Development Consent

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

As delegate of the Minister for Planning and Public Spaces under delegation executed on 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 15 September 2023

SCHEDULE 1

Application Number:	SSD-45510464
Applicant:	BlueScope Steel Limited
Consent Authority:	Minister for Planning and Public Spaces
Site:	25-55 Templar Road, Erskine Park, NSW 2759 Lot 3 of DP 1094504
Development:	Construction and operation of a metal coating line with a metal coating line with a processing capacity of 240 kilo tonnes per annum (ktpa) of zinc-aluminium coated steel, processing plant/equipment, ancillary infrastructure and car parking and temporary facilities.

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DEFINITIONS

Applicant	BlueScope Steel Limited, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
BC Act	*Biodiversity Conservation Act 2016*
Carrier	Operator of a telecommunication network and/ or associated infrastructure, as defined in section 7 of the *Telecommunications Act 1997* (Cth)
Certifier	A council or an accredited certifier (including principal certifiers) who is authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
CEMP	Construction Environmental Management Plan
CPL8	Coil Paint Line No. 8 approved and operated under SSD Approval DA-206-8-2004-i
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The demolition and removal of buildings or works, 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
Council	Penrith City Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning and Environment (DPE)
Development	The development described in Schedule 1, the EIS and Response to Submissions, including the works and activities comprising construction and operation, as modified by the conditions of this consent
Development layout	The plans at Appendix 1 of this consent
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
EES	Environment, Energy and Science Group of the Department
EIS	The Environmental Impact Statement titled *Erskine Park Metal Coating Line No.7 (MCL7) Environmental Impact Statement*, prepared by Environmental Resources Management Australia Pty Ltd dated 6 February 2023, submitted with the application for consent for the development
ENM	Excavated Natural Material
Environment	As defined in section 1.4 of the EP&A Act
EPA	NSW Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6 pm to 10 pm
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the *Heritage Act 1977,* and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the *National Parks and Wildlife Act 1974'*, the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), or anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance Note: "material harm" is defined in this consent
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act

Material harm	Is harm that: a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or 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)
Minister	NSW Minister for Planning and Public Spaces? (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Night	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
OEMP	Operational Environmental Management Plan
Operation	The use of a metal processing facility as described in the EIS and RTS
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
Planning Secretary	Secretary of the Department, or delegate
POEO Act	*Protection of the Environment Operations Act 1997*
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Response to Submissions (RTS)	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the document titled *Erskine Park Metal Coating Line No.7 (MCL7)*, prepared by Environmental Resources Management Australia Pty Ltd and dated 25 July 2023
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The land defined in Schedule 1
TfNSW	Transport for New South Wales
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
WSSC	The Applicant's existing Western Sydney Service Centre approved and operated under SSD Approval DA-206-8-2004-i
Year	A period of 12 consecutive months

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

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

TERMS OF CONSENT

A2. The development may only be carried out:

(a) in compliance with the conditions of this consent;

(b) in accordance with all written directions of the Planning Secretary;

(c) in accordance with the EIS and 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.

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

MCL7 Production Capacity

A5. The development must not produce more than 240 kilotonnes of coated steel product (ZINCALUME®) in any one year.

Lapsing

A6. 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.

NOTIFICATION OF COMMENCEMENT

A7. 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; and

(c) cessation of operations.

A8. If the construction or operation 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.

EVIDENCE OF CONSULTATION

A9. 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

A10. 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).

A11. 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.

A12. 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.

UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE

General Requirements

A13. Prior to the commencement of construction of the development, the Applicant must:

(a) consult with the relevant owner and provider of utility services or public infrastructure that are likely to be affected by the development or that need to be installed as part of the development, to make suitable arrangements for relevant approvals, access to, diversion, protection and support of the affected services or infrastructure;

(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and

(c) submit a copy of the dilapidation report to the Planning Secretary and Council.

A14. 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;

(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and

(c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding utility works/ public infrastructure.

Sydney Water

A15. Prior to the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

Fibre-Ready Facilities

A16. Prior to the issue of a Construction Certificate for any stage of the development, the Applicant (whether or not a constitutional corporation) is to provide evidence, satisfactory to the Certifier, that arrangements have been made for:

(a) the installation of fibre-ready facilities to all individual lots and/or premises in the development to enable fibre to be readily connected to any premises that is being or may be constructed on those lots; and

(b) the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots and/or premises in the development demonstrated through an agreement with a carrier.

A17. Prior to the issue of the Occupation Certificate for the development the Applicant must demonstrate that the carrier has confirmed in writing it is satisfied that the fibre-ready facilities are fit-for-purpose.

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 the relevant requirements of the BCA.

Note:

- *Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.*
- *The EP&A (Development Certification and Fire Safety) Regulation 2021 sets out the requirements for the certification of the development.*

EXTERNAL WALLS AND CLADDING

A20. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A21. Prior to the issue 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.

A22. 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.

COMPLIANCE

A23. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

CONTRIBUTIONS TO COUNCIL

A24. Under section 7.12 of the EP&A Act and in accordance with the *Penrith City Section 7.12 CITYWIDE Development Constructions Plan for non-residential development*, the Applicant must make a monetary contribution of $486,901 to Council.

A25. The monetary contribution required by condition A24 must be paid prior to the issue of a construction certificate in respect of any building to which this consent relates. The amount to be paid is to be adjusted at the time of the actual payment, in accordance with the *Penrith City Section 7.12 CITYWIDE Development Constructions Plan for non-residential development*.

OPERATION OF PLANT AND EQUIPMENT

A26. 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.

EASEMENTS

A27. Prior to the issue of an Occupation Certificate, an easement under section 88A and/or restriction or public positive covenant under section 88E of the *Conveyancing Act 1919* naming the Council as the prescribed authority, which can only be revoked, varied or modified with the consent of the Council, and which provides for stormwater management systems (including on-site detention and water sensitive urban design) must be registered on title of Lot 3 DP 1094504.

WORK AS EXECUTED PLANS

A28. Prior to the issue 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

A29. 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.

A30. 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

TRAFFIC AND ACCESS

Construction Traffic Management Plan

B1. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the CEMP required by condition C2 and must:

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

(b) be prepared in consultation with Council;

(c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;

(d) detail heavy vehicle routes, access and parking arrangements – including for construction staff and operational staff associated with the adjoining CPL8 facility;

(e) include a Traffic Guidance Scheme which includes details for pedestrian management and is prepared in accordance with AS1742.3 Traffic Control Devices for Works on Roads and the Traffic Control at Worksites Technical Manual (TfNSW);

(f) include a Driver Code of Conduct to:

(i) minimise the impacts of earthworks and construction on the local and regional road network;

(ii) minimise conflicts with other road users;

(iii) minimise road traffic noise; and

(iv) ensure truck drivers use specified routes;

(g) include a program to monitor the effectiveness of these measures; and

(h) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.

