

# Development Consent

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

As delegate of the Minister for Planning under delegation executed on 9 March 2022, 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

Chris Ritchie  
Director  
Industry Assessments

Sydney

31 August 2022

File: EF19/12321

***The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.***

***The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.***

## **SCHEDULE 1**

<b>Application Number:</b>	SSD-9418
<b>Applicant:</b>	Bettergrow Pty Ltd
<b>Consent Authority:</b>	Minister for Planning
<b>Site:</b>	74 Lemington Road, Ravensworth NSW 2330 Lot 10 DP 1204457
<b>Development:</b>	Expansion of an existing resource recovery facility to process up to 200,000 tonnes per annum of organic material, including water drainage and leachate works, hardstand areas and associated infrastructure.

## SUMMARY OF MODIFICATIONS

<b>Application Number</b>	<b>Determination Date</b>	<b>Decider</b>	<b>Modification Description</b>
<b>SSD-9418-Mod-1</b>	<b>6 December 2023</b>	<b>Team Leader</b>	<b>Removal of weightbridge and changes to limits of consent waste condition.</b>

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## DEFINITIONS

<b>Amendment Report</b>	The Amendment Report titled <i>RE: SSD9418 - Greenspot Hunter Valley Nutrient Recycling Facility – Amendment Report</i> , prepared by Space Urban Pty Ltd, dated 28 June 2022
<b>Applicant</b>	Bettergrow Pty Ltd, or any person carrying out any development to which this consent applies
<b>BCA</b>	Building Code of Australia
<b>Calendar year</b>	A period of 12 months commencing on 1 January
<b>Carrier</b>	Operator of a telecommunication network and/ or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997</i> (Cth)
<b>Certifier</b>	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
<b>CEMP</b>	Construction Environmental Management Plan
<b>Conditions of this consent</b>	Conditions contained in Schedule 2 of this document
<b>Construction</b>	The carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent.
<b>Council</b>	Singleton Council
<b>Day</b>	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
<b>Decommissioning</b>	The controlled process of safely retiring a facility from service, including decontamination, dismantling and disposal after the cessation of operations
<b>Demolition</b>	The deconstruction and removal of buildings, sheds and other structures on the site
<b>Department</b>	NSW Department of Planning and Environment
<b>Development</b>	The development described in Schedule 1, the EIS, Response to Submissions and Amendment Report, including the works and activities comprising construction and operation of an expanded resource recovery facility, as modified by the conditions of this consent
<b>Development layout</b>	The plans at Appendix 1 of this consent
<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
<b>EIS</b>	The Environmental Impact Statement titled <i>EIS for 200,000tpa Nutrient Recycling Facility – Ravensworth NSW, SSD 9418</i> (Version 3), prepared by RPS Group, dated 14 November 2019, submitted with the application for consent for the development, as amended by the Amendment Report titled <i>RE: SSD9418 - Greenspot Hunter Valley Nutrient Recycling Facility – Amendment Report</i> , prepared by Space Urban Pty Ltd, dated 28 June 2022 and including any additional information provided by the Applicant in support of the application
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	As defined in section 1.4 of the EP&A Act
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2021
<b>EPL</b>	Environment Protection Licence under the POEO Act
<b>Evening</b>	The period from 6 pm to 10 pm
<b>Fibre-ready facility</b>	As defined in section 372W of the <i>Telecommunications Act 1997</i> (Cth)
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
<b>Incident</b>	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

