

Development Consent

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

The Independent Planning Commission (the Commission), as the declared consent authority under clause 8A of the State Environmental Planning Policy (State and Regional Development) 2011 and section 4.5(a) of the *Environmental Planning and Assessment Act 1979*, approves the development application referred to in Schedule 1, subject to the conditions 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

[Name of Commissioner]
Member of the Commission

[Name of Commissioner]
Member of the Commission

[Name of Commissioner]
Member of the Commission

Sydney

2024

File: EF20/28908

SCHEDULE 1

Application Number:

SSD-9409987

Applicant:

Plasrefine Recycling Pty Ltd

Consent Authority:

Independent Planning Commission

Site:

Part Lot 11 DP1084421, 74-76 Beaconsfield Road,
Moss Vale

Development:

Construction and operation of a plastics recycling and reprocessing facility with the capacity to process up to 120,000 tonnes of mixed waste plastic per annum

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DEFINITIONS

ABR Facility	Garvan Institute of Medical Research Australian Bioresources Facility
Addendum SIA	The Social Impact Assessment titled 'Moss Vale Plastics Recycling Facility Social Impact Assessment Addendum' prepared by Ethos Urban dated 17 January 2024
Additional Information	The additional information received in a letter titled 'Response to Requests for Additional Information' from February and March 2024 (SSD-9409987) prepared by GHD and dated 23 April 2024
Amendment SIA	The Social Impact Assessment titled 'Social Impact Assessment Moss Vale Plastics Recycling and Reprocessing Facility' prepared by Ethos Urban dated 19 September 2023
Applicant	Plasrefine Recycling Pty Ltd or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
Calendar year	A period of 12 months commencing on 1 January
Certifier	A council or an accredited certifier (including principal certifiers) authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
CEMP	Construction Environmental Management Plan
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	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
Councils	Wingecarribee Shire 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
DCCEEW	NSW Department of Climate Change, Energy, the Environment and Water
Decommissioning	The controlled process of safely retiring a facility from service, including decontamination, dismantling and disposal after the cessation of operations
Department	NSW Department of Planning, Housing and Infrastructure (DPHI)
Development	The development described in Schedule 1, the EIS and Response to Submissions, Addendum Report, Addendum RTS and the Additional Information, including the works and activities comprising: <ul style="list-style-type: none"> a) construction in five phases operation of a plastics recycling and manufacturing facility with the capacity to process up to 120,000 tonnes per annum of plastic, as modified by the conditions of this consent
Development layout	The plans at Appendix 1 of this consent
DPHI	Department of Planning, Housing and Infrastructure
Earthworks	Bulk earthworks, site levelling, excavation for installation of drainage and services, to prepare the site for construction
EIS	The Environmental Impact Statement titled 'Moss Vale Plastics Recycling and Reprocessing Facility Plasrefine Recycling Pty Ltd EIS' prepared by GHD dated January 2022, submitted with the application for consent for the development and the Amendment Report titled 'Moss Vale Plastics Recycling and Reprocessing Facility Amendment Report' prepared by GHD and dated September 2023
ENM	Excavated Natural Material
Environment	As defined in section 1.4 of the EP&A Act

Environmental Representative Protocol	The document of the same title published by the Department
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
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
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm to the environment, and as a consequence of that environmental harm, may cause harm to the health and safety of human beings, and which may or may not be or cause a non-compliance.
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Material harm	<p>Is harm that:</p> <ul style="list-style-type: none"> involves actual harm to the environment that may include (but not be limited to) a leak, spill, emission other escape or deposit of a substance, and as a consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or results in actual 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). <p>Note: This definition excludes “harm” that is either authorised under this consent or any other statutory approval.</p> <p>Note: For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements.</p>
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 the plastics recycling and reprocessing facility as described in the EIS, RTS Amendment Report and Amendment RTS
PA	Means a planning agreement within the meaning of the term in section 7.4 of the EP&A Act
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act
Planning Secretary	Secretary of the Department, or delegate
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled “ <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> ” (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting

Response to Submissions (RTS)	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the document titled 'Moss Vale Plastics Recycling and Reprocessing Facility Response to Submissions Report', prepared by GHD and dated 10 March 2023 and the Amendment RTS titled 'Moss Vale Plastics Recycling and Reprocessing Facility Amendment Report Response to Submissions Report' prepared by GHD and dated February 2024
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
Year	A period of 12 consecutive months

RECOMMENDED

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

LIMITS OF CONSENT

Lapsing

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

Waste limits

- A6. The Applicant must not receive or process more than 120,000 tonnes per annum of mixed waste plastic, comprising polyethylene terephthalate (PET bottles), high density polyethylene (HDPE bottles), polypropylene (PP bottles), acrylonitrile butadiene styrene (ABS), unplasticised polyvinyl chloride pipes (UPVC) and low-density polyethylene films.
- A7. This consent does not permit the storage of more than 20,000 tonnes of unprocessed mixed waste plastic on the site at any one time.

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).

EVIDENCE OF CONSULTATION

- A10. 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

- A11. 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).
- A12. 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.
- A13. 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

- A14. Prior to the commencement of construction of the development, the Applicant must:
- (a) consult with the relevant owner and provider of 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.
- A15. 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.

Water and Sewerage

- A16. Prior to the commencement of operation of the development, the Applicant must obtain a Section 68 approval for water and sewerage infrastructure servicing of the site under section 68 of the *Local Government Act 1993*.

DEMOLITION

- A17. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

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

- A19. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

- A20. 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.
- A21. 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

- A22. 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

- A23. Prior to the issue of an Occupation Certificate for any part of the development, the Applicant must pay contributions to Council or otherwise satisfy its obligations for the development under the "Section 94 Developer Contributions Plan for The Moss Vale Enterprise Corridor 2013 to 2050"

OPERATION OF PLANT AND EQUIPMENT

- A24. 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

- A25. Prior to the commencement of operation, the Applicant must register a restriction or public positive covenant under section 88E of the *Conveyancing Act 1919* on Lot 11 DP 1084421 as shown on Figure 2, Landscape Plan in Appendix 1 for the purposes of establishing landscaped mounds to the south of Braddon Road. The restriction or public covenant must name the Council the prescribed authority, which can only be revoked, varied or modified with the consent of the Council.

Note: establishment of the landscaped mounds does not form part of this consent and the Applicant is responsible for ensuring appropriate approval for them is in place prior to operation of the development.

WORK AS EXECUTED PLANS

- A26. 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.

ENVIRONMENTAL REPRESENTATIVE

- A27. The Applicant must engage an Environmental Representative (ER) to oversee earthworks, construction and the first two years of operation (or any other timeframe agreed by the Planning Secretary). Unless otherwise agreed by the Planning Secretary, earthworks and construction must not commence until the ER has been approved by the Planning Secretary and engaged by the Applicant. The ER must:
- (a) be a suitably qualified and experienced person who was not involved in the preparation of any documents for the SSD development application for the development and is independent from the design and construction personnel for the development;
 - (b) receive and respond to communications from the Planning Secretary in relation to the environmental performance of the development;
 - (c) attend meetings of the Community Consultative Committee;
 - (d) consider and inform the Planning Secretary on matters specified in the terms of this consent;
 - (e) consider and recommend to the Applicant any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community;
 - (f) review the CEMP required by condition C2, OEMP required by condition C5 and any related sub-plans and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this consent and if so:
 - (i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or

- (ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary/Department for information or are not required to be submitted to the Planning Secretary/Department);
 - (g) regularly monitor the implementation of the documents identified in condition A27(f) to ensure implementation is being carried out in accordance with the document and the terms of this consent;
 - (h) as may be requested by the Planning Secretary, help plan, attend or undertake audits of the development commissioned by the Department including scoping audits, programming audits, briefings, and site visits, but not Independent Audits required under condition C15 of this consent;
 - (i) as may be requested by the Planning Secretary, assist the Department in the resolution of complaints, including any concerns raised by the ABR Facility; and
 - (j) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an Environmental Representative Monthly Report providing the information set out in the Environmental Representative Protocol under the heading "Environmental Representative Monthly Reports." The Environmental Representative Monthly Report must be submitted within seven calendar days following the end of each month for the duration of the ER's engagement for the development, or as otherwise agreed with the Planning Secretary.
- A28. The Applicant must provide the ER with all documentation required for the ER to perform its functions specified in condition A27(including preparation of the ER Monthly Report), as well as:
- (a) the complaints register (to be provided on a daily basis); and
 - (b) a copy of any assessment carried out by the Applicant of whether proposed work is consistent with the consent (which must be provided to the ER before the commencement of the subject work).
- A29. The Planning Secretary may at any time commission an audit of an ER's exercise of its functions under condition C15. The Applicant must:
- (a) facilitate and assist the Planning Secretary in any such audit; and
 - (b) make it a term of their engagement of an ER that the ER facilitate and assist the Planning Secretary in any such audit.