B2. The Applicant must:

(a) not commence construction until the Construction Traffic Management Plan required by condition B1 is approved by the Planning Secretary; and

(b) implement the most recent version of the Construction Traffic Management Plan approved by the Planning Secretary for the duration of construction.

Roadworks and Access

B3. Prior to the commencement of operation of the development, the Applicant must complete the construction of Templar Road works as described in the EIS, to the satisfaction of Council. The Applicant must obtain approval for the works under section 138 of the *Roads Act 1993*.

B4. The Applicant must submit design plans to the satisfaction of the relevant roads authority which demonstrate that the proposed accesses to the development are designed to accommodate the turning path of a 30 m PBS 2B vehicle.

Parking

B5. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

Operating Conditions

B6. The Applicant must ensure:

(a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of *AS 2890.1:2004 Parking facilities Off-street car parking* (Standards Australia, 2004), *AS 2890.2:2018 Parking facilities Off-street Commercial Vehicle Facilities* (Standards Australia, 2018) and *AS 2890.6.2009 Parking facilities Off-street parking for people with disabilities* (Standards Australia, 2009)

(b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;

(c) the development does not result in any vehicles queuing on the public road network;

(d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;

(e) all vehicles are wholly contained on site before being required to stop;

(f) all loading and unloading of materials is carried out on-site;

(g) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times; and

(h) relevant approval is obtained from the National Heavy Vehicle Regulator (NHVR) and Council's Asset Section for the use of 30 m PBS Level on local roads.

Operational Traffic Management Plan

B7. 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), whose appointment has been endorsed by the Planning Secretary;

(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 – including consideration of operational traffic associated with CPL8;

(d) 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;

(v) include a program to monitor the effectiveness of these measures; and

(e) include a Traffic Control Plan (TCP) detailing:

(i) heavy vehicle routes, road safety and efficiency measures and the on-site measures to be implemented to control the manoeuvring of vehicles in designated areas, and mitigate the potential for on-site vehicle conflict.

B8. The Applicant must:

(a) not commence operation until the Operation Traffic Management Plan required by condition B7 is approved by the Planning Secretary; and

(b) implement the most recent version of the Operation Traffic Management Plan approved by the Planning Secretary for the duration of operation.

Green Travel Plan

B9. Prior to the commencement of operation of any part of the development, the Applicant must prepare a Green Travel Plan to encourage the use of sustainable and active transport options by operational staff. The Green Travel Plan must:

(a) be submitted to the Planning Secretary;

(b) be prepared in consultation with TfNSW;

(c) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and

(d) describe pedestrian and bicycle linkages and end of trip facilities available on-site.

B10. The Applicant must:

(a) not commence operation until the Green Travel Plan (see condition B9) has been submitted to the Planning Secretary; and

(b) implement the most recent version of the Green Travel Plan submitted to the Planning Secretary for the duration of the development.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

B11. 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

B12. Prior to the commencement of any construction or other surface disturbance for the development, the Applicant must install 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.

B13. The Applicant must maintain the erosion and sediment control measures installed on-site in accordance with condition B12 for the duration of construction of the development.

Discharge Limits

B14. 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

B15. The Applicant must finalise the detailed design of development's the stormwater management system, prior to the commencement of construction of that system. The system must:

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

(b) be designed in consultation with Council;

(c) be generally in accordance with the conceptual design in the EIS and RTS;

(d) be in accordance with applicable Australian Standards; and

(e) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines;

B16. Prior to the commencement of operation, the Applicant must install the stormwater management system in accordance with the finalised detailed design (as required by condition B15) and ensure the system is operational.

B17. The Applicant must maintain the stormwater management system installed on the site under condition B16 for the duration of the development.

AIR QUALITY

Dust Minimisation

B18. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

B19. During construction 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

B20. 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

B21. 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) detail and rank all emissions from all sources of the development, including particulate emissions;

(c) describe a program that is capable of evaluating the performance of the operation and determining compliance with the limits in the EPL;

(d) identify the control measures that will be implemented for each emission source; and

(e) nominate the following for each of the proposed controls:

(i) key performance indicator;

(ii) monitoring method;

(iii) location, frequency and duration of monitoring;

(iv) record keeping;

(v) complaints register;

(vi) response procedures; and

(vii) compliance monitoring.

B22. The Applicant must:

(a) not commence operation until the Air Quality Management Plan required by condition B21 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

B23. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

NOISE

Hours of Work

B24. 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
Earthworks and construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm
Operation	Monday – Sunday	24 hours

B25. Works outside of the hours identified in condition B24 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

B26. 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.

Construction Noise Management Plan

B27. The Applicant must prepare a Construction Noise Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of a CEMP in accordance with condition C2 and must:

(a) be prepared by a suitably qualified and experienced noise expert;

(b) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time);

(c) describe the measures to be implemented to manage:

(i) high noise generating works (such as piling);

(ii) potential vibration impacts to nearby properties; and

(d) include a complaints management system that would be implemented for the duration of the development.

B28. The Applicant must:

(a) not commence construction of any relevant stage of the development until the Construction Noise Management Plan required by condition B27 is approved by the Planning Secretary; and

(b) implement the most recent version of the Construction Noise Management Plan approved by the Planning Secretary for the duration of construction.

Operational Noise Limits

B29. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2.

Table 2 *Noise Limits (dB(A))*

Location	Day $L_{Aeq(15\ minute)}$	Evening $L_{Aeq(15\ minute)}$	Night $L_{Aeq(15\ minute)}$
All residential receivers[a]	40	35	35
Industrial receivers	68		

a. Refer to the plan in Appendix 3 of this consent for the location of residential sensitive receivers.

Note *Noise generated by the development is to be measured in accordance with the relevant monitoring performance 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).*

Operational Noise Verification Report

B30. Within three months of the commencement of operation of the development, or as otherwise directed by the Planning Secretary, the Applicant must prepare and submit a noise verification report for the development. The noise verification report must:

(a) be prepared in consultation with the EPA;

(b) be prepared to the satisfaction of the Planning Secretary;

(c) demonstrate that noise verification has been carried out by a suitably qualified and experienced acoustic consultant in accordance with:

(i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018); and

(ii) the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022);

(iii) the monitoring and reporting requirements detailed in Section 7 of the Noise Policy for Industry (EPA, 2017);

(d) include:

(i) an analysis of compliance with noise limits specified in condition B29;

(ii) an outline of management actions to be taken to address any exceedances of the limits specified in condition B29; and

(iii) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

VIBRATION

Vibration Criteria

B31. Vibration caused by construction at any residence or structure outside the site must be limited to:

(a) for structural damage, the latest version of *DIN 4150-3 (1992-02) Structural vibration - Effects of vibration on structures* (German Institute for Standardisation, 1999); and

(b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (DEC, 2006) (as may be updated or replaced from time to time).

B32. Vibratory compactors must not be used closer than 30 metres from residential buildings unless vibration monitoring confirms compliance with the vibration criteria specified in condition B31.

