

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, I approve 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.



Richard Pearson
Deputy Director-General
Development Assessment and Systems Performance

Sydney 16 February 2012

SCHEDULE 1

Application No.: 09_0186

Proponent: Delta Electricity

Approval Authority: Minister for Planning and Infrastructure

Land: The project site is located in the central-west of NSW, at 350 Boulder Road, Portland and located within Lot 9 DP804929, Lot 15 DP804929, Lot 501 DP 825541, Lot 13 DP 751651, Lot 357 DP751651.

Project: The construction and operation of new ash placement areas at the Lamberts South and Lamberts North sites to cater for the ash generated from the existing Mt Piper Power Station and the proposed Mt Piper Power Station Extension.

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DEFINITIONS

Act, the	Environmental Planning and Assessment Act 1979
Ancillary Facility	Temporary facility for construction. Examples may include an office and amenities compound, construction compound, batch plant, materials storage compound and stockpile areas.
Conditions of Approval	The Minister's Conditions of Approval for the project.
Construction	Includes all work in respect of the project other than survey, acquisitions, fencing, investigative drilling or excavation, building/road dilapidation surveys, minor clearing (except where threatened species, populations or ecological communities would be affected), establishing ancillary facilities, or other activities determined by the Environmental Representative to have minimal environmental impact (e.g. minor adjustments to utilities).
Department, the	NSW Department of Planning and Infrastructure
Director-General, the	Director-General of the NSW Department of Planning and Infrastructure (or delegate)
Director-General's Approval	A written approval from the Director-General (or delegate). Where the Director-General's approval is required by a condition, the Director-General will endeavour to provide a response within one month of receiving an approval request. The Director-General may ask for additional information if the approval request is considered incomplete. When further information is requested the time taken for the Proponent to respond in writing will be added to the one month period.
DPI	Department of Primary Industries
EA	Environmental Assessment
EPA	Environment Protection Authority
Environment Protection Licence	An Environment Protection Licence issued by the NSW Environment Protection Authority pursuant to the Protection of the Environment Operations Act 1997.
Environmental Incident	Any incident with actual or potential significant impacts on the biophysical environment and/or off-site impacts on people.
Minister, the	Minister for Planning and Infrastructure
NOW	NSW Office of Water
OEH	The Office of Environment and Heritage

Operation	Means the Operation of the Project, including ash haulage, ash truck movements, ash placement and management, operation of on-site water management systems, landscaping and revegetation/rehabilitation of the site but does not include commissioning trials of equipment or temporary use of parts of the project during construction.
Project	The project that is the subject of Major Project Application 09_0186.
Project Area	Lamberts North and Lamberts South ash disposal areas as identified in the Proponent's Environmental Assessment, August 2010.
Proponent	Delta Electricity
Publicly Available	Available for inspection by a member of the general public (for example, available on an internet site)
Reasonable and Feasible	Consideration of best practice taking into account the benefit of proposed measures and their technological and associated operational application in the NSW and Australian context. Feasible relates to engineering considerations and what is practical to build. 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 nature and extent of potential improvements.
SCA	Sydney Catchment Authority
Sensitive Receiver	Residence, educational institution (e.g. school, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church), or child care facility.
Waste	For the purpose of this project, ash and brine are not considered waste.

SCHEDULE 2
PART A - ADMINISTRATIVE CONDITIONS

Terms of Approval

- A1. The Proponent shall carry out the project generally in accordance with the:
- (a) Major Project Application 09_0186;
 - (b) Mt Piper Ash Placement (two volumes) – Environmental Assessment (EA), prepared by Sinclair Knight Merz, August 2010;
 - (c) Mt Piper Ash Placement – Submissions Report, prepared by Sinclair Knight Merz, March 2011;
 - (d) Delta’s Letter to the Department – Submissions Report Response to the Department and Agency Issues (dated 22 June 2011); and
 - (e) the conditions of this approval.
- A2. In the event of an inconsistency between:
- (a) the conditions of this approval and any document listed from condition A1a) to A1(d) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
 - (b) any of the documents listed from conditions A1a) to A1(d) inclusive, the most recent document shall prevail to the extent of inconsistency.
- A3. The Proponent shall comply with the reasonable requirements of the Director-General arising from the Department’s assessment of:
- (a) any reports, plans or correspondence that are submitted in accordance with this approval; and
 - (b) the implementation of any actions or measures contained in these reports, plans or correspondence.
- A4. The Proponent shall meet the requirements of the Director-General in respect of the implementation of any measure necessary to ensure compliance with the conditions of this approval, and general consistency with the documents listed under condition A1 of this approval.

Limits of Approval

- A5. This approval shall lapse five years after the date on which it is granted, unless the works that are the subject of this approval are physically commenced on or before that time.

Statutory Requirements

- A6. The Proponent shall ensure that all licences, permits and approvals are updated and/or obtained as required by law and maintained as required with respect to the project. No condition of this approval removes the obligation for the Proponent to obtain, renew or comply with such licences, permits or approvals.

Staging

- A7. Where the Proponent intends to construct and operate the project in discrete stages (i.e Lamberts North and Lamberts South) it may comply with the requirements in conditions B4, B5, D2, D3 and D4 separately for each stage.
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PART B – PRIOR TO CONSTRUCTION

Environmental Representative

- B1. Prior to the commencement of any construction activities, or as otherwise agreed by the Director-General, the Proponent shall nominate for the approval of the Director-General a suitably qualified and experienced Environmental Representative(s). The Proponent shall engage the Environmental Representative(s) during any construction activities, and throughout the life of the project, or as otherwise agreed by the Director-General. The Environmental Representative(s) shall:
- (a) oversee the implementation of all environmental management plans and monitoring programs required under this approval, and advise the Proponent upon the achievement of these plans/programs;
 - (b) consider and advise the Proponent on its compliance obligations against all matters specified in the conditions of this approval and the Statement of Commitments; and
 - (c) have the authority and independence to recommend to the Proponent reasonable steps to be taken to avoid or minimise unintended or adverse environmental impacts and, failing the effectiveness of such steps, to recommend to the Proponent that relevant activities are to be ceased as soon as reasonably practicable if there is a significant risk that an adverse impact on the environment will be likely to occur.