<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Material harm</b>	Is harm that: <ul style="list-style-type: none"> <li>a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or</li> <li>b) 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)</li> </ul>
<b>Minister</b>	NSW Minister for Planning (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>Modification Assessment</b>	The documents assessing the environmental impact of a proposed modification of this consent and any other information submitted with the following modification applications made under the EP&A Act: <ul style="list-style-type: none"> <li>a) SSD-9418-Mod 1- Ravensworth Composting Facility- Ravensworth Nutrient Recycling Facility Modification of SSD9418 – MOD 1 prepared by Space Urban (Version 2.0, dated 13 October 2023), and supported by Response to agencies letter titled Request for Additional Information SSD 9418 – Modification 1 EPA &amp; FRNSW comments prepared by Space urban, dated 13 October 2023.</li> </ul>
<b>Night</b>	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent
<b>OEMP</b>	Operational Environmental Management Plan
<b>Operation</b>	The receipt, processing and storage of organic waste and the sale of finished product, as described in the EIS, Amendment Report and RtS
<b>Principal Certifier</b>	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
<b>Planning Secretary</b>	Secretary of the Department, or delegate
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Reasonable</b>	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
<b>Rehabilitation</b>	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
<b>Response to Submissions (RtS)</b>	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>Greenspot Hunter Valley, Nutrient Recycling Facility, Response to Submissions – SSD 9418</i> (Version 1), prepared by Space Urban Pty Ltd, dated 20 June 2022
<b>Sensitive receivers</b>	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
<b>Site</b>	The land defined in Schedule 1
<b>TfNSW</b>	Transport for New South Wales
<b>VENM</b>	Virgin Excavated Natural Material
<b>Waste</b>	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
<b>Year</b>	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, Amendment Report and Response to Submissions;
  - (d) in accordance with the Development Layout in Appendix 1; ~~and~~
  - (e) in accordance with the management and mitigation measures in Appendix 2; ~~and~~
  - (f) **in accordance with Modification Assessments.**
- 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.

**Waste**

- A6. The Applicant must not receive and process more than 200,000 tonnes per annum of waste, limited to:
- (a) urban wood residues for composting (as defined in 'The compost order 2016');
  - (b) paper crumble for composting (defined as General or Specific Exempted Waste);
  - (c) wastewater from Bayswater Power Station;
  - (d) drill mud process water (as defined in 'The Treated Drill Mud Order 2014');
  - (e) natural organic fibrous composting material (as defined in Schedule 1 of the POEO Act);
  - (f) biosolids (as defined in 'The Biosolids Order 2014');
  - (g) garden waste (as defined in Schedule 1 of the POEO Act); ~~and~~
  - (h) animal waste (as defined in Schedule 1 of the POEO Act); ~~and~~
  - (i) **materials for the purpose of composting that are subject to a general or site specific resource recovery order and exemption as issued by the EPA from time to time.**
- A7. The Applicant must not receive or process food organic waste.

**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 six 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 consent DA140/2016 in accordance with the EP&A Regulation.

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 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.

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.

#### **DEMOLITION**

A18. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

#### **STRUCTURAL ADEQUACY**

A19. 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:

- (a) the relevant requirements of the BCA; and



- (b) any additional requirements of the SANSW where the building or structure is located on land within a declared Mine Subsidence District.

**Note:**

- Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.
- The EP&A (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.
- Under section 21 of the Coal Mine Subsidence Compensation Act 2017, the Applicant is required to obtain the Chief Executive of Subsidence Advisory NSW's approval before carrying out certain development in a Mine Subsidence District.

**COMPLIANCE**

- A20. 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.

**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.

**WORK AS EXECUTED PLANS**

- A26. 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**

- A27. 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.
- A28. 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

#### Waste Monitoring Program

- B1. From the commencement of operation of the development, 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 provision to monitor the:
    - (i) quantity, type and source of waste received on site; and
    - (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.

#### Waste Management Plan

- B2. Prior to the commencement of operation of the development, the Applicant must prepare a Waste Management Plan for the development to the satisfaction of the Planning Secretary. The Waste Management Plan must form part of the OEMP and be prepared in accordance with condition C5. The Plan must:
- (a) detail the type and quantity of waste to be generated 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 *Waste Classification Guideline* (Environment Protection Authority, 2014);
  - (c) detail the materials to be reused or recycled, either on or off site; and
  - (d) include the Management and Mitigation Measures included in Appendix 2.
- B3. The Applicant must:
- (a) not commence operation until the Waste Management Plan is approved by the Planning Secretary;
  - (b) implement the most recent version of the Waste Management Plan approved by the Planning Secretary.

#### Decommissioning and Closure Plan

- B4. Five years prior to the commencement of decommissioning of the development, the Applicant must prepare a Decommissioning and Closure Plan for the development to the satisfaction of the Planning Secretary. The Plan must be prepared generally in accordance with section 3.13 of the EIS and in consultation with Council and the landowner.