B33. The limits in conditions B31 and B32 apply unless otherwise outlined in a Construction Noise and Vibration Management Plan, approved as part of the CEMP required by condition C2 of this consent.

ABORIGINAL HERITAGE

Unexpected Finds Protocol

B34. 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.

B35. 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*.

HISTORIC HERITAGE

Unexpected Finds Protocol

B36. If any non-Aboriginal archaeological relics are uncovered during any works being carried out for the development:

(a) all work in the immediate vicinity of the suspected relic(s) must cease immediately;

(b) Heritage NSW must be contacted immediately; and

(c) the suspected relic(s) must be evaluated, recorded and, if necessary, excavated by a suitably qualified and experienced expert in accordance with the requirements of Heritage NSW.

B37. Work in the immediate vicinity of any suspected non-Aboriginal archaeological relic(s) must not recommence until this has been authorised by Heritage NSW.

HAZARDS AND RISK

Pre-construction

B38. At least one month prior to the commencement of construction of the development (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Planning Secretary may agree, the Applicant must prepare and submit to the satisfaction of the Planning Secretary the studies set out under subsections (a) to (d) below (the pre-construction studies). Construction, other than of preliminary works, must not commence until approval has been given by the Planning Secretary and, with respect to the Fire Safety Study, prepared in consultation with FRNSW:

(a) A **Fire Safety Study** for the development. This study must cover the relevant aspects of the *Department's Hazardous Industry Planning Advisory Paper (HIPAP) No. 2, 'Fire Safety Study Guidelines'* and the *New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems* (NSW HMPCC, 1994). The study must also be submitted to Fire and Rescue NSW and meet the requirements of Fire and Rescue NSW;

(b) A **Hazard and Operability Study** for the development, chaired by a qualified person, independent of the development, approved by the Planning Secretary prior to the commencement of the study. The study must be carried out in accordance with the Department's *HIPAP No.* 8, '*HAZOP Guideline*s'. The study report must be accompanied by a program for the implementation of all recommendations made in the report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented;

(c) A **Final Hazard Analysis** of the development, prepared in accordance with the Department's *HIPAP No. 6, 'Hazard Analysis*', and

(d) A **Construction Safety Study**, prepared in accordance with the Department's *HIPAP No. 7 'Construction Safety'*. For developments in which the construction period exceeds six months, the commissioning portion of the Construction Safety Study may be submitted two months prior to commencement of commissioning.

Pre-commissioning

B39. The Applicant must develop and implement the plans and systems set out under subsections (a) to (b) below. No later than two months prior to the commencement of commissioning of the development, or within such further period as the Planning Secretary may agree, the Applicant must submit for the approval of the Planning Secretary documentation describing those plans and systems. Commissioning must not commence until approval has been given by the Planning Secretary:

(a) a comprehensive **Emergency Plan** and detailed emergency procedures for the development. The Emergency Plan must include consideration of the safety of all people outside of the development who may be at risk from the development. The plan must be prepared in accordance with the Department's *HIPAP No. 1, 'Emergency Planning'*; and

(b) a document setting out a comprehensive **Safety Management System**, covering all on-site operations and associated transport activities involving hazardous materials. The document must clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records must be kept on-site and must be available for inspection by Planning Secretary upon request. The Safety Management System must be developed in accordance with the Department's *HIPAP No. 9, 'Safety Management'*.

Pre-startup

B40. One month prior to the commencement of operation of the development, the Applicant must submit to the Planning Secretary, a Pre-Startup Compliance Report detailing compliance with conditions B38 and B39 on this consent, including:

(a) dates of study/plan/system submission, approval, commencement of construction and commissioning;

(b) actions taken or proposed, to implement recommendations made in the studies/plans/systems; and

(c) responses to any requirement imposed by the Planning Secretary under condition A3(b).

Post-startup

B41. Three months after the commencement of operation of the development, the Applicant must submit to the Planning Secretary, a Post-Startup Compliance Report verifying that:

(a) the Emergency Plan required under condition B39(a) is effectively in place and that at least one emergency exercise has been conducted; and

(b) the Safety Management System required under condition B39(b) has been fully implemented and that records required by the system are being kept.

Hazard Audit

B42. Within twelve months after the commencement of operation of the development and every five years thereafter, or at such intervals as the Planning Secretary may agree, the Applicant must carry out a comprehensive Hazard Audit of the entire site, inclusive the WSSC. The audits must:

(a) be carried out at the Applicant's expense by a qualified person or team, who have been approved by the Planning Secretary and are independent of the development;

(b) be carried out in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 5, 'Hazard Audit Guidelines*'; and

(c) include a review of the site Safety Management System and a review of all entries made in the incident register since the previous audit.

B43. Within one month of completing each audit carried out in accordance with condition B42, the Applicant must submit an audit report to the satisfaction of the Planning Secretary for approval. The audit report must be accompanied by a program for the implementation of all recommendations made in the audit report. If the Applicant intends to defer the implementation of a recommendation, reasons must be documented.

Further Requirements

B44. The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions B38 to B43 inclusive, within such time as the Planning Secretary may agree.

B45. 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'*.

B46. In the event of an inconsistency between the requirements of conditions B45(a) and B45(b), the most stringent requirement must prevail to the extent of the inconsistency.

Emergency Services Information Package

B47. From the commencement of construction and for the life of the development, an Emergency Services Information Package, developed in accordance with the FRNSW *Fire Safety Guideline – Emergency Services Information Package and Tactical Fire Plans,* must be stored in an emergency information cabinet directly adjacent to the main entry point to the site.

WASTE MANAGEMENT

Waste Management Plan

B48. 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.

B49. 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.

Statutory Requirements

B50. 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.

Pests, Vermin and Priority Weed Management

B51. 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*.*

CONTAMINATION

Unexpected Finds

B52. 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 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.

Remediation

B53. The Applicant must ensure the remediation works are undertaken by a suitably qualified and experienced consultant(s) in accordance with the Remedial Action Plan submitted with the EIS and relevant guidelines produced or approved under the *Contaminated Land Management Act 1997*.

B54. Within one month of the completion of the remediation works for the development, the Applicant must submit a validation report/letter to the satisfaction of the Planning Secretary, which has been prepared, or reviewed and approved, by a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.

VISUAL AMENITY

Landscaping

B55. Prior to the commencement of operation of the development, the Applicant must prepare a Landscape Management Plan to manage the landscaping works on-site, to the satisfaction of the Planning Secretary. The plan must form part of an OEMP in accordance with condition C5. The plan must:

(a) be generally consistent with the Landscape Plans submitted with the RTS;

(b) detail the locally native species to be planted on-site, including planting densities and pot sizes;

(c) describe the monitoring and maintenance measures to manage landscaping works; and

(d) be consistent with the Applicant's Management and Mitigation Measures in Appendix 2.