Groundwater Modelling

- B2. The Proponent shall undertake groundwater modelling by either adapting the existing UTS (2007) groundwater model to Lamberts North or developing a new groundwater model for Lamberts North. The updated model should be calibrated to site-specific data. In either case, the model shall incorporate the findings of groundwater monitoring of the existing ash placement areas. The Proponent shall consult with the SCA in the preparation of the groundwater model and the model shall be provided to the SCA within five months of project approval, unless otherwise agreed by the Director-General. The model shall address but not necessarily be limited to the following:
- (a) the findings of the groundwater monitoring of existing ash placement areas and be based on average groundwater quality data;
 - (b) updated predictions of the long term behaviour, fate and impacts of ash placement, in particular for water quality parameters such as sulphates, chlorides, boron, manganese, nickel, zinc, molybdenum copper, arsenic and barium;
 - (c) updated risk assessment for ground and surface water quality impacts under a range of rainfall events of differing duration and intensities (including up to a 100 year ARI event);
 - (d) calibration to site-specific data; and
 - (e) identification of appropriate surface and groundwater management measures required in order to achieve a neutral or beneficial effect on water quality.

Prior to construction of Lamberts South, the Lamberts North groundwater model is to be updated as set out above in items (a) - (e) in consultation with the SCA, to apply to Lamberts South.

Groundwater Monitoring

- B3. Baseline groundwater monitoring data, including groundwater quality, location of groundwater monitoring wells, depth and flow of groundwater in the project area should be obtained for a minimum of two sampling events prior to construction and a minimum of two sampling events after construction and prior to ash placement commencing. The baseline monitoring data along with the modelling predictions in B2 should be used in the consideration of the design of the ash placement facilities. The location of groundwater monitoring wells and parameters to be monitored should be undertaken in consultation with the SCA.

Prior to construction of Lamberts South the Proponent shall conduct baseline groundwater data collection as set out above, and use the results and the modelling predictions in B2 in the consideration of the design of the ash placement facilities.

Construction Environmental Management Plan

B4. The Proponent shall prepare and implement a Construction Environmental Management Plan (CEMP) to outline environmental management practices and procedures to be followed during construction of the project. The Plan shall be prepared in consultation with Lithgow City Council and relevant government agencies, and 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 an indication of stages of construction, where relevant;
- (b) identification of the potential for cumulative impacts with other construction activities occurring in the vicinity and how such impacts would be managed;
- (c) details of any site compounds and mitigation, monitoring, management and rehabilitation measures specific to the site compound(s) that would be implemented;
- (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) evidence of consultation with relevant government agencies required under this condition and how issues raised by the agencies have been addressed in the plan;
- (f) a description of the roles and responsibilities for all relevant employees involved in the construction of the project including 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) details of how the environmental performance of construction will be managed and monitored, and what actions will be taken to address identified potential adverse environmental impacts;
- (h) specific consideration of relevant measures to address any requirements identified in the documents referred to under conditions A1(b) and A1(d);
- (i) a complaints handling procedure during construction;
- (j) emergency management measures including measures to control bushfires;
- (k) details of waste management including reuse and/or recycling of waste material, to minimise the need for treatment or disposal of those materials outside the site; and
- (l) the additional requirements of this approval.

The CEMP for the project (or any stage of the project) shall be submitted to the Director-General for approval at least four weeks prior to the commencement of any construction work associated with the project (or stage as relevant), unless otherwise agreed by the Director-General. Construction shall not commence until written approval has been received from the Director-General.

B5. As part of the CEMP for the project, the Proponent shall prepare and implement the following plans:

- a) a **Construction Noise Management Plan** to detail how construction noise impacts would be minimised and managed. The Plan shall be developed in consultation with the EPA and shall include, but not necessarily be limited to:
 - i) details of construction activities and an indicative schedule for construction works;

- ii) identification of construction activities that have the potential to generate noise impacts on sensitive receivers;
 - iii) identification of noise criteria and procedures for assessing noise levels at sensitive receivers;
 - iv) details of reasonable and feasible actions and measures to be implemented to minimise noise impacts;
 - v) details of noise monitoring and if any noise exceedance is detected, how any non-compliance would be rectified; and
 - vi) procedures for notifying sensitive receivers of construction activities that are likely to affect their noise amenity.
- b) a **Groundwater Management Plan** to detail measures to manage groundwater impacts. The Plan shall be prepared in consultation with the NOW and the SCA and include, but not necessarily be limited to:
- i) identification of the construction activities that could affect groundwater at the site, including groundwater interference and impacts to groundwater users and dependent species;
 - ii) a description of the management controls to minimise impacts to groundwater during construction;
 - iii) methods for monitoring groundwater during construction including a program to monitor groundwater flows and groundwater quality in the project area;
 - iv) a response program to address identified exceedances of existing groundwater quality criteria approved for Area 1 (the existing ash placement area); and
 - v) provisions for periodic reporting of results to the SCA during construction.
- c) a **Soil and Surface Water Management Plan** to outline measures that will be employed to manage water on the site, to minimise soil erosion and the discharge of sediments and other pollutants to lands and/or waters throughout the construction period. The Plan shall be based on best environmental practice and shall be prepared in consultation with the SCA and the NOW and any other relevant government agency. The Plan shall include, but not necessarily be limited to:
- i) baseline data on the water quality and available flow data in Huons Creek, Lamberts Gully Creek and Neubecks Creek;
 - ii) water quality objectives and impact assessment criteria for Huons Creek, Lamberts Gully Creek and Neubecks Creek;
 - iii) a geomorphic assessment of the capacity of Lamberts Gully Creek to accommodate additional flow under a range of rainfall events and duration, prior to commencement of construction works;
 - iv) identification of the construction activities that could cause soil erosion or discharge sediment or water pollutants from the site;
 - v) description of stockpile locations and disposal methods;
 - vi) a description of the management methods to minimise soil erosion or discharge of sediment or water pollutants from the site, including a strategy to minimise the area of bare surfaces, stabilise disturbed areas, and minimise bank erosion;
 - vii) demonstration that the proposed erosion and sediment control measures will conform with, or exceed, the relevant requirements of *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004);
 - viii) a site water management strategy identifying drainage design including the separation of clean and dirty water areas for the project, details of the lining of surface water collection ponds and the associated water management measures including erosion and sediment controls and provisions for recycling/reuse of water and the procedures for decommissioning water management structures on the site and

