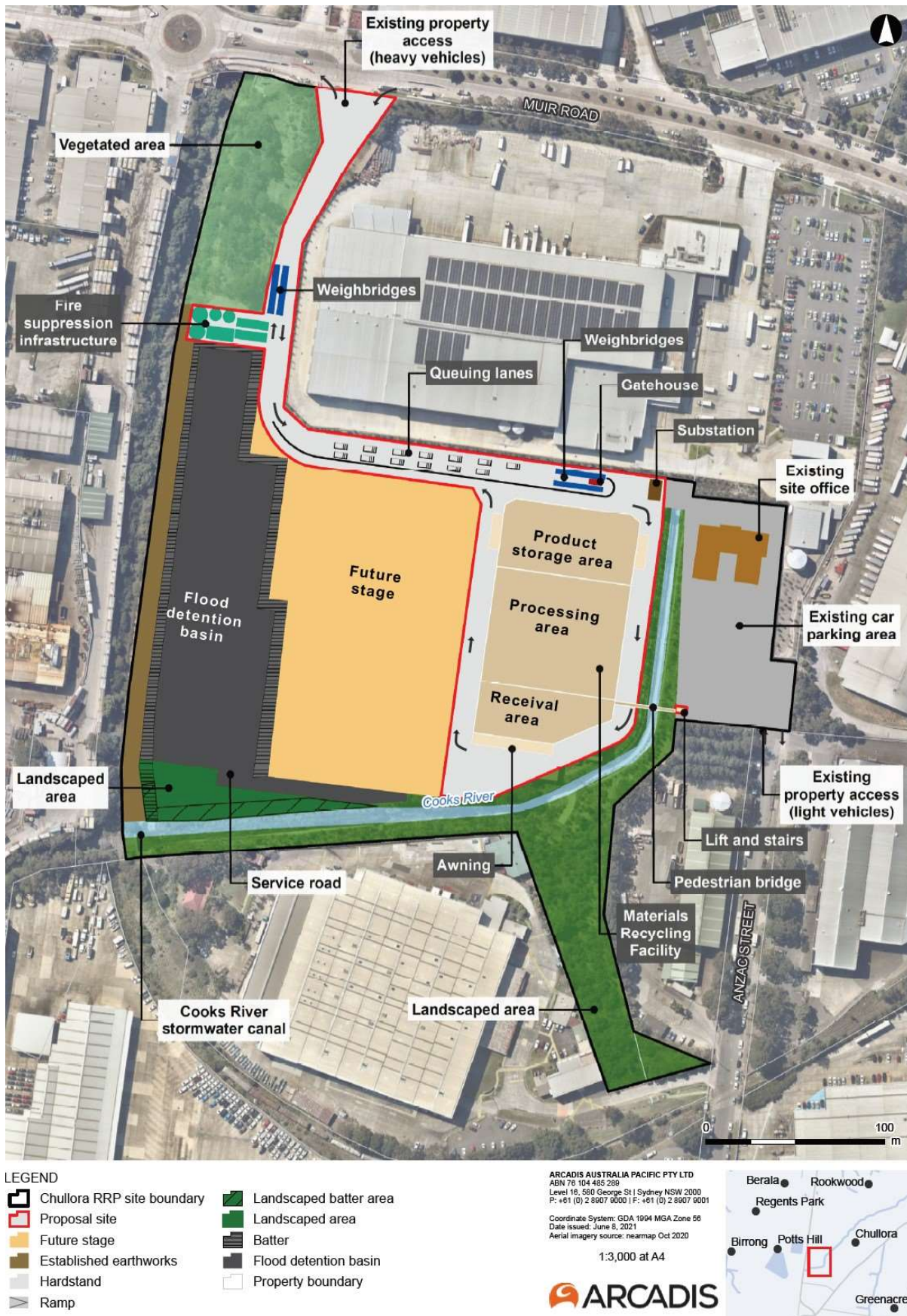


Figure 1: Development Layout

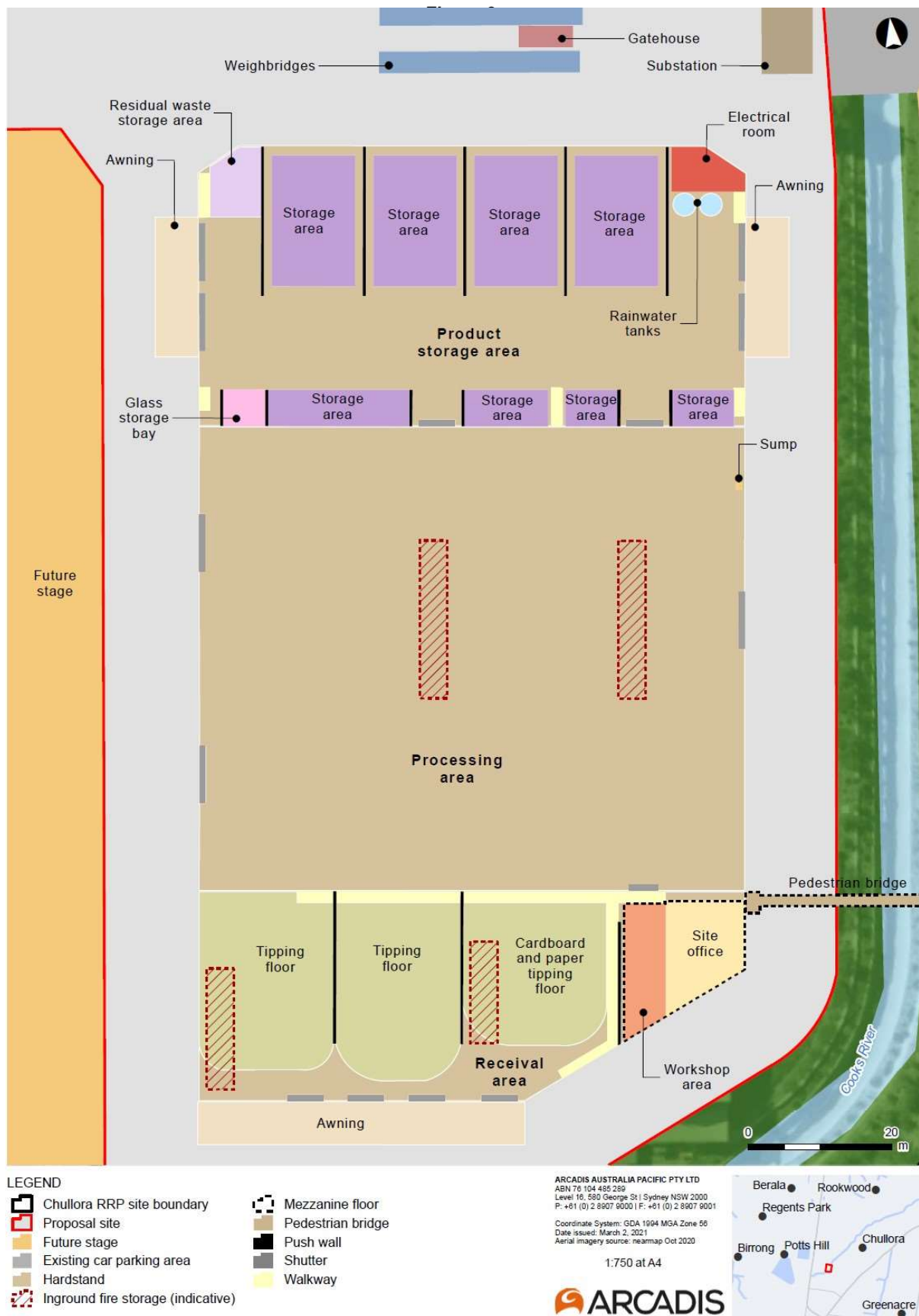