#### Pests, Vermin and Priority Weed Management

- B5. The Applicant must:
- (a) implement suitable measures to manage pests, vermin and declared priority weeds on the site; and
  - (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or priority weeds are not present on site in sufficient numbers to pose an environmental hazard or cause the loss of amenity in the surrounding area.

**Note:** For the purposes of this condition, priority weed has the same definition of the term in the Biosecurity Act 2015.

#### Statutory Requirements

- B6. 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 waste management facility or premises lawfully permitted to accept the waste.
- B7. The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.

### AIR QUALITY

#### Dust Minimisation

- B8. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B9. During construction and operation of the development, the Applicant must ensure that:
- (a) exposed surfaces and stockpiles are suppressed by regular watering;
  - (b) all trucks entering or leaving the site with loads have their loads covered;

- (c) trucks associated with the development do not track dirt onto the public road network;
- (d) public roads used by these trucks are kept clean; and
- (e) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

#### **Air Quality Discharges**

B10. 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.

#### **Air Quality Management Plan**

B11. Prior to the commencement of operation of the development, the Applicant must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The AQMP must form part of the OEMP required by condition C5. The AQMP must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) include the Management and Mitigation Measures included in Appendix 2;
- (c) identify potential emissions from all sources of the development;
- (d) identify the control measures that will be implemented for each emission source; and
- (e) describe the following:
  - (i) record keeping;
  - (ii) complaints register; and
  - (iii) response procedures.

B12. The Applicant must:

- (a) not commence operation until the Air Quality Management Plan required by condition B11 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Air Quality Management Plan approved by the Planning Secretary for the duration of the development.

#### **Odour Management**

B13. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

### **SOILS, WATER QUALITY AND HYDROLOGY**

#### **Imported Soil**

B14. The Applicant must:

- (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto the site;
- (b) keep accurate records of the volume and type of fill to be used; and
- (c) make these records available to the Planning Secretary upon request.

#### **Erosion and Sediment Control**

B15. Prior to the commencement of any construction or other surface disturbance 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**

B16. 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.

#### **Stormwater Management System**

B17. Prior to the commencement of operation, the Applicant must install the 'Stage 2 Works' for the stormwater management system in accordance with the plans prepared by Tony Mexon & Associates, dated 23 February 2016 and ensure the system is operational.

#### **Surface and Groundwater Water Management Plan**

B18. Prior to the commencement of operation of the development, the Applicant prepare a Surface and Groundwater Management Plan to the satisfaction of the Planning Secretary. The Surface and Groundwater Management Plan must form part of the OEMP required by condition C5 and must:

- (a) be prepared by a suitably qualified and experienced person(s);

- (b) include the Management and Mitigation Measures included in Appendix 2;
- (c) provide details of:
  - (i) water use and management on-site;
  - (ii) the water licence requirements for the development, if any;
  - (iii) the management of wastewater streams on-site;
- (d) contain a **Surface Water Management Plan**, including:
  - (i) a program to monitor surface water flows, quality, storage and use;
  - (ii) sediment and erosion control plans;
  - (iii) surface water impact assessment criteria, including trigger levels for investigating any potential adverse surface water impacts; and
  - (iv) a protocol for the investigation and mitigation of identified exceedances of the surface water impact assessment criteria; and
- (e) contain a **Groundwater Management Plan**;
- (f) contain a **Leachate Management Plan**.

B19. The Applicant must:

- (a) not commence operation until the Surface and Groundwater Management Plan required by condition B18 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Surface and Groundwater Management Plan approved by the Planning Secretary for the duration of the development.

#### **Groundwater**

B20. The Applicant must obtain relevant water access licence/s in accordance with the *Water Management Act 2000*, if the development will intercept groundwater.

#### **TRAFFIC AND ACCESS**

##### **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.

##### **Operational Traffic Management Plan**

B22. Prior to the commencement of operation, the Applicant must prepare an Operational Traffic Management Plan (OTMP) for the development to the satisfaction of the Planning Secretary. The OTMP must form part of the OEMP required by Condition C5 and must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) detail the measures that are to be implemented to ensure road safety and network efficiency;
- (c) detail heavy vehicle routes, access, and parking arrangements;
- (d) include a stockpile management plan to describe how waste and product stockpiles will be managed to avoid encroaching onto the haulage route and allow the safe loading and unloading of heavy vehicles;
- (e) include an Operational Driver Code of Conduct to:
  - (i) minimise the impacts on the local and regional road network;
  - (ii) minimise conflicts with other road users;
  - (iii) minimise road traffic noise;
  - (iv) inform truck drivers of the site access arrangements and use of specified haul routes; and
  - (v) include a program to monitor the effectiveness of these measures.

