

<b>Relevant Legislation (Administrating Authority)</b>	<b>Summary of legislation requirements</b>	<b>General requirements</b>
Australian Standard AS4282 1997 – Control of the Obtrusive Effects of Outdoor Lighting	Deals primarily with obtrusive lighting within residential and urban areas, where a measurement of light on residential windows is considered, but has few references to requirements or locations of illuminated signs in rural areas.	Take all reasonable and practical measures to ensure lighting associated with operation of Stage 2 complies with the AS4282. (Refer to CoA 2.35 in Appendix A)
<i>Environmental Planning and Assessment Act, 1979</i>  (Department of Planning)	Establishes a framework to control development in NSW by prohibiting, permitting, or placing conditions on activities. The legislation also details the process by which approval can be gained, and the relevant authority.	Changes to the Project as currently approved and described in the Environmental Assessment, Submissions Report and the OEMP may require an amendment to the existing Project Approval under Section 75W pf the EP&A Act.
<i>Local Government Act, 1993</i>  (Lithgow City Council)	Controls environmental impacts including noise, pollution and nuisance not controlled under the POEO Act.  Provides for infrastructure under the control of council, and identifies requirements for developers.	No requirement for permits, licences or approvals have been identified for the Project. However, the Project area is situated within the Greater Lithgow area.
<i>Mine Subsidence Compensation Act, 1961</i>  (Mine Subsidence Board)	Provides for payment of compensation for damage to properties and structures resulting from subsidence following coal or shale mining.  Works within designated areas must comply with the requirements to ensure they are covered by the scheme.	At the moment, the provisions of this Act do not apply to the operation of the repository.  The potential future mining of an area of the Stage 2 repository may invoke certain provisions of the Act.  To be determined during the approval process associated with the proposed mining activities at the repository site.
<i>Contaminated Land Management Act, 1997</i>  (Department of Environment and Climate Change)	Establishes a process for investigating and where appropriate remediating land where contamination presents a significant risk of harm to the environment.	Environment Protection Licence 766 allows for the placement of certain types of wastes at the repository site.  The repository site would be considered ‘contaminated land’ under the provisions of this Act.

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<p><i>Drinking Water Catchments Regional Environmental Plan No. 1</i> (Sydney Catchment Authority)</p>	<p>This plan was prepared in accordance with Part 3 of the EP&amp;A Act and the <i>Sydney Water Catchment Management Act 1998</i>. The plan was made to secure the environmental, social and economic future of the catchments that supply drinking water to Sydney, the Blue Mountains and the Illawarra. The plan aims to sustain these catchments so as to create healthy water catchments, improve water quality in degraded areas, and maintain or improve water quality where it is currently suitable.</p>	<p>The Stage 2 operation requires the realignment of a section of Sawyers Swamp Creek, which feeds into the Coxs River, and is part of the Drinking Water Catchment.</p> <p>The Environmental Assessment indicated that the water quality as defined by the Drinking Water Catchments Regional Environmental Plan No. 1 would be adequately managed under certain conditions. These conditions are outlined in the Surface and Groundwater Sub-plans of the OEMP.</p>
<p><i>Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-liquid Wastes, 1999</i></p>	<p>These guidelines aid in the classification, assessment, storage and management of liquid and non-liquid wastes should there be any.</p>	<p>The guidelines are relevant to the Stage 2 operations and have been referenced within the Waste Management Sub-plan (OEMP Section 6.9).</p>
<p><i>Environmental Hazardous Chemicals Act, 1985</i> (Department of Environment and Climate Change)</p>	<p>Regulates the disposal of wastes issued with a “chemical control order” and designates chemical wastes.</p> <p>Disposal requirements for designated hazardous waste are identified under the POEO Act.</p> <p>Chemical wastes designated under this Act include:</p> <ul style="list-style-type: none"> <li>• PCB</li> <li>• Pesticide wastes including used pesticide containers</li> <li>• Copper/chrome/arsenic (CCA) wastes.</li> </ul>	<p>No environmentally hazardous chemicals are to be placed at the Stage 2 repository.</p> <p>These types of wastes are not permitted under EPL 766.</p> <p>No requirement for permits, licenses or approvals have been identified for the Project.</p>
<p><i>Environment Protection and Biodiversity Conservation Act, 1999</i> (Commonwealth Department of Environment and Water Resources)</p>	<p>The Act is triggered by developments that will have a significant impact on Matters of National Environmental Significance including Endangered Ecological Communities, threatened species and migratory species.</p>	<p>No requirement for permits, licenses or approvals have been identified for the Project</p>
<p><i>Heritage Act, 1977</i> (Heritage Office)</p>	<p>Protects all items of environmental heritage (natural and cultural) in New South Wales. The Act does not apply to Aboriginal “relics”. Applies if any heritage items are identified during operation works.</p>	<p>No requirement for permits, licenses or approvals have been identified for the Project</p>