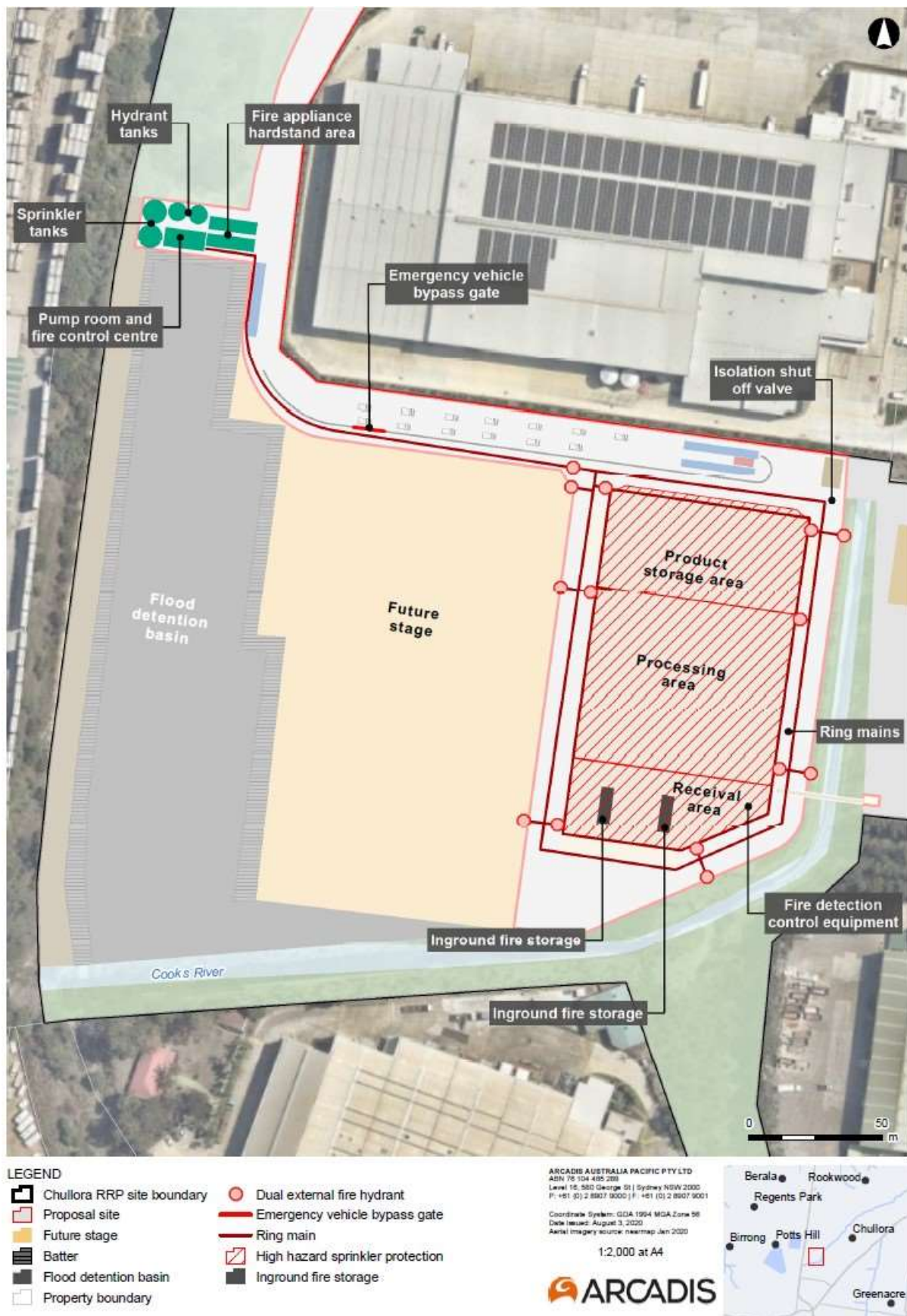