B23. The Applicant must:

- (a) not commence operation until the OTMP required by condition B22 is approved by the Planning Secretary; and
- (b) implement the most recent version of the OTMP approved by the Planning Secretary for the duration of the development.

##### **Operating Conditions**

B24. The Applicant must ensure:

- (a) there is an appropriate area designated for parking;

- (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.

**NOISE**

**Hours of Work**

B25. 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 5 pm
	Saturday	8 am to 1 pm
	Sunday	Nil
	Public Holidays	Nil
Operation	Monday – Saturday	6 am to 6 pm
	Sunday	Nil
	Public Holidays	Nil
Deliveries	Monday – Friday	6:30 am to 5 pm
	Saturday – Sunday	Nil
	Public Holidays	Nil

- B26. Works outside of the hours identified in condition B25 may be undertaken in the following circumstances:
- (a) works that are inaudible at the nearest sensitive receivers;
  - (b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
  - (c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

**Construction Noise Limits**

B27. 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 in the Appendix 2.

**Operational Noise Limits**

B28. 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 <sub>Aeq</sub> (15 minute)	Evening L <sub>Aeq</sub> (15 minute)	Night L <sub>Aeq</sub> (15 minute)
Camberwell	40	35	35

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

## BIOSECURITY

- B29. Prior to the commencement of operation of the development, the Applicant must prepare a Biosecurity Protocol, detailing the procedures for a biosecurity emergency, to the satisfaction of the Planning Secretary. The protocol must form part of the OEMP required by condition C5. and must:
- (a) describe the notification procedures;
  - (b) detail the measures to maintain quarantine control;
  - (c) detail measures to prevent ground water contamination; and
  - (d) detail the disposal procedures and options.
- B30. The Applicant must:
- (a) not commence operation until the Biosecurity Protocol required by condition B29 is approved by the Planning Secretary; and
  - (b) implement the most recent version of the Biosecurity Protocol approved by the Planning Secretary for the duration of the development.

## ABORIGINAL HERITAGE

### Unexpected Finds Protocol

- B31. 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.
- B32. 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*.

## HAZARDS AND RISK

### Dangerous Goods

- B33. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.
- B34. The Applicant must store all chemicals, fuels and oils used on site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
  - (b) for liquids, the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual*.
- B35. In the event of an inconsistency between the requirements of conditions B34(a) and B34(b), the most stringent requirement must prevail to the extent of the inconsistency.

### Bunding

- B36. 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).

## CONTAMINATION

### Unexpected Finds

- B37. Prior to the commencement of construction, the Applicant must prepare an unexpected contamination finds procedure to ensure that potentially contaminated material is appropriately managed. The procedure must form part of the of the CEMP in accordance with condition C2 and must ensure any material identified as contaminated is disposed of in accordance with the POEO Act and its associated regulations. Details of the final disposal location and the results of any associated testing must be submitted to the Planning Secretary prior to removal of the contaminated material from the site.

## VISUAL AMENITY

### Lighting

- B38. 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.

## 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) detailed baseline data;
  - (b) 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;
  - (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
  - (d) 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;
  - (e) 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;
  - (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
  - (g) 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
  - (h) 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;
  - (b) Contamination Unexpected Finds Procedure (see condition B37); and
  - (c) Community Consultation and Complaints Handling.
- 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 (see condition B2);
  - (ii) Air Quality (see condition B11);
  - (iii) Surface and Groundwater (see condition B18);
  - (iv) Traffic (see condition B22) and
  - (v) Biosecurity (see condition B29).