B56. The Applicant must:

(a) not commence operation until the Landscape Management Plan is approved by the Planning Secretary.

(b) must implement the most recent version of the Landscape Management Plan approved by the Planning Secretary; and

(c) maintain the landscaping and vegetation on the site in accordance with the approved Landscape Management Plan required by condition B55 for the life of the development.

Lighting

B57. The Applicant must ensure the lighting associated with the development:

(a) complies with the latest version of AS 4282-2019 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 2019); and

(b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Signage and Fencing

B58. All signage and fencing must be erected in accordance with the development plans included in the RTS.

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

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) Construction Traffic Management Plan (see condition B1);

(b) Erosion and Sediment Control Plan;

(c) Construction Noise Management Plan (see condition B27);

(d) Unexpected Finds Contamination Procedure (see condition B52); and

(e) 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) Traffic (see condition B7);

(ii) Air Quality (see condition B21);

(iii) Waste (see condition B48); and

(iv) Landscape (see condition B55).

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 approval of any modification of the conditions of this consent; or

(d) 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.

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

(a) identify any trends in the monitoring data over the life of the development;

(b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and

(c) describe what measures will be implemented over the next year to improve the environmental performance of the development.

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

Monitoring and Environmental Audits

C16. 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

C17. At least 48 hours before the commencement of construction of the development and for the life of the development (or such other time as agreed by the Planning Secretary), the Applicant must:

(a) make the following information and documents (as they are obtained or approved) publicly available on its website:

(i) the documents referred to in condition A2 of this consent;

(ii) all current statutory approvals for the development;

(iii) all approved strategies, plans and programs required under the conditions of this consent;

(iv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;

(v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;

(vi) a summary of the current stage and progress of the development;

(vii) contact details to enquire about the development or to make a complaint;

(viii) a complaints register, updated monthly;

(ix) the Compliance Report of the development;

(x) any other matter required by the Planning Secretary; and

(b) keep such information up to date, to the satisfaction of the Planning Secretary.

C18. Notwithstanding conditionC17, the documents described in conditions B38, B39, B40, B41 and B47 and the outcomes of any reporting or performance thereof arising from these documents, are not required to be published on any website.