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NSW Industrial Noise Policy 2000 (Department of Environment and Climate Change)	This Policy is set in place to establish noise criteria that would protect the community from excessive intrusive noise and preserve amenity for specific land uses.	The Policy is applicable to the operation of the Project and has been incorporated into the Noise Management Sub-plan (OEMP Section 6.4).
<i>Noxious Weeds Act, 1993</i> (Department of Primary Industries – Agriculture)	Provides for the identification, classification and control of noxious weeds in NSW.  Applies to the management and disposal of noxious weeds if found and removed during the works.	No requirements for permits, licenses or approvals have been identified for the Project.
<i>National Parks and Wildlife Act, 1974</i> (Department of Environment and Climate Change)	Provides protection for most fauna species and protected flora, as well as indigenous heritage, in New South Wales.  It is an offence to harm any animal which is part of a threatened species, population or ecological community; and/or to pick any plant which is part of a threatened species, population or ecological community.  It is also an offence if a person knows that an area of land is the habitat of a threatened species, population or ecological community, to do something or fail to do something, resulting in damage to that habitat.  It is an offence to knowingly destroy, deface or damage, or cause or permit the destruction or defacement or damage to, an Aboriginal object or Aboriginal place without a permit.	No requirement for permits, licenses or approvals have been identified for the Project.  If previously unidentified indigenous heritage items or places are discovered on site, permits may be required.
<i>Soil Conservation Act, 1938</i> (Department of Environment and Climate Change)	Controls activities causing or likely to cause soil erosion or land degradation.  Projects activities must prevent soil erosion or land degradation.	No requirement for permits, licences or approvals have been identified for the project.
<i>Water Act, 1912</i> (Department of Water and Energy)	Regulates the influence of impacts on waterways, outlining control and remedial measures (i.e. groundwater wells), licensing and offences.	No requirement for permits, licenses or approvals have been identified for the Project.

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<p><i>Threatened Species Conservation Act, 1995</i>  (Department of Environment and Climate Change)</p>	<p>This Act protects vulnerable and threatened species, populations and ecological communities</p>	<p>No threatened species, populations or communities were recorded within the site.  No requirement for permits, licenses or approvals have been identified for the Project.</p>
<p><i>Protection of the Environment Operations Act, 1997</i>  (Department of Environment and Climate Change)</p>	<p>This Act controls how activities should be undertaken in consideration of environmental protection on all aspects, including air, water, soil, and noise pollution, as well as waste.  Scheduled activities are required to obtain a licence to operate from the DECC.</p>	<p>The provisions of EPL 766 apply to the operation of the Project.</p>
<p><i>Waste Avoidance and Resource Recovery Act, 2001</i>  (Department of Environment and Climate Change)</p>	<p>Promotes the waste management hierarchy (avoidance, resource recovery, and disposal).</p>	<p>The provisions of this Act do not apply to the Project.</p>
<p><i>Water Management Act. 2000</i>  (Department</p>	<p>Controls water use for activities and in areas of NSW&gt;</p>	<p>The Provisions of this Act do not apply to the Project.</p>