Figure 2: MRF Building Layout



APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Table 0-1 Revised compilation of mitigation measures

No.	Revised mitigation measure	Timing
General		
	<p><u>A Construction Environmental Management Plan (CEMP) will be prepared prior to construction of the Proposal and would include:</u></p> <ul style="list-style-type: none"> <u>Description of activities to be undertaken during construction (including the scheduling of construction)</u> <u>Details of environmental policies, guidelines and principles to be followed in the construction of the Proposal</u> 	
GE1	<ul style="list-style-type: none"> <u>Responsibilities for the implementation of all mitigation measures</u> <u>Inspection and reporting requirements</u> <u>Protocols for managing and incidents and non-compliances</u> <u>Procedures for rectifying any non-compliances identified during compliance auditing or at any time during construction.</u> 	<u>Construction</u>
Traffic, access and parking		
	<p>A CEMP, or equivalent, will be prepared to address the specific traffic control requirements during the construction phase of the Proposal. The plan will assess the provision of traffic control measures, including:</p> <ul style="list-style-type: none"> Site signage and road signage Enforcement of speed limits for construction traffic 	
TA1	<ul style="list-style-type: none"> Site-internal pedestrian routes Site induction for construction staff. The induction will include permitted access routes to and from the construction site for all vehicles, as well as standard environmental, occupational health and safety (OH&S), driver protocols and emergency procedures Contracts outlining site traffic rules and traffic management requirements Scheduling of construction vehicles entering and exiting the site via Muir Road. 	Construction
TA2	<p>Site-specific Traffic Control Plans (TCPs) will be prepared as part of the CEMP to outline how construction vehicle manoeuvres will be accommodated in and out of the work site. Temporary traffic controls will be regularly inspected by the contractor to identify potential safety hazards to enable implementation of the correct solutions.</p>	Construction

No.	Revised mitigation measure	Timing
TA3	<p>An (Operational Traffic Management Plan (OTMP) will be prepared to address the specific traffic control requirements during the operational phase of the Proposal. The plan will assess the provision of traffic control measures, including:</p> <ul style="list-style-type: none"> • Site signage and road signage • Enforcement of speed limits • Site-internal pedestrian routes • Scheduling processes. 	Operation
Air quality and odour		
AQ1	A CEMP, or equivalent, will be prepared for the Proposal to minimise air quality and odour impacts. Where appropriate, mitigation measures to minimise the air quality and odour impacts during construction will be reviewed and considered for incorporation into the CEMP.	Construction
AQ2	An Operational Environmental Management Plan (OEMP), or equivalent, will be prepared for the Proposal that will include measures to minimise air quality and odour impacts. Where appropriate, mitigation measures to minimise the air quality and odour impacts during operation will be reviewed and considered for incorporation into the OEMP.	Operation
Water quality and hydrology		
WH 1	<p>A CEMP, or equivalent, will be prepared for the Proposal to minimise water and hydrology related impacts and will include the following:</p> <ul style="list-style-type: none"> • An (ESCP) will be prepared by a suitably qualified professional in accordance with the Blue Book (Landcom, 2004) and will include • An Erosion and Sediment Control Plan (ESCP) will be prepared <u>by a suitably qualified professional</u> in accordance with the Blue Book (Landcom, 2004) and will include <u>at a minimum</u>: <ul style="list-style-type: none"> – Type and location of erosion and sediment controls – Inspection and maintenance regimes following rainfall events • Construction traffic access points. Construction traffic will be restricted to delineated access tracks, and maintained until construction complete 	Construction