APPENDIX 1 DEVELOPMENT LAYOUT PLANS

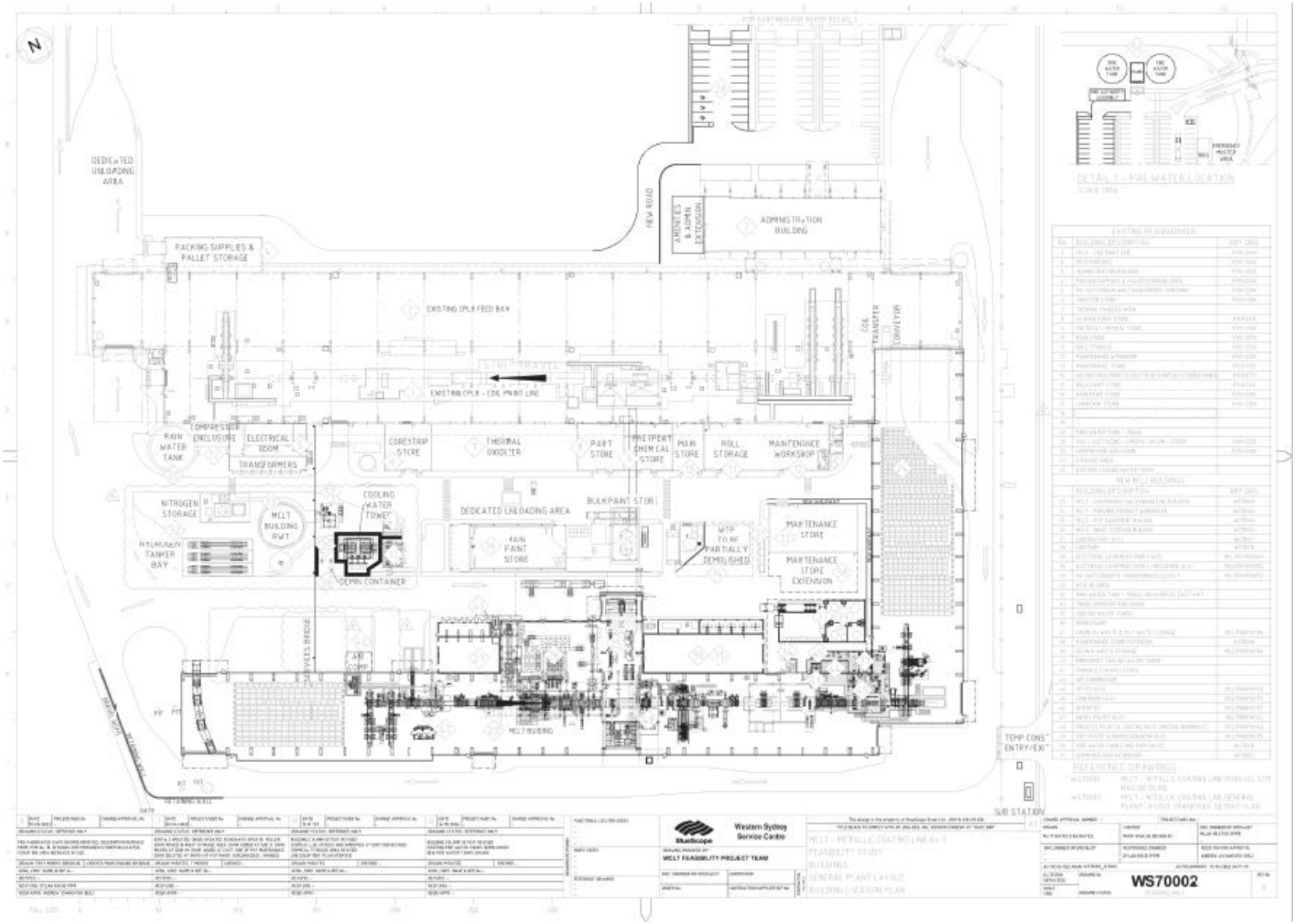

Figure 1 | *General Plant Layout*

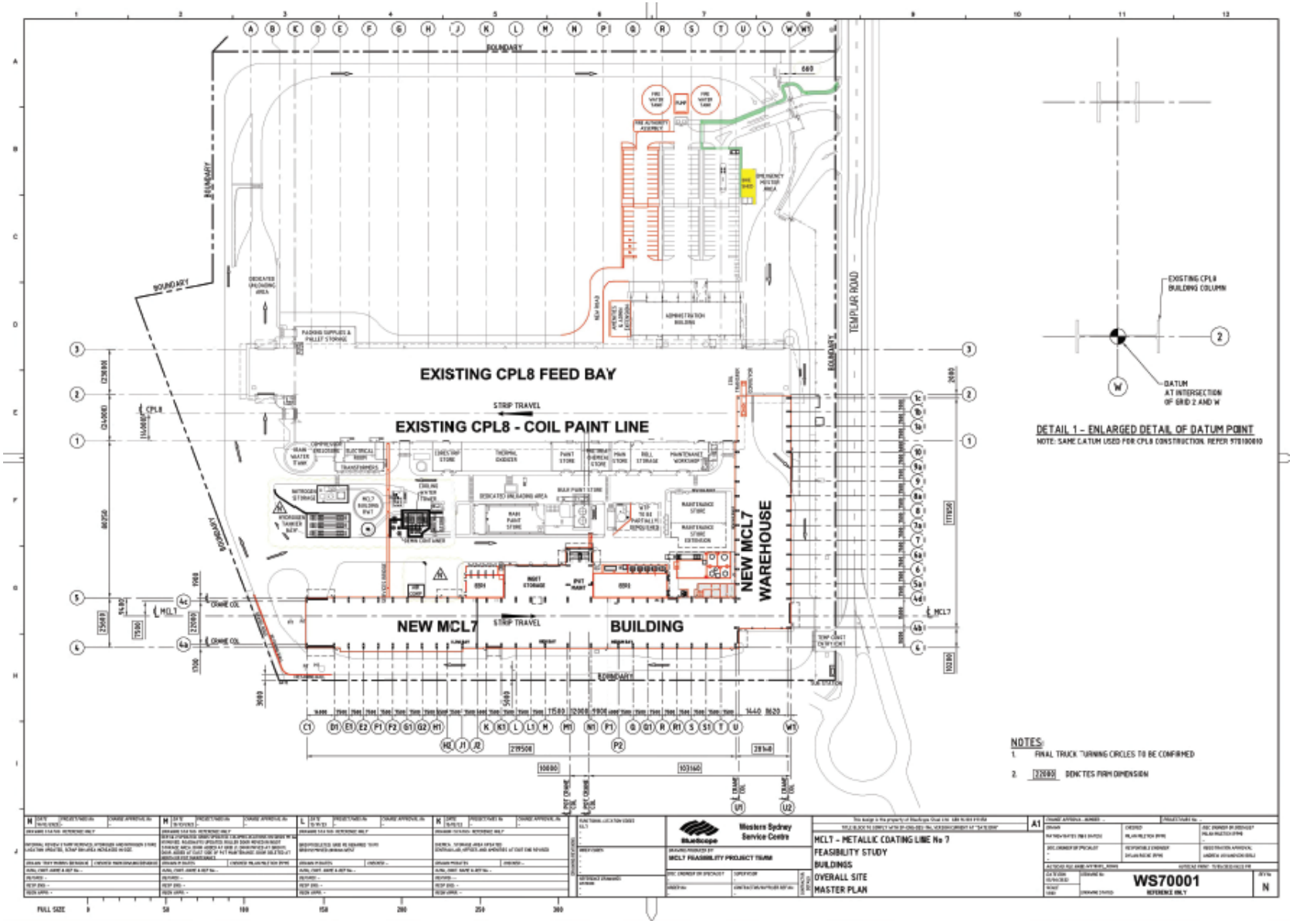

Figure 2 | *Overall Site Master Plan*

PROJECT NO.	DRAWING NO.	REV	DATE	TITLE
Architectural drawings prepared by PACE Architects Pty Ltd				
220704	WS72000	13	24/02/2023	COVER SHEET
220704	WS72010.1	4	24/02/2023	SITE PLAN – SSDA
220704	WS72030.1	4	24/02/2023	GROUND FLOOR – SSDA PLAN
220704	WS72031	3	01/12/2022	ADMINISTRATION OFFICE EXTENSION
220704	WS72034	8	01/12/2022	CNTRL LAB, OFFCE, CRIB ROOM & AMENITIES
220704	WS72035	7	01/12/2022	ELECTRICAL EQUIPMENT ROOM 2
220704	WS72036	6	01/12/2022	ELECTRICAL EQUIPMENT ROOM 1
220704	WS72037	7	01/12/2022	POT EQUIPMENT & INGOT STORAGE
220704	WS72038	7	01/12/2022	MAINTENANCE BUILDING
220704	WS72043	7	24/02/2023	ROOF PLAN 3A – SKILLION – COLORBOND
220704	WS72060	16	05/04/2023	ELEVATIONS
220704	WS72061	7	01/12/2022	ELEVATIONS + PARTIAL SECTION
220704	WS72069	5	01/12/2022	ELEVATIONS – ADMIN OFFICE EXTENSION
220704	WS72070	8	01/12/2022	SECTIONS
LANDSCAPE CONCEPT PLAN prepared by Habit8 Pty Ltd				
H8-22046	L-01	H	20/07/2023	Coversheet
H8-22046	L-03	H	20/07/2023	Landscape Masterplan
H8-22046	L-04	H	20/07/2023	Landscape Concept Plan 01
H8-22046	L-05	H	20/07/2023	Landscape Concept Plan 02
H8-22046	L-06	H	20/07/2023	Landscape Concept Plan 03
H8-22046	L-07	H	20/07/2023	Landscape Concept Plan 04
H8-22046	L-08	H	20/07/2023	Landscape Section A-A
H8-22046	L-09	H	20/07/2023	Indicative Plant Schedule
H8-22046	L-10	H	20/07/2023	Indicative Plant Schedule
H8-22046	L-11	H	20/07/2023	Typical Specification & Maintenance Notes
H8-22046	L-12	H	20/07/2023	Typical Landscape Details

APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Environmental Aspect		Mitigation Measure	Where Addressed
Development		■ Construct, operate, maintain and decommission the Erskine Park MCL7 generally in accordance with the 'Project Description'.	EIS, Section 3
		■ Seek relevant approvals and post-approvals in accordance with Section 4	EIS, Section 4
General		■ An Environmental Management Strategy (EMS) will be developed to guide proposed activities associated with the construction, operation and decommissioning and rehabilitation of the Project.	EIS, Section 3.4
Air Quality		■ A Construction and Environmental Management Plan (CEMP) will be prepared to describe and document relevant mitigation measures to manage dust emissions generated during construction. ■ Establishment of vehicle exit points via controlled access locations that will incorporate relevant authority approved erosion and sediment control measures, such as provision of a shaker grid and ballast placed within the site boundary. ■ Use of a street sweeper to remove debris that is inadvertently released onto public roadways	EIS, Section 6.2.6
		■ Mitigation measures for implementation during the operational phase of the Project include: - Vehicle routes have been optimised for shortest transport routes, as approved by the national heavy vehicle regulator (NHVR), thus minimising vehicle kilometres travelled (VKT) and corresponding air emissions. - The Project will operate in accordance with EPA requirements, and equipment shall be designed to monitor and alarm abnormal process conditions (including tank levels and combustion controls), thus reducing risks of elevated air emissions. - The Operations will follow authorised Standard Operating Procedures that comply with legislative requirements and BSL standards. This includes the requirement that all pollution control equipment on the plant must be operated in accordance with which it was designed, the Direct Fired Furnace will operate under automatic control modelling to ensure efficient control of Air quality, and will be maintained to a proper and efficient condition and operated in a proper and efficient manner. - The maintenance regime for all equipment must be adequate and serviced/maintained/inspected to the specified frequency set by BSL. - Operators will be formally trained and accredited in how to operate the plant. ■ Additionally, the commissioning of a new trucking fleet with increased coil capacity and overall tonnage to minimise total number of vehicle movements is currently being assessed by the Applicant and the NHVR	
Hazards and Risks	Airspace	■ Consideration given to the use of materials and finishes of the Project infrastructure to mitigate the impact of glare.	Section 6.3.1.6
		■ Consideration will be given to measures which can be implemented to reduce the attractiveness of the Project to wildlife.	
		■ Consideration of construction and operational lighting to ensure that it does not distract or confuse pilots.	