- consideration to the treatment of water prior to discharge to the environment;
- ix) measures to monitor and manage soil and water impacts in consultation with NOW and DPI (Fisheries) including: control measures for works close to or involving waterway crossings (including rehabilitation measures following disturbance and monitoring measures and completion criteria to determine rehabilitation success);
 - x) measures to monitor and manage flood impacts in consultation with NOW and shall include, but not necessarily be limited to a flood model for predicted water levels and contingency measures for the site during potential floods;
 - xi) a program to monitor surface water quality, including Lamberts Gully Creek and Neubecks Creek;
 - xii) a protocol for the investigation of identified exceedances in the impact assessment criteria;
 - xiii) a response plan to address potential adverse surface water quality exceedances; and
 - xiv) provisions for periodic reporting of results to the DPI (Fisheries), NOW and the SCA as per condition B8.
- d) a **Air Quality Management Plan**, to provide details of dust control measures to be implemented during the construction of the project. The Plan shall be prepared in consultation with the EPA and should include, but not necessarily be limited to:
- i) identification of sources of dust deposition including, truck movements, regrading, backfilling, stockpiles and other exposed surfaces;
 - ii) identification of criteria, monitoring and mitigation measures for the above sources; and
 - iii) a reactive management programme detailing how and when construction operations are to be modified to minimise the potential for dust emissions, should emissions exceed the relevant criteria.
- e) a **Flora and Fauna Management Plan**, to outline measures to protect and minimise loss of native vegetation and native fauna habitat as a result of construction of the project. The Plan shall be prepared in consultation with the EPA and shall include, but not necessarily be limited to:
- i) plans showing terrestrial vegetation communities; important flora and fauna habitat areas; locations of threatened flora and fauna and areas to be cleared. The plans shall also identify vegetation adjoining the site where this contains important habitat areas and/or threatened species, populations or ecological communities;
 - ii) procedures to accurately determine the total area, type and condition of vegetation community to be cleared;
 - iii) methods to manage impacts on flora and fauna species and their habitat which may be directly or indirectly affected by the project, procedures for vegetation clearing or soil removal/stockpiling and procedures for identifying and re-locating hollows, installing nesting boxes and managing weeds; and
 - iv) a procedure to review management methods where they are found to be ineffective.
- f) an **Aboriginal Heritage Plan** to monitor and manage Aboriginal heritage impacts in consultation with registered Aboriginal stakeholders and prepared in consultation with the EPA. The plan should include but not necessarily limited to:

- i) an updated Cultural Heritage Management Plan to cover the protection of sites previously recorded in the 2005 Aboriginal heritage assessment;
 - ii) procedures for the management of unidentified objects and/or human remains, including ceasing work;
 - iii) Aboriginal cultural heritage induction processes for construction personnel; and
 - iv) procedures for ongoing Aboriginal consultation and involvement should Aboriginal heritage sites or objects be found during construction.
- g) an **Ash Transportation Plan** to provide details on the preferred option for the transportation of ash from the Mt Piper Power Station to the ash placement areas. The Plan shall include but not necessarily limited to:
- i) justification of the proposed option for ash transportation (either haulage access roads and/or conveyor) for ash transportation;
 - ii) details of the proposed option, including construction requirements, impacts and mitigation measures;
 - iii) plans showing the location of the chosen option; and
 - iv) provision of mitigation measures should the conveyor breakdown.

Biodiversity Offsets

B6. The Proponent shall develop and submit for the approval of the Director-General, a Biodiversity Offset Management Plan. The Biodiversity Offset Management Plan is to be submitted within 12 months of the project approval, unless otherwise agreed to by the Director-General. The Plan shall be developed in consultation with the EPA and shall:

- a) identify the objectives and outcomes to be met by the Biodiversity Offset Management Plan;
- b) describe the size and quality of the habitat/vegetation communities of the offset;
- c) identify biodiversity impacts, including impacts related to the loss of impacted flora and fauna including threatened Capertee Stringybark (*Eucalyptus cannonii*), nine (9) hectares of remnant vegetation (including, Red Stringy Bark Woodland, Scribbly Gum Woodland, Ribbon Gum Woodland), habitat for microbat and woodland bird species and the 31 ha of rehabilitated vegetation to be removed;
- d) describe the decision-making framework used in selecting the priority ranking of compensatory habitat options available in the region. Where possible, this should include purchase of land, development of agreements with identified land management authorities (e.g EPA, local Council) for long term management and funding of offsets and mitigation measures, and installation of identified mitigation measures;
- e) include an offset for direct and indirect impacts of the proposal which maintains or improves biodiversity values;
- f) identify the mechanisms for securing the biodiversity values of the offset measures in perpetuity and identify a monitoring regime, responsibilities, timeframes and performance criteria; and
- g) detail contingency measures to be undertaken should monitoring against performance criteria indicate that the offset/ rehabilitation measures have not achieved performance outcomes. Rehabilitation measures are required to be implemented to ensure that the biodiversity impacts are consistent with a maintain or improve biodiversity outcome.

Ecological Monitoring Program

B7. The Proponent shall prepare and implement an **Ecological Monitoring Program** prior to construction, in consultation with the NOW and the DPI (Fisheries), to monitor and quantify the impacts on the ecology of Neubecks Creek and the

associated riparian environment. The Program shall include, but not necessarily be limited to:

- a) a sampling, data collection and assessment regime to establish baseline ecological health and for ongoing monitoring of ecological health of the in-stream environment during construction and throughout the life of the project (including operation);
- b) at least one in-stream sampling period prior to ash placement at Neubecks Creek and at least two (2) sampling periods following ash placement at each of Lamberts North and Lamberts South;
- c) an assessment regime for monitoring the ecological health of the riparian environment for a period of at least five (5) years after final capping; and
- d) management measures to address any adverse ecological impacts.

Compliance Monitoring and Tracking

B8. The Proponent shall develop and implement a Compliance Tracking Program for the project, prior to commencing construction, to track compliance with the requirements of this approval and shall include, but not necessarily be limited to:

- a) provisions for periodic review of the compliance status of the project against the requirements of this approval and the Statement of Commitments detailed in the document referred to in condition A1c) of this approval;
- b) provisions for periodic reporting of the compliance status to the Director-General;
- c) a program for independent environmental auditing in accordance with AS/NZ ISO 19011:2003 - Guidelines for Quality and/or Environmental Management Systems Auditing;
- d) procedures for rectifying any non-compliance identified during environmental auditing or review of compliance;
- e) mechanisms for recording environmental incidents and actions taken in response to those incidents;
- f) provisions for reporting environmental incidents to the Director-General during construction and operation; and
- g) 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.