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 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 and for the life of the development, 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) the proposed staging plans for the development if the construction, operation or decommissioning if the development is to be staged;
    - (v) 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;
    - (vi) 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;
    - (vii) a summary of the current stage and progress of the development;
    - (viii) contact details to enquire about the development or to make a complaint;
    - (ix) a complaints register, updated monthly;
    - (x) the Compliance Report of the development;
    - (xi) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
    - (xii) 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: Site Plan

**APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES**

ENVIRONMENTAL ELEMENT	COMMITMENT
Air Quality	<p>The following odour mitigation will be implemented for the expanded development:</p> <ul style="list-style-type: none"> <li>• A revised Compost Management Plan is to be prepared prior to the development increasing operations at the site.</li> <li>• Staff will receive training on methods to reduce odour generation.</li> <li>• Onsite dams, stormwater, and leachate to be suitably managed through separation of clean and leachate runoff, reuse, and sampling.</li> <li>• Only approved wastes will be accepted onsite.</li> <li>• Windrows will be managed in accordance with site operational procedure for windrow construction and maintenance.</li> <li>• All odorous wastes are to be mixed immediately with less odorous wastes to reduce odour generation. Where this is not possible odorous wastes will be covered temporarily with green waste or saw dust.</li> <li>• Homogeneous mixing will be undertaken.</li> <li>• Compost materials will be watered to a moisture content such as not to create an anaerobic environment.</li> <li>• Odour monitoring will be undertaken as required should an issue be identified at a sensitive receiver.</li> </ul> <p>The following greenhouse gas mitigation will be implemented for the expanded development:</p> <ul style="list-style-type: none"> <li>• Whenever practicable, vehicles to leave site with full loads to reduce the number of traffic movements and diesel consumption.</li> <li>• All vehicles/plant and machinery will be turned off when not in use and regularly serviced in accordance with manufacturers specifications to ensure efficient operation.</li> <li>• The use of alternative fuels and power sources for construction plant and equipment will be investigated and implemented, where appropriate.</li> <li>• Recycled materials will be incorporated into the project where possible.</li> <li>• The energy efficiency and related carbon emissions will be considered in the selection of vehicle and plant equipment.</li> <li>• All vehicles and machinery will be fitted with OEM exhaust systems to ensure exhaust emissions are within accepted standards.</li> </ul> <p>The following dust mitigation will be implemented for the expanded development:</p> <ul style="list-style-type: none"> <li>• Hardstand pads and the internal roadways will be regularly watered to suppress dust using site water carts.</li> <li>• Staff will undertake visual inspections of dust generation to ensure dust is not spreading beyond the site boundary.</li> <li>• Loads leaving the site will be required to be watered and tarped to prevent dust generation.</li> <li>• Windrows and stockpiles will be maintained by water cart and will have a minimum moisture content of 45%, with increased watering to occur prior to adverse weather conditions.</li> <li>• A site weather station will be utilised to inform of onsite weather conditions which will dictate operational activities.</li> <li>• During excessive wind conditions, loading activities will be reduced until more favourable conditions prevail.</li> <li>• Staff will receive training on methods to reduce dust generation.</li> </ul>
Surface Water and Groundwater	<ul style="list-style-type: none"> <li>• Surface and Groundwater Management Plan to be updated to include the expanded facility.</li> <li>• Limit fuels and chemicals stored onsite to a minimum.</li> <li>• All required chemicals and fuels must be located within a bunded enclosure located away from drainage lines and stormwater drains.</li> <li>• Plant and equipment must be regularly inspected and serviced to limit risk of oil loss.</li> </ul>