Environmental Aspect		Mitigation Measure	Where Addressed
		■ Maintaining and operating space that is clear from obstacles.	
	Contamination	■ Waste classification (in accordance with the NSW Waste Classification Guidelines (NSW EPA, 2014)) of excavated material (including fill, naturals soils and bedrock materials) to confirm that all spoil is disposed of at a NSW EPA licensed facility appropriate to receive and manage such waste. ■ The waste facility should be contacted prior to the commencement of excavation to receive all necessary approvals.	EIS, Section 6.3.2.6
		■ Development of a Remediation Action Plan that incorporates the following: - HGG mitigation measures, BlueScope complying to Level 3 Gas protection under the NSW EPA assessment and management of Hazardous ground gas contaminated land guidelines 2020. - Data gap assessment including the revision of SafeWork NSW records for the Project Area, further testing of deep soil beneath the below ground pits for classification of soil for off-site disposal and a salinity assessment within the Project Area to assess potential salinity impacts to the structure.	
	Preliminary Hazard Analysis / SEPP 33	■ A layout safety review of the Project Area to ensure that adequate separation distances are met to prevent incident escalation.	EIS, Section 6.3.3.6
		■ Control systems design, containing alarms or shutdowns, for process deviation detection, which is subject to a Hazard and Operability study.	
		■ CO monitoring device and alarm to be installed near the annealing furnace area.	
		■ Hydrogen pressure relief device to be installed to vent to an elevated area in the open.	
		■ Provide visible tank level gauge to driver, located near the truck unloading point for bulk chemicals unloading.	
		■ Develop sampling provisions for the passivation dryer vent emission VOC monitoring (if required under NSW EPA licence update).	
		■ Provision of a separation distance of 55 m from the hydrogen trailer to the Project Area boundary, to contain fire radiation impact.	
		■ Review of the chemical spill emergency response plant in response to the severe consequences of inhalation hazards associated with nitric acid spills.	
		■ On-going maintenance schedule to be developed for the roof to prevent rainwater ingress into the Project building.	
		■ Set up of a hazardous area classification for trailer storage.	

Environmental Aspect		Mitigation Measure	Where Addressed
	Preliminary Remedial Action Plan	■ Installation of a Hazardous Ground Gases (HGG) mitigation system as part of the proposed MCL7 development that comprises multiple levels of protection in order to address the established risk scenario at the site; ■ Ongoing monitoring of groundwater, indoor air and ground gas at the site to ensure the nature of the risk scenario does not change in future; ■ Completion of a HGG Mitigation System Design Report with a detailed description of the approved design, a Construction Quality Assurance (CQA) plan and a validation plan. The validation plan should include details regarding data quality objectives, opted monitoring and sampling methodologies and a Sampling Analysis Quality Plan (SAQP).	Appendix J Preliminary Remedial Action Plan
Noise and Vibration		■ A general CNMP or CEMP should be considered prior to commencing works to ensure 'best practice' measures are adhered to, which would consider the following as a minimum: - Identify nearby residences and other sensitive land uses; - Develop noise management levels consistent with the ICNG; - Assess the potential impact from the proposed construction methods; - Where management levels are exceeded examine feasible and reasonable noise mitigation; - Develop reactive and proactive strategies for dealing with any noise complaints; and - Identify a site contact person to follow up complaints.	EIS, Section 6.4.6 Appendix M of the EIS Appendix G of the Response to Submissions Report
		■ The following general measures are also recommended as 'best practice' for minimising noise impacts, as considered in the assumptions of the conducted noise modelling: - Ensure plant and equipment is well maintained and not generating excessive noise; - Use broadband reversing alarms in place of traditional beeper reversing alarms; - Operate machinery in a manner which reduces maximum noise level events including shaking excavator bucket, loading trucks; - Site awareness training / environmental inductions that include a section on noise mitigation techniques / measures to be implemented when on site; and - Use lower powered or reduced size equipment where noise benefits are available, where practical.	
		■ The internal reverberant mechanical plant noise is recommended to be ascertained when MCL7 is fully operational. This is to ensure the operational noise levels are similar to the assumed levels in this assessment	
		■ The building components and their respective acoustic performance as presented in Table 4-3 of Appendix B are recommended to be adhered to ensure that the predicted levels in this assessment are valid.	
		■ Louvred areas and the extent of the louvred areas as presented in Table 4-3 of Appendix B are recommended to be adhered to ensure that the predicted levels in this assessment are valid.	
		■ It is recommended to review and update the assessment to ensure compliance is still achieved.	
		■ Should the configuration of the MCL7 façade be altered, the minimum acoustic performance as presented in Table 4- 3 of Appendix B should be adhered. A review of the assessment may be required if significant changes are proposed.	

Environmental Aspect	Mitigation Measure	Where Addressed
	■ It is recommended to conduct an assessment during the detailed design stage of operational noise associated with the MCL7 Building and ancillary warehouse when plant selection, manufacturer's noise data and location are finalised. The assessment should also consider the final building configuration of the MCL7 facades, including final locations and areas of the louvres.	
	■ It is also recommended to conduct attended noise measurements of MCL7 when fully operational to ascertain the internal reverberant levels of equipment.	
	■ Educate drivers as to acceptable vehicle routes, parking locations and delivery / access hours and other relevant practices;	
	■ Driver training to outline appropriate driving behaviours to minimise noise generation, including adherence to posted speed limits and avoidance of aggressive braking and acceleration practices	
	■ Limit speed revs and exhaust braking adjacent to residences.	
	■ An Operational Environmental Management Plan should be developed to detail the required mitigation measures for the road traffic noise management.	
	■ It is recommended to conduct an assessment during the detailed design stage of operational noise associated with the MCL7 Building and ancillary warehouse when plant selection, manufacturer's noise data and location are finalised. The assessment should also consider the final building configuration of the MCL7 facades, including final locations and areas of the louvres.	
	■ The assessment conducted should ensure that the following parameters are met: - The internal reverberant mechanical plant noise do not exceed the noise levels presented of the assumed sources in the NIVA, when plant/equipment selection are finalised. - The building components meet their respective minimum acoustic performance as presented in Table 4-3 of the NVIA to ensure that the predicted levels in this assessment are not exceeded. - Louvred areas and the extent of the louvred areas meet their respective minimum dimensions as presented in Table 4-3 of the NVIA to ensure that the predicted levels in this assessment are not exceeded	
	■ Should any of the above factors differ significantly from the assumptions in this assessment, it is recommended to review and update the assessment to ensure the predicted results in this assessment are still achieved.	
	■ Should the configuration of the MCL7 façade be altered, the minimum acoustic performance as presented in Table 4 3 should be adhered. A review of the assessment may be required if significant changes are proposed.	
Traffic and Transport	■ Development of a Construction Traffic Management Plan (CTMP) to be prepared prior to construction. The CTMP should include measures such as encouraging the use of car-pool and public transport instead of a single occupant car travel.	EIS, Section 6.5.6
	■ The contractor is responsible for acquiring all approvals and permits required from the relevant road authorities and for ensuring compliance with specified conditions.	