The Compliance Tracking Program shall be implemented prior to construction of the project with a copy submitted to the Director-General for approval at least four weeks prior to the commencement of the project, unless otherwise agreed by the Director-General.

B9. Nothing in this approval restricts the Proponent from utilising any existing compliance tracking programs administrated by the Proponent to satisfy the requirements of condition B8. In doing so, the Proponent must demonstrate to the Director-General how these systems address the requirements and/or have been amended to comply with the requirements of the condition.

Community Information and Complaints Management Provision of Information

B10. Prior to the construction of the project, the Proponent shall establish and maintain a website for the provision of electronic information associated with the project. The Proponent shall, subject to confidentiality, publish and maintain up-to-date information on this website or dedicated pages including, but not necessarily limited to:

- a) the documents referred to under condition A1 of this approval;
- b) this project approval, Environment Protection Licence and any other relevant environmental approval, licence or permit required and obtained in relation to the project;
- c) all strategies, plans and programs required under this project approval, or details of where this information can be viewed;

- d) information on construction and operational progress; and
- e) the outcomes of compliance tracking in accordance with the requirements of this project approval.

Complaints and Enquiries Procedure

B11. Prior to the construction of the project, the Proponent shall ensure that the following are available for community complaints and enquiries during construction and operation:

- a) a 24 hour contact number(s) on which complaints and enquiries about construction and operational activities may be registered;
- b) a postal address to which written complaints and enquiries may be sent; and
- c) an email address to which electronic complaints and enquiries may be transmitted.

The telephone number, postal address and email address shall be published in a newspaper circulating in the local area prior to the commencement of the project. The above details shall also be provided on the website required by condition B11 of this approval.

B12. The Proponent shall record the details of complaints received through the means listed under condition B11 of this approval in a 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 (e.g. telephone, email, mail, in person);
- 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) the time taken to respond to the complaint;
- f) any investigations and actions taken by the Proponent in relation to the complaint;
- g) any follow-up contact with, and feedback from, the complainant; and
- h) 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.

Community Information Plan

B13. Prior to the commencement of construction of the project, the Proponent shall prepare and implement a Community Information Plan which sets out the community communications and consultation processes to be undertaken during construction and operation of the project. The Plan shall include but not be limited to:

- a) measures for disseminating information on the development status of the project and methods for actively engaging with surrounding landowners, including Forests NSW and affected stakeholders regarding issues that would be of interest/ concern to them during the construction and operation of the project; and
- b) procedures to inform the community where work has been approved to be undertaken outside the normal Construction hours, in particular noisy activities.

A copy of the Plan shall be provided to the Director-General one month prior to the commencement of construction.

Design

B14. The ash placement areas shall be designed by a suitably qualified expert to ensure structural stability of the ash placement areas.

PART C – DURING CONSTRUCTION

Environmental Incident Reporting

- C1. The Proponent shall notify the Director-General of any environmental incident within 12 hours of becoming aware of the incident. The Proponent shall provide full written details of the incident to the Director-General within seven days of the date on which the incident occurred.
- C2. The Proponent shall meet the requirements of the Director-General to address the cause or impact of any environmental incident, as it relates to this approval, reported in accordance with condition C1 of this approval, within such period as the Director-General may require.

Construction Hours

- C3. Construction activities associated with the project 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.
- C4. Construction outside the hours stipulated in condition C3 of this approval is permitted in the following circumstances:
- where construction works do not cause audible noise at any sensitive receiver; or
 - for the delivery of materials required outside these hours by the Police or other authorities for safety reasons; or
 - where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.
- C5. The hours of construction activities specified under condition C3 of this approval may be varied with the prior written approval of the Director-General. Any request to alter the hours of construction specified under condition C3 shall be:
- considered on a case-by-case basis;
 - accompanied by details of the nature and need for activities to be conducted during the varied construction hours; and
 - accompanied by information necessary for the Director-General to reasonably determine that activities undertaken during the varied construction hours will not adversely impact on the acoustic amenity of sensitive receivers in the vicinity of the site.

Construction Noise

- C6. The construction noise objective for the project is to manage noise from construction activities (as measured by $L_{Aeq(15\text{ minute})}$ descriptor) so as not to exceed:

Location	Day ($L_{Aeq(15\text{ minute})}$) dB(A)
All private receivers within the township of Blackmans Flat	46
All other residences	43

The Proponent shall implement reasonable and feasible noise mitigation measures with the aim of achieving the construction noise objective consistent with the requirements of the Interim Construction Noise Guideline (DECC, July 2009), including noise generated by heavy vehicle haulage and other construction traffic associated with the project. Any activities that have the potential for noise emissions that exceed the objective must be identified and managed in accordance with the

Construction Noise Management Plan (as referred to under condition B5a) of this approval).

Dust Generation

- C7. The Proponent shall construct the project in a manner that minimises dust emissions from the site, including wind-blown from earth works and stockpiles and traffic-generated dust. All activities on the site shall be undertaken with the objective of preventing visible emissions of dust from the site. Should such visible dust emissions occur at any time, the Proponent shall identify and implement all practicable dust mitigation measures, including cessation of relevant works, as appropriate, such that emissions of visible dust cease.

Heritage Impacts

- C8. If during the course of construction the Proponent becomes aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the EPA (OEH) informed in accordance with the *National Parks and Wildlife Act 1974*. In addition, registered Aboriginal stakeholders shall be informed of the finds. Works shall not recommence until an appropriate strategy for managing the objects has been determined in consultation with the EPA (OEH) and the registered Aboriginal stakeholders and written authorisation from the EPA (OEH) is received by the Proponent.
- C9. If during the course of construction the Proponent becomes aware of any unexpected historical relic(s), all work likely to affect the relic(s) shall cease immediately and the EPA (OEH (Heritage Branch)) notified in accordance with the *Heritage Act 1977*. Works shall not recommence until the Proponent receives written authorisation from the EPA (OEH (Heritage Branch)).