No.	Revised mitigation measure	Timing
WH 2	<p>A Pollution and Incident Response Management Plan (PIRMP) and an Emergency Response Plan will be prepared for the Proposal to outline the procedure to be followed in the event of an incident or emergency during construction and operation. The PIRMP will cover the following types of emergency or incident:</p> <ul style="list-style-type: none"> • On-site spills or leaks • Off-site discharges • Flooding • Fire. <p>The PIRMP will include:</p> <ul style="list-style-type: none"> • Training and induction protocols. Induction will be provided to all staff and subcontractors outlining their responsibilities in the event of an emergency or incident • Incident response in the case of a fire, including: <ul style="list-style-type: none"> – Protocols for the containment and disposal of fire water • Notification requirements and timeframes to applicable authorities in the event of an emergency or incident • The location and content of a spill kit. A spill kit will be present on site at all times • Review regimes of the PIRMP. Regular reviews and updates will be made for the PIRMP as required. 	Construction and operation
WH 3	<p>An OEMP, or equivalent, will be prepared for the Proposal to minimise water and hydrology related impacts and will include the management, maintenance and cleaning schedule to ensure that stormwater management system devices are regularly inspected and cleaned.</p>	Operation
WH 4	<p>A Flood Emergency Response Plan (FERP) will be developed for operational phase of the Proposal. The FERP would take into consideration, site flooding and broader flood emergency response plans for the Upper Cooks River catchment. The FERP would also include the following:</p> <ul style="list-style-type: none"> • Identification of an area of safe refuge within the Proposal site that would allow people to wait until hazardous flows have receded and safe evacuation is possible • Identification of a flood warden and other responsible persons • Procedures for warning staff of potential flood danger. <p>The FERP will be completed in conjunction with Council and NSW State Emergency Service (SES).</p>	Operation

No.	Revised mitigation measure	Timing
Soils and contamination		
SC1	<p>A CEMP, or equivalent, will be prepared for the Proposal to minimise soil and contamination related impacts and will include the following:</p> <ul style="list-style-type: none"> • Maintenance requirements for erosion and sediment controls established across the Proposal site • A contingency plan for disturbance of unexpected contaminated materials (unexpected finds protocol), such as materials that are odorous, stained or containing anthropogenic materials, that may be encountered during construction • The location and content of a spill kit. A spill kit will be present on site at all times 	Construction
SC2	<p>A PIRMP will be prepared for the Proposal to outline the procedure to be followed in the event of a chemical spill or leak during construction and operation. This will include notification requirements and use of absorbent material to contain the spill or leak.</p>	Construction and operation
SC3	<p>An OEMP, or equivalent, will be prepared for the Proposal to minimise contamination related impacts and will include the following:</p> <ul style="list-style-type: none"> • A refuelling procedure that will be implemented for all refuelling activities undertaken. Any fuel, lubricant or hydraulic fluid spillages will be collected using absorbent material, and contaminated material would be transported to a licensed waste facility for disposal • The location and content of a spill kit. A spill kit will be present on site at all times 	Operation
Noise and vibration		
NV1	<p>A CEMP, or equivalent, will be prepared for the Proposal to minimise noise and vibration impacts and will include the following:</p> <ul style="list-style-type: none"> • Consideration of the selection of plant and processes with reduced noise emissions • A complaint handling process • Induction and training procedures for construction staff. An induction will be provided to relevant staff and sub-contractors outlining their responsibilities with regard to noise • Procedures for approval of any works undertaken outside of standard hours • <u>Identification of each work area, site compound and access route (both private and public)</u> • <u>Identification of the specific activities that will be carried out and associated noise sources at the premises and access routes</u> • <u>Identification of all potentially affected sensitive receivers the construction noise and vibration objectives.</u> 	Construction