Environmental Aspect	Mitigation Measure	Where Addressed
	■ An independent dilapidation survey of Templar Road will be conducted prior to the commencement of construction ■ An independent dilapidation survey of Templar Road will be conducted following completion of construction activities to identify damage (if any) during construction as a result of the proposed development construction activities; and ■ Repairs will be made to Templar Road in consultation with the relevant road authority	
	■ A Travel Access Guide (TAG) will be prepared prior to operation, including details of bicycle parking and end of trip facilities.	
Visual Amenity	■ Additional tree planting along and south of Templar Road to screen the Project building and ancillary infrastructure.	EIS, Section 6.6.6
	■ Retention and maintenance of the existing vegetation buffer along Templar Road during Project construction, using the species specified in the Landscape Plan (refer to Appendix P).	
	■ Minimisation of visual contrast against the existing CPL8 building through similar sustainable architectural design and material selection.	
Geotechnical	■ Further study is to be conducted of the various rock units to determine whether the existing ground is suitable for heavily loaded slabs on grade.	EIS, Section 6.7.6
	■ Further testing of the compacted fill used in the industrial area to allow for subdivision of earthworks should be conducted where heavily loaded slabs on grade are proposed to certify compaction.	
	■ Placement of the proposed pavements near the southern boundary for the heavy vehicles should consider impact to the boundary retaining wall during the design process.	
	■ Areas where loads may be within the zone of influence of a boundary retaining wall should be designed to prevent surcharging the wall (which may not have sufficient capacity). The soaked CBR test results indicated that subgrade improvement/replacement to all pavement areas may be required for an economical design.	
	■ All excavation works will be undertaken in accordance with the NSW Code of Practice for Excavation Work.	
	■ Provision of measures for subgrade preparation are recommended below the floor slabs and pavements where the new fill is proposed (except for where fully suspended floor slabs were adopted).	
	■ Management of weak areas during site preparation can be through adequate site draining. Following treatment, fill should be placed together with constant density tests.	
	■ Earthworks must be taken close to the boundaries of the Project Area in order to avoid damage to existing infrastructure form vibration or loads by the roller.	
	■ Temporary batters should follow recommendation values as specified in the Geotechnical Investigation report and stormwater runoff must be managed and directed away from all temporary batters to moderate erosion.	

Environmental Aspect	Mitigation Measure	Where Addressed
	■ Retaining wall backfill should comprise of material indicated in the report, and allow a roller to compact further layers of backfill. Drainage should be provided at the base of the walls linked to the stormwater system for disposal.	
	■ Basement design should be well above the measured groundwater level.	
	■ The design of layers materials and thickness, lime stabilisation of the subgrade, surface and subsoil drainage in trafficable pavements should follow the measures set out in the geotechnical report (refer to Appendix R).	
	■ Further testing should be undertaken of the following: - The southern boundary retaining wall, lime acceptance, density of engineered fill, and the fill and finite element defection analysis of soil and slab interaction for consideration of slab-on-grade; - Review the structural drawings; and - Inspect the piled footing, batters, shoring pile (if used), subgrade and proof rolling.	
	■ Check salinity levels for relevance to the Project, as per council recommendations.	
	■ Classify all waste from any soil and/or bedrock excavated from the Project Area and prior to offsite disposal.	
Water and Hydrology	■ Integration of the Project operations with the existing CPL8 operations, particularly drainage, process water treatment, and trade effluent discharge.	EIS, Section 6.8.6
	■ Implementation of a piped drainage system (designed to a Q20 event) and an overland flow and open channel system (designed to a Q100 event) to convey stormwater runoff. Runoff is to be directed toward existing stormwater pipes along the western boundary of the site which service the existing CPL8 Facility.	
	■ Treatment of stormwater via existing stormwater capture, treatment and discharge system for the existing BlueScope facility (note the capacity of the existing system has been checked and can sufficiently cater for the connection of the proposed development).	
	■ Management of increased runoff through minor modification to the existing stormwater retention basin and discharge structure.	
	■ Diversion of upgradient (clean) stormwater around the disturbed sites and capture sediment-laden runoff from within the disturbed site for diversion to sediment control devices.	
	■ Implementation of appropriate procedures for the transport, storage and handling of fuels, oils, and other hazardous substances, including availability of spill clean-up kits.	
	■ Attainment of necessary water access licences.	
	■ Implementation of a Soil and Water Management Plan (SWMP), developed by a suitably qualified person, prior to construction commencing.	
	■ Implementation of a Progressive Erosion and Sediment Control Plan (ESCP) to address management requirements during construction.	