Soil and Water Quality Impacts

- C10. The Proponent shall comply with section 120 of the Protection of the Environment Operations Act 1997 which prohibits the pollution of waters.
- C11. Soil and water management controls shall be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities, in accordance with:
- (a) Managing Urban Stormwater: Soils and Conservation (Landcom, 2004);
 - (b) Managing Stormwater: Urban Soils and Construction 2A Installation of Services (DECC 2008); and
 - (c) Managing Stormwater: Urban Soils and Construction Vol 2C Unsealed Roads (DECC 2008).
- C12. During construction, the Proponent shall maintain a buffer of 50 metres from the construction work to Neubecks Creek.
- C13. Surface water drainage must be appropriately engineered and stabilised to convey run off without collapse or erosion. Surface water run off collection ponds are to be lined.

Waste Generation and Management

- C14. All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.
- C15. 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.

- C16. The Proponent shall ensure that all liquid and / or non-liquid waste generated and / or stored on the site is assessed and classified in accordance with the Waste Classification Guidelines (DECC, 2008), or any future guideline that may supersede that document.
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PART D – PRIOR TO OPERATION

Ash Management

- D1. The Proponent shall prepare a long-term ash management strategy including a program for investigation and assessment of alternative ash management measures with a goal of 40% reuse of ash by 31 December 2020. The report shall be submitted to the Director-General six months prior to the commencement of operations. The Proponent shall report on the status and outcomes of its investigations to the Director-General every two years from the commencement of the operation of the project, unless otherwise agreed by the Director-General.

Operational Environmental Management Plan

- D2. The Proponent shall prepare and implement an Operational Environmental Management Plan (OEMP) to detail an environmental management framework, practices and procedures to be followed during operation of the project. The Plan shall be prepared in consultation with Lithgow City Council and relevant government agencies, and shall be consistent with the Guideline for the Preparation of Environmental Management Plans (DIPNR 2004) and shall 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 operation of the project, including all approvals, licences, approvals and consultations;
- b) a description of the roles and responsibilities for all relevant employees (including contractors) involved in the operation of the project;
- c) overall environmental policies and principles to be applied to the operation of the project;
- d) standards and performance measures to be applied to the project, and a means by which environmental performance can be periodically reviewed and improved, where appropriate;
- e) management policies to ensure that environmental performance goals are met and to comply with the conditions of this approval;
- f) the environmental monitoring requirements outlined under conditions E12 to E18 inclusive;
- g) details of waste management including reuse and/or recycling of waste material, to minimise the need for treatment or disposal of those materials outside the site;
- h) specific consideration of relevant measures to address any requirements identified in the documents referred to under conditions A1(b) and A1(d) of this approval; and
- i) the additional requirements of this approval.

The Plan shall be submitted for the approval of the Director-General no later than four weeks prior to the commencement of operation of the project, unless otherwise agreed by the Director-General. Operation shall not commence until written approval has been received from the Director-General.

Nothing in this approval precludes the Proponent from incorporating the requirements of the Operational Environmental Management Plan into existing environmental management systems and plans administered by the Proponent.

- D3. As part of the OEMP for the project, required under condition D2 of this approval, the Proponent shall prepare and implement the following Management Plans:
- a) an **Operational Noise Management Plan** to detail measures to mitigate and manage noise during operation of the project. The Plan shall be prepared in consultation with the EPA and include, but not necessarily be limited to:
 - i) identification of activities that will be carried out in relation to the project and the associated noise sources;

- ii) identification of all relevant sensitive receivers and the applicable criteria at those receivers commensurate with the noise limit specified under condition E7 of this approval;
 - iii) noise monitoring procedures (as referred to in condition E12 of this approval) for periodic assessment of noise impacts at the relevant receivers against the noise limits specified under this approval and the predicted noise levels as detailed in the EA;
 - iv) details of all management methods and procedures that will be implemented to control individual and overall noise emissions from the site during operation, including the feasibility of noise reducing benching;
 - v) procedures to ensure that all reasonable and feasible noise mitigation measures are applied during operation of the project and procedures and corrective actions to be undertaken if non-compliance against the operational noise criteria as detailed in condition E7 is detected at the sensitive receivers; and
 - vi) provisions for periodic reporting of results to the EPA as per condition B8.
- b) a **Groundwater Management Plan** to detail measures to mitigate and manage groundwater impacts. The Plan shall be prepared in consultation with the NOW and the SCA and include, but not necessarily be limited to:
- i) consideration of the revised updated groundwater model as per condition B2;
 - ii) baseline data on groundwater quality (including Huons Creek), location of groundwater monitoring wells, depth and available flow of groundwater in the project area;
 - iii) identification of potential sources of water pollutants and management measures;
 - iv) groundwater assessment criteria including trigger levels for remedial measures;
 - v) a contingency plan for events that have the potential to pollute or contaminate groundwater sources of water. The plan shall include remediation actions and communication strategies (including notification of potentially affected nearby bore users) for the effective management of such an event to prevent discharge of these pollutants from all sources within the project area;
 - vi) a monitoring program as per condition E15 for groundwater connectivity, water levels, groundwater flow and water quality over the short and long term that includes upstream and downstream locations. The program shall continue for a minimum of five years following final capping and landscaping;
 - vii) a protocol for the investigation of identified exceedances of the groundwater impact assessment criteria; and
 - viii) provisions for periodic reporting of results to the SCA as per condition B8.
- c) a **Soil and Surface Water Management Plan** to outline measures that will be employed to manage water on the site, to minimise soil erosion and the discharge of sediments and other pollutants to lands and/or waters throughout the life of the project. The Plan shall be based on best environmental practice and shall be prepared in consultation with the NOW and the SCA and DPI (Fisheries). The Plan shall include, but not necessarily be limited to:
- i) baseline data on the surface water quality and available flow in Neubecks Creek and Lamberts Gully Creek;
 - ii) water quality objectives and impact assessment criteria for Neubecks Creek and Lamberts Gully Creek;