No.	Revised mitigation measure	Timing
NV2	An OEMP, or equivalent, will be prepared for the Proposal to address noise and vibration impacts. Where appropriate, mitigation measures to minimise the unnecessary generation of noise during operation will be reviewed and considered for incorporation into the OEMP.	Operation
Hazards and risks		
HR1	<p>A CEMP, or equivalent, will be prepared for the Proposal to minimise hazards and risks and will include the following:</p> <ul style="list-style-type: none"> • Health and safety requirements for construction. Construction works, including the storage, handling and use of hazardous construction materials will be undertaken in accordance with the provisions of the <i>Work Health and Safety Act 2011</i> and <i>Work Health and Safety Regulation 2011</i>. • Operational access and egress points for emergency service personnel and workers. 	Construction
HR2	<p>A PIRMP and an Emergency Response Plan will be prepared for the Proposal to outline the procedure to be followed in the event of an incident or emergency during construction and operation. The PIRMP will be developed collaboratively with the construction contractor and site operator and in consultation with the NSW Police force, NSW Fire Brigade and the Ambulance Service of NSW. <u>Both the PIRMP and Emergency Response Plan will be prepared in accordance with AS 3745–2010 Planning for emergencies in facilities.</u></p> <p>Emergency response and incident management protocols will cover the following types of emergency or incident:</p> <ul style="list-style-type: none"> • Workplace health and safety • On-site spills or leaks • Off-site discharges • Hazardous materials / dangerous goods • Flooding • Road incidents, including incidents involving the transport of dangerous or toxic goods • Fire. <p>The PIRMP will include:</p> <ul style="list-style-type: none"> • Training and induction protocols. Induction will be provided to all staff and subcontractors outlining their responsibilities in the event of an emergency or incident • Incident response in the case of a fire, including: <ul style="list-style-type: none"> – Measures to prevent fires on site and for the management of hot loads (fires occurring in transfer vehicles) – Treatment of fires as an emergency. The extinguishment of fires will take precedence over normal operations 	Construction and operation

No.	Revised mitigation measure	Timing
	<ul style="list-style-type: none"> – Protocols for the containment and disposal of fire water – Maintenance requirements for firefighting equipment. All firefighting equipment will be regularly maintained in accordance with the equipment maintenance specification. Equipment will be replaced as necessary. • Notification requirements and timeframes to applicable authorities in the event of an emergency or incident • Non-confirming waste protocols • The location and content of a spill kit. A spill kit will be present on site at all times • Review regimes of the PIRMP. Regular reviews and updates will be made for the PIRMP as required. 	
Socio-economic		
SE1	<p>A CEMP and OEMP, or equivalent, will be prepared for the Proposal to minimise social impacts and will include the following:</p> <ul style="list-style-type: none"> • A consultation strategy outlining measures to maintain communication with the community and all relevant stakeholders throughout construction and operation • A complaint handling procedure. A complaints register will be maintained to manage public complaints regarding odours, vermin, litter, dust and noise • Measures to respond to complaints and feedback received during the construction and operation of the Proposal. 	Construction and operation
Biodiversity		
BD1	<p>A CEMP, or equivalent, will be prepared for the Proposal to minimise impacts to biodiversity and will include the following:</p> <ul style="list-style-type: none"> • Protocols around 'No Go' zones. Prior to commencement of construction, the Proposal site will be delineated from the patch of native vegetation in the north-western corner of the Chullora RRP with fencing to prevent inadvertent damage to the <u>threatened ecological community</u> (TEC) from construction activities. Signage should be attached to the fence identifying the area as a 'No Go Zone' • Environmental constraints maps clearly identifying the locations of threatened ecological communities adjacent to the Proposal boundary • Site induction protocols. Site inductions will include a briefing on local fauna and protocols to be undertaken if fauna are encountered • Requirements for lighting. Where feasible, directional lighting will be used where lighting is required • Consideration of the selection of plant and processes with reduced noise emissions. 	Construction