Environmental Aspect	Mitigation Measure	Where Addressed
	■ Installation of geotextile silt fences (with sediment basins where appropriate) at drainage lines within the Project Area that are likely to receive runoff from disturbed areas.	
	■ Minimisation of the extent of disturbance areas across the site at one time through appropriate management.	
	■ Progressive stabilisation and disturbed areas once earthworks have been completed.	
	■ Topsoil resources and stockpile management to minimise the risk of erosion and sediment run-off.	
	■ Implementation of appropriate measures to treat steep batters to minimise sediment loss.	
	■ Inspection and maintenance of erosion and sediment control devices for the duration of the construction stage of the Project.	
	■ Implementation of a program of visual inspections at work sites following significant rain events to identify and immediately remediate any localised erosion.	
	■ Primary treatment of stormwater by existing Humes Humeceptor GPT (or equivalent) prior to discharge.	
	■ Stormwater harvesting, treatment, storage, and re-use in non-potable applications. This will come from portions of the sites roof areas via an in line tank. Sizing is subject to detailed design	
	■ Design of hardstand areas that are graded to the perimeter of drains and have minimal available fine materials on surfaces. This will limit the potential of drains to erode and hence the potential to generate sediment.	
	■ Utilise the existing on-site detention system (refer to Table 5.2 in the Civil Engineering Report Incorporating Soil and Water Management Report, Appendix X) in order to allow the post development peak flows from the site attenuate to less than pre-development. ■ During the construction phase, a Sediment and Erosion Control Plan will be in place to ensure the downstream drainage system and receiving waters are protected from sediment laden runoff.	Appendix G Civil Engineering Report Incorporating Soil and Water Management
	■ During the operational phase of the development, a treatment train incorporating the use of existing Gross pollutant trap (GPT) and biofiltration basin is proposed to mitigate any increase stormwater pollutant load generated by the development.	
	■ The MUSIC modelling (refer to Figure 6.1 in the Civil Engineering Report Incorporating Soil and Water Management Report, Appendix X), indicates that the proposed Stormwater Treatment Measures (STM's) are effective in reducing pollutant loads in stormwater discharging from the site and meet the requirements of Council's pollution reduction targets.	
	■ The Applicant will ensure that the stormwater system is properly operated and maintained as described in Appendix D of Appendix E in the Response to Submissions Report.	Appendix D of Appendix E in the Response to Submissions Report
Waste Management	■ Separation of recyclable and non-recyclable materials where possible.	EIS, Section 6.9.6

Environmental Aspect	Mitigation Measure	Where Addressed
	■ Separation of spoil materials that meet Resource Recovery Orders for reuse at locations with appropriate planning approvals and managed under the relevant Resource Recovery Exemptions;	
	■ Regular collection of waste receptacles by Council collection service or licensed contractors. Receptacles will be transported for off-site disposal at an appropriately licenced landfill or recycling facility.	
	■ All waste disposal will be in accordance with the POEO Act and the NSW Waste Classification Guidelines (NSW EPA, 2014).	
	■ Appropriate tracking of the quantity and type of any wastes that triggers the requirement for tracking under the NSW Waste Classification Guidelines (NSW EPA, 2014).	
	■ An objective of ensuring that any use of local waste management facilities does not exhaust available capacity, nor disadvantage the local community	
Biodiversity	■ Implement measures prior to construction, and during construction and operational phases of the Project to minimise indirect impacts to biodiversity values.	EIS, Section 6.10.6
	■ Mark out all mapped native regeneration areas as no-go zones on all construction plans and ensure no parking of any machinery within the retained vegetation.	
	■ Ensure strict hygiene protocols to prevent the spread of weeds or pathogens within the site as well as into any adjacent areas.	
	■ Implement a weed control program within the retained vegetation.	
	■ Develop and maintain appropriate sediment and erosion control measures to ensure no direct or indirect impacts into the retained habitats.	
	■ Ensure all night lighting is not directed towards or shine into retained habitats or adjacent areas of vegetation.	
ESD	■ The optimisation of energy efficiency and energy savings throughout Project design and operations through building, heating, ventilation, air conditioning, lighting design. ■ Energy and emissions management of buildings, and the potential implementation of on-site and off-site renewables to allow roof space for any future solar PV to reduce grid energy consumption.	EIS, Section 6.11.6
	■ Selection of water conservation options and opportunities to decrease water consumption and optimise water reuse.	
	■ Incorporation of design measures to minimise the impact of Project on ecology and enhance biodiversity, including selection of lighting and landscaping features, understanding of current and previous biodiversity and waterways context of the Project Area, to protect and improve ecological value of the site.	
	■ Materials and design initiatives will be strategically included in the Project to minimise material use, optimise reuse and recycling, responsible selection and low-maintenance materials.	
	■ The Project will adopt a waste management strategy following the waste hierarchy for waste from construction and operation. Wastewater will be minimised and treated before discharging to the sewer system.	

Environmental Aspect	Mitigation Measure	Where Addressed
	■ The Project will adopt measures to lower impacts from personnel commute, by encouraging active and public transport, bicycle and change facilities. Options of transport that effectively reduces GHG emission, such as electric vehicles may also be considered.	
Historic Heritage	■ There are no historical built heritage or archaeological constraints for the proposed development; therefore, construction works may proceed with no further historic heritage assessments or management measures	EIS, Section 6.12.6
Heritage Indigenous	■ Measures will be included in the cultural awareness induction in the unlikely event that Aboriginal objects of historic heritage items are identified during the construction phase.	EIS, Section 6.13.6
	■ Potential mechanisms to acknowledge Aboriginal cultural values and history of the region will be incorporated into ongoing operations of the Project Area.	
	■ An unexpected finds procedure was developed to provide a consistent method for managing any unexpected heritage or archaeological items (including unexpected human remains) for the duration of the construction phases of the Project.	
Bushfire	■ Design considerations to increase fire protection systems.	EIS, Section 6.14.6
	■ Adherence to fire ban restrictions, permit conditions (appropriate permits are to be issued for work) and checking of fire conditions in the area.	
	■ Appropriate bunding in areas where there is potential for flammable fuels and oils.	
	■ Cleaning of all plant, vehicles and earth moving machinery are cleaned of any accumulated flammable material.	
	■ Construction of a perimeter access track as the first part of the development.	
	■ No smoking areas to be designated in all areas of the plant.	
Landscaping	■ Substitute plantings are to be provided for removed trees with a mature height expectancy of 8-12 metres to assist in the replenishment of the urban tree canopy.	RtS, Appendix M
	■ Replacement trees, shrubs, and groundcovers to be provided as part of final landscape works.	
	■ An AQF5 Qualified Arborist must be engaged and on site during any demolition wors within or adjacent to tree protection zones.	
Social	■ Monitor and consider supply shortages when considering contractor procurement, and work with the contractor during construction to achieve maximum employment for the community.	EIS, Section 6.15.6
	■ Work with LGAs and other partner organisations to create awareness within the community and foster a better understanding about the ways that prospective workers can be involved within the Project.	
	■ Develop and implement a Local Content Plan and Local Employment Plan which include employment goals and incentives.	
	■ Develop and implement a grievance mechanism, so that community concerns can be identified and actively managed	

Environmental Aspect	Mitigation Measure	Where Addressed
	■ Develop and implement Construction and Operational Environmental Management Plans which includes an active monitoring program for potential local amenity impacts.	
	■ Include positive employment outcomes reporting in the Stakeholder Engagement Plan and related engagement activities.	
	■ A Monitoring Program will be implemented into the broader environmental management strategy (EMS) to be developed for the Project, verify, monitor, assess and provide data around impacts.	

APPENDIX 3 RECEIVER LOCATIONS

Figure 3 | Noise Receiver Locations

APPENDIX 4 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C10 or, having given such notification, subsequently forms the view that an incident has not occurred.

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

INCIDENT REPORT REQUIREMENTS

3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.

4. The Incident Report must include:
   (a) a summary of the incident;
   (b) outcomes of an incident investigation, including identification of the cause of the incident;
   (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
   (d) details of any communication with other stakeholders regarding the incident.