- iii) identification of the operation activities that could cause soil erosion or discharge sediment or water pollutants from the site;
 - iv) a description of the management controls to minimise soil erosion or discharge of sediment or water pollutants from the site, including a strategy to minimise the area of bare surfaces, stabilise disturbed areas and minimise bank erosion;
 - v) demonstration that the proposed erosion and sediment control measures will conform with, or exceed, the relevant requirements of Managing Urban Stormwater: Soils and Construction (Landcom, 2004);
 - vi) details of the water management system including separation of clean and contaminated/polluted water flows, provisions for the treatment, recycling/reuse and/or discharge of flows;
 - vii) site water balance including water usage for ash placement, sources of water and quantity of run-off generated;
 - viii) details of the lining for the surface water collection ponds;
 - ix) measures to minimise potential surface water infiltration;;
 - x) a flow and water quality monitoring program for Neubecks Creek and Lamberts Gully Creek that includes discharge points, upstream and downstream locations as per condition E16 and limits for identified pollutants;
 - xi) specified remedial actions and contingency plans to mitigate any water quality exceedances on receiving waters including identified trigger levels for remedial measures or the activation of contingency plans; and
 - xii) provisions for periodic reporting of results to the DPI (Fisheries) and the SCA as per condition B8.
- d) a **Air Quality Management Plan** to outline measures to minimise impacts from the project on local air quality. The Plan shall be prepared in consultation with NSW Health and the EPA and include, but not necessarily be limited to:
- i) baseline data on dust deposition levels;
 - ii) air quality objectives and impact assessment criteria;
 - iii) an assessment of alternative methods of ash placement to minimise the exposure of active placement areas to prevailing winds;
 - iv) mitigation measures to be incorporated during ash placement activities, haulage, etc;
 - v) an operating protocol for the ash placement irrigation system including activation rates, application rates and area of coverage and means of dealing with water shortages;
 - vi) detail how ash placement moisture levels will be maintained;
 - vii) a contingency plan to deal with high winds and dust suppression;
 - viii) a protocol for the investigation of visible emissions from the ash placement area;
 - ix) a response plan to address exceedances in visible emissions including PM₁₀, TSP and deposited dust from the ash placement areas; and
 - x) an air quality monitoring program as referred to in condition E18 of this approval including identified air quality monitoring locations (including monitoring at sensitive receivers) and meteorological monitoring to predict high wind speed events;
 - xi) provisions for periodic reporting of results to the EPA as per condition B8; and
 - xii) a protocol for suppressing dust emissions within licence limits under normal and adverse weather conditions at all stages of the ash placement process.
- e) a **Landscape/Revegetation Plan** to outline measures to minimise the visual impacts of the ash placement areas and ensure the long-term stabilisation of

the site and compatibility with the surrounding landscape and land use. The Plan shall include, but not necessarily be limited to:

- i) identification of design objectives and standards based on local environmental values, vistas, and land uses;
 - ii) identification of the timing and progressive implementation of revegetation works for ash placement areas as they are completed, including short-term and long term goals including landscape plans;
 - iii) a schedule of species to be used in revegetation, including the use of local native species in revegetation works selected by a qualified expert to ensure the rehabilitation works do not compromise the long term integrity of the capping; and
 - iv) procedures and methods to monitor and maintain revegetated areas during the establishment phase and long-term.
- f) a **Site Rehabilitation Management Plan** to outline measures to stabilise and rehabilitate the site following project completion. The Plan shall be prepared in consultation with the SCA. The Plan shall include, but not necessarily be limited to:
- i) reinstatement of geomorphologic stable drainage lines on the rehabilitated areas and a timeframe for rehabilitation;
 - ii) restoration, rehabilitation and revegetation of the project's site;
 - iii) measures to control water pollutants from rehabilitated areas; and
 - iv) a program and timeframe for monitoring rehabilitated areas.

Groundwater Quality and Geotechnical Impacts

D4. Prior to commencement of operation the Proponent shall submit a geotechnical report prepared by a suitably qualified expert that demonstrates the site has been engineered as being suitable for ash placement. The report must also provide an evaluation of groundwater levels once re-profiling has been completed.

PART E – DURING OPERATIONS

Operational Hours

- E1. Operational activities associated with the project shall only be undertaken from 6.00 am to 8.00 pm Monday to Friday and 6.00am to 5.00pm Saturday and Sunday.
- E2. Operations outside the hours stipulated in condition E1 of this approval are only permitted in the following emergency situations:
- where it is required to avoid the loss of lives, property and/or to prevent environmental harm; or
 - breakdown of plant and/or equipment at the ash placement areas or the Mt Piper Power Station and the proposed Mt Piper Power Station Extension project with the effect of limiting or preventing ash storage at the power station outside the operating hours defined in condition E1; or
 - a breakdown of an ash haulage truck(s) or the conveyor preventing haulage during the operating hours stipulated in condition E1 combined with insufficient storage capacity at the Mt Piper Power Station including the proposed Mt Piper Power Station Extension to store ash outside of the project operating hours; or
 - in the event that the Australian Energy Market Operator (AEMO), or a person authorised by AEMO, directs the Proponent (as a licensee) under the National Electricity Rules to maintain, increase or be available to increase power generation for system security and there is insufficient ash storage capacity at the Mt Piper Power Station to allow for the ash to be stored.

In the event of conditions E2b) or E2c) arising, the Proponent is to take all reasonable and feasible measures to repair the breakdown in the shortest time possible.

- E3. In the event that an emergency situation as referred to under condition E2b) or E2c) occurs more than once in any two month period, the Proponent shall prepare and submit to the Director-General for approval a report including, but not limited to:
- the dates and a description of the emergency situations;
 - an assessment of all reasonable and feasible mitigation measures to avoid recurrence of the emergency situations;
 - identification of a preferred mitigation measure(s); and
 - timing and responsibility for implementation of the mitigation measure(s).

The report is to be submitted to the Director-General within 60 days of the second emergency situation occurring. The Proponent shall implement all reasonable and feasible mitigation measures in accordance with the requirements of the Director-General.

- E4. The Proponent shall notify the EPA prior to undertaking any emergency ash haulage or placement operations outside of the hours of operation stipulated in condition E1 of this approval and keep a log of such operations.
- E5. The Proponent shall notify the Director-General in writing within seven days of undertaking any emergency ash haulage or placement operations outside of the hours of operation stipulated in condition E1 of this approval.
- E6. The Proponent shall notify nearby sensitive receivers (as defined in the Operational Noise Management Plan required under condition D3(a) of this approval) prior to 8.00 pm where it is known that emergency ash haulage or placement operations will be required outside of the hours of operation stipulated in condition E1 of this approval.

Operational Noise

E7. The cumulative operational noise from the ash placement area and ash haulage activity shall not exceed the following $L_{Aeq(15\text{ minute})}$ dB(A):

Location	Day (7am to 6pm)	Evening (6pm to 10pm)	Night (10pm to 7am)
All private sensitive receivers within the township of Blackmans Flat	42	38	35
All other sensitive receivers	42	38	35

This noise criteria set out above applies under all meteorological conditions except for any of the following:

- (a) wind speed greater than 3 metres/second at 10 metres above ground level;
- (b) stability category F temperature inversion conditions and wind speed greater than 2 metres/second at 10 metres above ground level; and
- (c) stability category G temperature inversion conditions.