- Refuelling of vehicles or machinery is to occur within a containment or hardstand area.
- designed to prevent the escape of spilled substances to the surrounding environment.
- Wash down areas must be appropriately constructed to capture and treat all wastewater, with collected solid material disposed off-site to a licensed facility.
- All staff to be appropriately trained in the spill response plan for the minimisation and management of unintended spills.
- A high standard of site housekeeping is to be maintained to limit risk of gross pollutants entering surface waters (i.e. construction waste, litter).
- All reasonable and practicable measures must be taken to prevent pollution of any existing waterways as a result of silt or untreated leachate run-off, and oil or grease spills from any machinery.
- Wastewater for cleaning equipment must not be discharged or indirectly to any watercourses or stormwater systems.
- Exposed bare earth areas within the composting facility site must be minimised. Unused areas are to be revegetated.
- The facility must be designed to prevent surface water from mixing with the organics received and processed at the premises and the final products, process residuals and contaminated materials stored at the premises. This includes:
  - Drains and spillways.
  - Bunding.
  - Sediment controls during construction.
- Clean stormwater must be diverted around waste and leachate catchments through the installation of clean water catch drains and diversion bunds.
- Maintain surface gradient of the hardstand pad and orientation/geometry of windrows to minimise leachate generation and to ensure that leachate flows directly to the primary detention basin without mixing with compost organics
- Maintain all water related infrastructure, during construction and operation of expanded infrastructure, and operation, designed to maximise runoff and reduce infiltration including:
  - Low permeability base in the composting processing areas.
  - Lining of the leachate dams.
  - Bunding and arrangement of windrows.
  - Perimeter bunding and diversion drains.
- Procedures for testing, treatment and discharge of leachate to be established and implemented, including monitoring anaerobic conditions.
- Undertake aeration of the leachate dam (increase oxygen) if required (i.e. if hydrogen sulphide, dissolved oxygen or pH levels are outside limits).
- Monitor water levels of the detention basin to ensure that the water levels do not drop below the anticipated use of water for composting and evaporation.
- Maintain integrity of hardstand pad by repairs to areas damaged by plant and machinery movements.
- Ensure drains and surface water gradients are free of excess vegetation and debris so that the flow of stormwater or leachate is not impeded, and the moisture / compaction levels achieved in embankment construction are maintained.
- Regular inspections of onsite infrastructure and structural integrity of drains, hardstand, and leachate dam.
- Repair and maintain any cracks observed in the base and side walls of the dam using clay, preferably bentonite or bentonite clay mixture.
- Waste to be accepted at the facility is to be in accordance with the EPA licence. Waste must be effectively vetted so prohibited wastes are not accepted at the facility.
- Waste is only to be received, stored, or processed in areas where the leachate barrier has been installed.
- Monitoring of pollutants must be undertaken as per EPL 7654.
- Leachate collection and storage facilities must be maintained to collect and impound all leachate in accordance with the design storm event.
- Leachate is not to be used for dust suppression on haul roads.

	<ul style="list-style-type: none"> <li>Leachate is to be recycled through moisture conditioning of compost, to drawdown on basin volumes and ensure the design capacity of the basin is maintained for future storm events.</li> <li>Management of windrows and gradients to ensure no ponding or pooling occurs.</li> <li>Depressions must be filled promptly by using screened or sieved overburden.</li> <li>All water that has entered processing and storage areas and water that has been contaminated by leachate must be handled and treated in the same manner as leachate.</li> <li>Leachate must be collected and stored in a lined basin capable of capturing the 1% AEP, 24-hour runoff event. The hardstand pad and basin liner shall be constructed recompacted overburden/clay with an in-situ permeability (K) of less than <math>1 \times 10^{-9}</math> m/s in accordance with Aurecon (2017).</li> <li>The leachate dam must be designed in accordance with AS 3798-2007 – Guidelines on Earthworks for Commercial and Residential Developments.</li> <li>Leachate basin is to be regularly desilted in order to maintain design storage capacity, without compromising basin liner integrity.</li> </ul>
Traffic and Access	<ul style="list-style-type: none"> <li>As there would be no impact on the performance of the local road network, road upgrades are not required.</li> <li>While the traffic assessment concludes that the additional traffic generated by the facility will not adversely impact on road capacity, Bettergrow will, where possible, schedule the bulk of its heavy vehicle movements to avoid the busy morning and afternoon peak hours.</li> </ul>
Noise and Vibration	<ul style="list-style-type: none"> <li>As the noise assessment has determined there will be no construction or operational noise impacts from the development, no specific noise mitigation measures or monitoring is proposed.</li> <li>Notwithstanding the above, all employees and contractors are to receive an environmental induction that will include: <ul style="list-style-type: none"> <li>Relevant licence and approval conditions.</li> <li>Permissible hours of work.</li> <li>Location of nearest sensitive receivers.</li> <li>Construction employee parking areas.</li> <li>Designated loading/unloading areas and procedures.</li> <li>Site opening/closing times (including deliveries).</li> <li>Environmental incident procedures.</li> </ul> </li> </ul>
Biodiversity	<ul style="list-style-type: none"> <li>The establishment of artificial wetlands in the north-western area of the lease area, where small depressions exist, is recommended. Use of a variety of water depths, and planting of native wetland species endemic to the Singleton region is encouraged.</li> <li>Weeds present over the disturbed areas of the site should be controlled/eradicated where feasible.</li> </ul>
Bushfire	<ul style="list-style-type: none"> <li>Access Road - A minimum 4m wide access road with 1m shoulders, passing areas every 200m to allow two-way passing of vehicles, and all-weather trafficable is to be provided.</li> <li>Perimeter Road - A minimum 4m wide unsealed all-weather trafficable road around the external perimeter of the compost mounds should be provided to prevent potential grass fires encroaching into the compost facility, or a fire from the compost facility spreading into surrounding grassed areas and properties.</li> <li>Water - A diesel or petrol-powered fire-fighting pump, with at least a 40m long hose with steel nozzle, mounted on a mobile fire tanker unit should be provided. It should be able to pump out water and cart water from the water supply tank/dam, and fight any spot fires caused by ember attack, or self-combustion.</li> <li>An Emergency and Evacuation Plan should be prepared - including details of the site Fire Warden, local Rural Fire Service contact numbers, emergency muster point, fire-fighting appliances and location, first aid kits, and emergency response procedures in the advent of a bush fire.</li> <li>The Rural Fire Service should also be notified of the development once approved so it can be added to their facility register, and details also provided of access and fire-fighting capacity onsite.</li> </ul>
Visual	<ul style="list-style-type: none"> <li>As the development site is already adequately screened from view no additional mitigation measures are proposed.</li> </ul>