No.	Revised mitigation measure	Timing
BD2	<p>If any animal is injured, the relevant local wildlife rescue agency (e.g. WIRES) and / or veterinary surgery will be contact as soon as practical. Until the animal can be cared for by a suitably qualified animal handler, if possible, the stress of the animal will be reduced by:</p> <ul style="list-style-type: none"> • Handling fauna with care and as little as possible • Covering larger animals with a towel or blanket and placing in a large cardboard box • Placing small animals in a cotton bag, tied at the top • Keeping the animal in a quiet, warm, ventilated, and dark location. 	Construction and operation
Aboriginal heritage		
AH1	<p>An unexpected finds protocol will be prepared and included in the CEMP and OEMP. This protocol will outline the procedure for managing the identification of items of potential Aboriginal heritage significance during construction and operation. This protocol will include the following requirements:</p> <ul style="list-style-type: none"> • Works in the vicinity of the item will be required to cease • OEH will be immediately informed to determine the appropriate management strategy • Should items need to be disturbed (exposed, moved, damaged or destroyed), this will not be undertaken until an excavation permit is received under Section 139 of the <i>Heritage Act 1977</i>. <p>The duration of this will depend on the integrity and significance of the heritage item.</p>	Construction and operation
Non-Aboriginal heritage		
AH1	<p>An unexpected finds protocol will be prepared and included in the CEMP and OEMP. This protocol will outline the procedure for managing the identification of items of potential Aboriginal heritage significance during construction and operation. This protocol will include the following requirements:</p> <ul style="list-style-type: none"> • Works in the vicinity of the item will be required to cease • EES Group will be immediately informed to determine the appropriate management strategy • Should items need to be disturbed (exposed, moved, damaged or destroyed), this will not be undertaken until an excavation permit is received under Section 139 of the <i>Heritage Act 1977</i>. <p>The duration of this will depend on the integrity and significance of the heritage item.</p>	Construction and operation

No.	Revised mitigation measure	Timing
Greenhouse gas emissions		
GG 1	<p>A CEMP and OEMP, or equivalent, will be prepared for the Proposal to minimise GHG emissions impacts and will include the following:</p> <ul style="list-style-type: none"> • Inclusion of energy efficiency design aspects, where practicable, in order to reduce energy and fuel consumption • Machinery selection considerations. Fuel efficiency of the construction plant and equipment will be assessed prior to selection, and where practical, equipment with the highest fuel efficiency and which uses lower GHG intensive fuel (e.g. biodiesel) will be used • Factors for considerations for the use of energy-efficient lighting and energy-efficient appliances. 	Construction and operation
Visual amenity		
VA1	<p>A CEMP and OEMP, or equivalent, will be prepared for the Proposal to minimise landscape and visual amenity impacts and will include the following:</p> <ul style="list-style-type: none"> • Locations for equipment and materials storage. All works equipment and material will be contained within designated boundaries of the Proposal site. Where possible, elements within the construction site will be located to minimise visual impacts, including: <ul style="list-style-type: none"> – Setting back large equipment from site boundaries – Minimising the height and spread of stockpiles, waste, and vehicle parking across the site – Site vehicles will be parked in appropriate locations • Cleaning protocols. Dust and dirt will be regularly cleaned from the road surface. Any graffiti will be promptly removed. 	Construction and operation
Waste management		
WM 1	<p>A CEMP, or equivalent, will be prepared for the Proposal to minimise waste related impacts and will include the following:</p> <ul style="list-style-type: none"> • Waste prioritisation. Avoidance and reuse of construction materials will have priority over recycling materials. Recycling of materials will have priority over disposal of materials • Requirement to ensure that there Location and number of collections bins. There will be adequate placement of general waste and recycling bins around the Proposal site, with particular emphasis on the lunchroom and site office • Waste management protocols: <ul style="list-style-type: none"> – Management of any identified hazardous waste streams 	Construction and operation

No.	Revised mitigation measure	Timing
	<ul style="list-style-type: none"> – Procedures to manage waste streams, including handling, storage, classification, quantification, identification, and tracking – Procedures and targets for reuse and recycling of waste materials. • Induction and training procedures for staff. An induction will be provided to relevant staff and sub-contractors outlining their responsibilities with regard to waste management. 	

APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C10 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - (a) identify the development and application number;
 - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - (c) identify how the incident was detected;
 - (d) identify when the applicant became aware of the incident;
 - (e) identify any actual or potential non-compliance with conditions of consent;
 - (f) describe what immediate steps were taken in relation to the incident;
 - (g) identify further action(s) that will be taken in relation to the incident; and
 - (h) identify a project contact for further communication regarding the incident.

INCIDENT REPORT REQUIREMENTS

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