This criteria does not apply where the Proponent and an affected landowner have reached a negotiated agreement in regard to noise, and a copy of the agreement has been forwarded to the Director-General and the EPA.

E8. To determine compliance with the $L_{Aeq(15\text{ minute})}$ noise limits, the noise monitoring equipment must be located at the most affected point:

- a) within 30 metres of a dwelling façade where any dwelling on the property is situated more than 30 metres from the property boundary that is closest to the premises; or
- b) approximately on the boundary where any dwelling is situated 30 metres or less from the property boundary that is closest to the premises.

E9. For the purposes of monitoring noise from the premises to determine compliance with the noise limits:

- a) Class 1 or 2 noise monitoring equipment as defined by AS IEC61672.1-2004 and ASIEC61672.2-2004, or other noise monitoring equipment accepted by the EPA in writing, must be used;
- b) the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment;
- c) the meteorological data to be used for determining meteorological conditions is the data recorded by the meteorological weather station at the premises; and
- d) stability category temperature inversion conditions are to be determined by the sigma theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.

E10. The Proponent shall implement measures to ensure noise attenuation of trucks. These measures may include, but are not necessarily limited to, installation of residential class mufflers, engine shrouds, body dampening, speed limiting, fitting of rubber stoppers to tail gates, limiting the use of compression braking, and ensuring trucks operate in a one-way system at the ash placement areas where feasible.

Operational Noise Review

E11. Within 60 days of the commencement of operation of the project, unless otherwise agreed to by the Director-General, the Proponent shall submit to the Director-

General an **Operational Noise Review** to confirm the operational noise impacts of the project. The Operational Noise Review shall be prepared in consultation with the EPA. The Review shall:

- a) identify the appropriate operational noise objectives and levels for sensitive receivers;
- b) describe the methodologies for noise monitoring, including the frequency of measurements and location of monitoring sites;
- c) document the operational noise levels at sensitive receivers as ascertained by the noise monitoring program;
- d) assess the noise performance of the project against the noise criteria specified in condition E7 of this approval and the predicted noise levels as detailed in the report referred to under condition A1(b) of this approval; and
- e) provide details of any entries in the Complaints Register relating to noise impacts.

Where monitoring indicates noise levels in excess of the operational noise criteria specified in condition E7 of this approval, the Proponent shall prepare a report as required by condition E13 of this approval.

Ongoing Operational Noise Monitoring

E12. The Proponent shall prepare and implement an **Operational Noise Monitoring Program** to assess compliance against the operational noise criteria stipulated in condition E7 of this approval, throughout the life of the project. The noise monitoring program shall be prepared in consultation with the EPA and must include the proposed frequency of monitoring and as a minimum must include monitoring when there are any significant changes in work locations or processes.

The noise monitoring program shall be prepared in accordance with the requirements of the *New South Wales Industrial Noise Policy* (EPA, 2000) and shall include, but not be limited to:

- a) monitoring at Lamberts North, Lamberts South and Blackmans Flat during ash placement activities; and
- b) monitoring of the effectiveness of any noise mitigation measures implemented under condition D3(a) of this approval, against the noise criteria specified in condition E7 of this approval.

The Proponent shall forward to the EPA and the Director-General a report containing the results of any non-compliance within 14 days of conducting a noise assessment. The monitoring program shall form part of the Operational Noise Management Plan referred to in condition D3 (a) of this approval.

E13. Where noise monitoring including as required by condition E11 and E12 of this approval identifies any non-compliance with the operational noise criteria specified under condition E7 of this approval the Proponent shall prepare and submit to the Director-General a report including, but not limited to:

- a) an assessment of all reasonable and feasible physical and other mitigation measures for reducing noise at the source;
- b) identification of the preferred measure(s) for reducing noise at the source;
- c) feedback from directly affected property owners and the EPA on the proposed noise mitigation measures; and
- d) location, type, timing and responsibility for implementation of the noise mitigation measure(s).

The report is to be submitted to the Director-General within 60 days of undertaking the noise monitoring which has identified exceedances of the operational noise criteria specified under condition E7, unless otherwise agreed to by the Director-

General. The Proponent shall implement all reasonable and feasible mitigation measures in accordance with the requirements of the Director-General.

- E14. If after the implementation of all reasonable and feasible source controls, as identified in the report required by condition E13, the noise generated by the project continues to exceed the criteria stipulated in condition E7 the Proponent shall implement at the receiver reasonable and feasible noise mitigation measures, such as double glazing, insulation, air conditioning and or other building acoustic treatments, in consultation with and with the agreement of the affected landowner.

Groundwater Monitoring

- E15. The Proponent shall prepare and implement a **Groundwater Monitoring Program** to monitor the impacts of ash placement activities on local groundwater quality and hydrology. The Program shall be developed in consultation with the SCA, and shall describe the location, frequency, rationale and procedures and protocols for collecting groundwater samples as well as the parameters analysed and methods of analysis. The monitoring program shall be ongoing for the operation of the project and for a minimum of 5 years following project completion and include, but not be limited to:
- a) monitoring at established bore sites (or replacement bore sites in the event that existing sites are damaged or lost) as described in the Groundwater Management Plan as per condition D3(b); and
 - b) a schedule for periodic monitoring of groundwater quality, depth and flow at all monitoring sites, at an initial frequency of no less than once every month for the first 12 months of operation.

The monitoring program shall form part of the Groundwater Management Plan referred to in condition D3(b) of this approval.

Surface Water Quality Monitoring

- E16. The Proponent shall prepare and implement a surface water quality monitoring program to monitor the impacts of the ash placement activities on Neubecks Creek and Lamberts Gully. The Program shall be developed in consultation with the DPI (Fisheries) and the SCA, and shall describe the location, frequency, rationale and the procedures and protocols for collecting water samples as well as the parameters analysed and methods of analysis. The program shall include, but not necessarily be limited to:
- a) monitoring at the existing water quality monitoring sites as described in the document referred to under condition A1b);
 - b) monitoring at surface water discharge points from Lamberts Gully Creek;
 - c) monitoring at surface water discharge points into Neubecks Creek;
 - d) wet weather monitoring with a minimum of two events recorded within the first 12 months operation of the project; and
 - e) a schedule for periodic monitoring of surface quality at all sites throughout the life of the project, at an initial frequency of no less than once every month for the first 12 months and must include, but not be limited to, monitoring of dissolved oxygen, turbidity, sulphates, salinity, boron, manganese, iron chloride, total phosphorus and total nitrogen.