	<ul style="list-style-type: none"> <li>• Design and location characteristics of the development provide sufficient mitigation.</li> <li>• Retention of existing trees within the site are recommended to maintain the existing level of screening.</li> </ul>
Aboriginal Heritage	<ul style="list-style-type: none"> <li>• All relevant staff should be made aware of their statutory obligations for heritage under the National Parks and Wildlife Act 1974 and the Heritage Act 1977. This is to be in the form of a heritage induction on site prior to works.</li> <li>• In the unlikely event that disturbed Aboriginal objects are identified during the development then they are to be collected and recorded in accordance with Heritage NSW guidelines and in consultation with the Registered Aboriginal Parties.</li> <li>• In the unlikely event that human skeletal remains are identified, work must cease immediately in the vicinity of the remains and the area cordoned off.</li> <li>• The proponent must contact the local NSW Police who will make an initial assessment as to whether the remains are part of a crime scene or are possible Aboriginal remains.</li> <li>• If the remains are thought to be Aboriginal, Heritage NSW must be contacted via the Environment Line 131 555.</li> <li>• A Heritage NSW officer will determine if the remains are Aboriginal or not.</li> <li>• If the remains are identified as Aboriginal, a management plan must be developed in consultation with the relevant Aboriginal stakeholders before works recommence.</li> </ul>
Historic Heritage	<ul style="list-style-type: none"> <li>• All relevant staff should be made aware of their statutory obligations for heritage under the National Parks and Wildlife Act 1974 and the Heritage Act 1977. This is to be in the form of a heritage induction on site prior to works.</li> <li>• In the unlikely event that disturbed objects are identified during the development then they are to be collected and recorded in accordance with Heritage NSW guidelines.</li> <li>• In the unlikely event that human skeletal remains are identified, work must cease immediately in the vicinity of the remains and the area cordoned off.</li> <li>• The proponent must contact the local NSW Police who will make an initial assessment as to whether the remains are part of a crime scene.</li> <li>• If the remains are thought to be of heritage significance, Heritage NSW must be contacted via the Environment Line 131 555.</li> <li>• A Heritage NSW officer will determine if the remains are of heritage significance.</li> </ul>
Socio-economic	<ul style="list-style-type: none"> <li>• No further mitigation measures are proposed with regard to socio-economic issues as it is considered that: <ul style="list-style-type: none"> <li>○ the proposed development will be of net benefit to the community.</li> <li>○ provide decreased cost and increased social efficiency associated with composting and nutrient recycling.</li> </ul> </li> <li>• Ongoing engagement will occur with key stakeholders during construction and operations.</li> </ul>
Fire and Incident Management	<ul style="list-style-type: none"> <li>• New storage structures on the site should be constructed to comply with Part E1 (deemed to satisfy provisions) and Part E2.3 (Special Hazards) of the BCA.</li> <li>• A strict no smoking policy should be enforced on site when in proximity of any combustible materials. Smoking will only be permitted in clearly signposted areas.</li> <li>• All water collection points should be checked regularly to ensure their ability to be accessed in an emergency.</li> <li>• Fire extinguishers should be positioned at readily accessible points, including on mobile plant, so that their use in an emergency is not restricted.</li> <li>• All firefighting plant and equipment should be regularly serviced in line with the manufacturer's recommendation.</li> <li>• The temperature of all stockpiles and windrows should be monitored in accordance with established workplace procedures. If temperatures throughout the compost exceed 67°C, then watering is to be initiated to dissipate heat.</li> <li>• All stockpiles and windrows should be sufficiently moist. The moisture content of compost windrows must be kept above 40% weight for weight to retard burning.</li> <li>• In the event of a fire within a windrow, the affected stockpile/windrow must first be suppressed with either the use of water and/or dirt. The stockpile/windrow must then be pulled apart. However, if weather conditions are such that pulling apart the stockpile/windrow is likely to ignite other stockpile/windrows or spread the fire internally</li> </ul>