Hydrological Monitoring Program

- E17. A Hydrological Monitoring Program to assess and quantify the impacts and effectiveness of the transformed section of Huons Creek into a sub-surface drainage line in consultation with the DPI (Fisheries). Monitoring is to be undertaken for a period of five (5) years upon completion of the creek transformation. The program must include sampling for identified pollutants before and after the transformation works and include a sampling site downstream of the sub-surface section of Huons Creek. In the first 12 months following completion of the transformation, monitoring

is to be undertaken at least every three (3) months upon completion of the creek transformation and after any heavy wet weather event.

The monitoring program shall form part of the Soil and Surface Water Management Plan referred to in condition D3(c) of this approval.

Air Quality Monitoring

E18. The Proponent shall prepare an Air Quality Monitoring Program, in consultation with the EPA and NSW Health. The Program shall include, but not necessarily be limited to, monitoring for dust. Monitoring sites shall be identified as per condition D3 (d). The air quality monitoring program shall be ongoing for the life of the project, and during final rehabilitation and stabilisation of the site.

The monitoring program shall form part of the Air Quality Management Plan referred to in condition D3(d) of this approval.

Environmental Incident Reporting

E19. The Proponent shall notify the Director-General of any environmental incident within 12 hours of becoming aware of the incident. The Proponent shall provide full written details of the incident to the Director-General within seven days of the date on which the incident occurred.

E20. The Proponent shall meet the requirements of the Director-General to address the cause or impact of any environmental incident, as it relates to this approval, reported in accordance with condition E19 of this approval, within such period as the Director-General may require.

Annual Performance Reporting

E21. The Proponent shall, throughout the life of the project, prepare and submit to the Director-General, an Annual Environmental Management Report (AEMR). The AEMR shall review the performance of the project against the Operation Environmental Management Plan (refer to condition D2 of this approval) and the conditions of this approval. The AEMR shall include, but not necessarily be limited to:

- a) details of compliance with the conditions of this approval;
- b) a copy of the Complaints Register (refer to condition B11 of this approval) for the preceding twelve-month period (exclusive of personal details), and details of how these complaints were addressed and resolved;
- c) identification of any circumstances in which the environmental impacts and performance of the project during the twelve month period have not been generally consistent with the environmental impacts and performance predicted in the documents listed under condition A1 of this approval, with details of additional mitigation measures applied to the project to address recurrence of these circumstances;
- d) results of all environmental monitoring required under conditions of this approval, including interpretations and discussion by a suitably qualified person; and
- e) a list of occasions in the twelve month period when environmental goals/objectives/impact assessment criteria for the project have not been achieved, indicating the reason for failure to meet the criteria and the action taken to prevent recurrence of that type of failure.

The Proponent shall submit a copy of the AEMR to the Director-General every year, with the first AEMR to be submitted no later than fourteen months after the commencement of operation of the project unless otherwise agreed by the Director-General. The Director-General may require the Proponent to address certain matters in relation to the environmental performance of the project in response to the Director-General's review of the Annual Environmental Management Report. Any action

required to be undertaken shall be completed within such period as the Director-General may require. The Proponent shall make copies of each AEMR available for public inspection on request. Copies of the AEMR shall be sent to the EPA and the SCA.

Independent Environmental Auditing

- E22. Within 12 months of commencement of operation of Lamberts North and Lamberts South and then as may be directed by the Director-General, the Proponent shall commission an independent person or team to undertake an Environmental Audit of the project. The independent person or team shall be approved by the Director-General prior to the commencement of the Audit. The Audit shall:
- a) be carried out in accordance with ISO 19011:2002 - Guidelines for Quality and or Environmental Management Systems Auditing;
 - b) assess compliance with the requirements of this approval, and other licences and approvals that apply to the project;
 - c) assess the environmental performance of the project against the predictions made and conclusions drawn in the documents referred to under condition A1 of this approval;
 - d) review the effectiveness of the environmental management of the project, including any environmental impact mitigation works; and
 - e) review the adequacy of the Proponent's response to any complaints made about the project identified in the Complaints Register.

The Environmental Audit Report shall be submitted to the Director-General within two months of the completion of the Audit, detailing the findings and recommendations of the Audit and including a detailed response from the Proponent to any of the recommendations contained in the Report.

Waste Generation and Management

- E23. All waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.
- E24. 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.
- E25. The Proponent shall ensure that all liquid and / or non-liquid waste generated and / or stored on the site is assessed and classified in accordance with the Waste Classification Guidelines (DECC, 2008), or any future guideline that may supersede that document.
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PART F – POST OPERATIONS

Project Completion Management Plan

- F1. No later than one month prior to the decommissioning of the project, or as otherwise agreed by the Director-General, the Proponent is to prepare a Project Completion Management Plan, in consultation with the SCA, for the approval of the Director-General. The Plan is to include but not necessarily be limited to:
- (a) identification of structures to be removed and how they will be removed;
 - (b) measures to reduce impacts on the environment and surrounding sensitive land uses;
 - (c) details of components to be recycled;
 - (d) details of rehabilitation and revegetation with reference to the biodiversity offset required under condition B6;
 - (e) groundwater assessment criteria including trigger levels for remedial measures;
 - (f) a groundwater monitoring program as per condition E15 for groundwater connectivity, water levels, groundwater flow and water quality over the short and long term that includes upstream and downstream locations. The program shall continue for a minimum of five years following final capping and landscaping;
 - (g) a contingency plan to address potential exceedances and mitigation measures in groundwater and groundwater quality impacts and if exceedances continue, implementation of further measures and groundwater monitoring to demonstrate compliance;
 - (h) surface water assessment criteria including trigger levels for remedial measures;
 - (i) available flow and water quality monitoring program for Neubecks Creek and Lamberts Gully Creek that includes discharge points, upstream and downstream locations as per condition E16 and limits for identified pollutants. The program shall continue for a minimum of five years following final capping and landscaping; and
 - (j) a contingency plan to address potential exceedances and mitigation measures in surface water and surface water quality impacts and if exceedances continue, implementation of further measures and surface water monitoring to demonstrate compliance.
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