	<p>or externally, (eg dry with moderate/strong winds), the stockpile must not be broken up until conditions are suitable.</p> <ul style="list-style-type: none"> <li>• In the event a fire cannot be extinguished using water or soil, the use of fire retardants should be considered (expert advice should be sought from Fire and Rescue NSW before taking action with retardants).</li> <li>• Once the fire has been extinguished, affected areas should be monitored on a continual basis until materials have cooled.</li> <li>• All fire water should be contained on site.</li> <li>• All staff should be trained in the use of onsite firefighting appliances.</li> <li>• Combustible materials should not be accumulated in areas close to exhausts or engines.</li> <li>• Display emergency procedures and information in the site office or other visible location.</li> <li>• Conduct or participate in site emergency scenarios as required.</li> <li>• Regularly identify and check all site fire extinguishers and firefighting equipment.</li> </ul>
Hazard and Risk	<ul style="list-style-type: none"> <li>• All mobile plant and equipment should be fitted with fire extinguishers.</li> <li>• An Emergency Response Plan should be prepared and implemented for the facility.</li> <li>• All staff on site should be appropriately trained in the handling of dangerous goods.</li> <li>• Flammable and combustible liquids will be stored in accordance with AS 1940-2004: The Storage and Handling of Flammable and Combustible Liquids.</li> </ul>
Waste Management	<ul style="list-style-type: none"> <li>• The following mitigation and management measures will be applied during construction and operation of the facility.</li> <li>• Plant and equipment should be regularly maintained.</li> <li>• Ordering should be limited to only the required amount of materials.</li> <li>• Materials should be segregated to maximise reuse and recycling.</li> <li>• Routine checks should be undertaken of waste sorting and storage areas for cleanliness, hygiene and OH&amp;S issues, and contaminated waste materials.</li> <li>• Separate skips and recycling bins should be provided for effective waste segregation and recycling purposes.</li> <li>• Training and awareness of the requirements of the WMP and specific waste management strategies will be undertaken.</li> <li>• Contaminated waste will be managed, transported, and disposed of in accordance with licensing requirements.</li> <li>• Off-site waste disposal should be transported and disposed of in accordance with licensing requirements.</li> <li>• Assessment of suspicious potentially contaminated materials, hazardous materials and liquid wastes should be undertaken.</li> <li>• Regular monitoring, inspection and reporting requirements should be undertaken, and findings implemented.</li> </ul>



## 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:
  - (c) identify the development and application number;
  - (d) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
  - (e) identify how the incident was detected;
  - (f) identify when the applicant became aware of the incident;
  - (g) identify any actual or potential non-compliance with conditions of consent;
  - (h) describe what immediate steps were taken in relation to the incident;
  - (i) identify further action(s) that will be taken in relation to the incident; and
  - (j) 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.