APPLICABILITY OF GUIDELINES

- A30. 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.
- A31. 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.

RECOMMENDED

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

SOCIAL

Social Impact Management Plan

- B1. Prior to the commencement of construction, the Applicant must prepare a Social Impact Management Plan (SIMP) to manage social impacts associated with construction and operation of the development, to the satisfaction of the Planning Secretary. The SIMP must be prepared in accordance with the Department's Social Impact Assessment Guideline (2021) and include:
- (a) details of how social impacts were identified, plans for mitigation or enhancement, and management commitments;
 - (b) details of how engagement has informed the SIMP, including the engagement strategy and future activities, and how these will inform monitoring and management;
 - (c) the mitigation measures identified in the Amendment SIA and the Addendum SIA;
 - (d) measures to avoid, minimise and mitigate the development's negative social impacts, including specific measures to minimise stress-related impacts;
 - (e) measures to enhance the development's positive social impacts, by detailing opportunities to support community services and facilities;
 - (f) evaluation and implementation of social management and mitigation measures over the life of the development;
 - (g) measurable and defined targets and actions for monitoring, reporting, auditing and reviewing progress;
 - (h) a commitment to measure results and report these findings via the project website; and
 - (i) details of how shortfalls will be addressed, including an outline of actions to be taken where targets are not met, or management actions are not effective in addressing impacts.
- B2. The Applicant must:
- (a) not commence construction until the SIMP required by condition B1 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the SIMP approved by the Planning Secretary for the duration of the development.

COMMUNITY ENGAGEMENT

Community Consultative Committee

- B3. Prior to the commencement of construction of the development, a Community Consultative Committee (CCC) must be established in accordance with the Department's *Community Consultative Committee Guidelines: State Significant Projects* (2016). The CCC must begin to exercise functions in accordance with such Guidelines before the commencement of construction and continue to do so for the duration of construction and operation, and for at least six months following the cessation of operation or as otherwise agreed by the Planning Secretary. The CCC must include the ER, and a representative from Council and the ABR Facility.

Community Consultation Plan

- B4. The Applicant must prepare a Community Consultation Plan (CCP) for the development, to the satisfaction of the Planning Secretary. The CCP must:
- (a) be approved by the Planning Secretary prior to the commencement of construction;
 - (b) be implemented for the life of the development, or as otherwise agreed by the Planning Secretary;
 - (c) assign a central contact person to keep the nearby sensitive receivers and the ABR Facility regularly informed throughout the development;
 - (d) detail the mechanisms for regular and timely consultation with the local community and the ABR Facility throughout the development, such as holding regular meetings to inform the community of the progress of the development and report on environmental monitoring results;
 - (e) detail a procedure for consulting with nearby sensitive receivers and the ABR Facility to schedule high noise generating works, vibration intensive activities or manage traffic disruptions;
 - (f) include contact details for key community groups, relevant regulatory authorities, Registered Aboriginal Parties and other interested stakeholders;
 - (g) include a complaints procedure for recording, responding to and managing complaints, including:
 - (i) email, toll-free telephone number and postal address for receiving complaints;
 - (ii) advertising the contact details for complaints prior to and once during operation via the local newspaper
 - (iii) advertising the contact details for complaints through on-site signage;

- (iv) a complaints register to record the date, time and nature of the complaint, details of the complainant and any actions taken to address the complaint; and
- (v) procedures to resolve any disputes that may arise during the course of the development.

B5. The Applicant must:

- (a) not commence construction until the CCP required by condition B4 is approved by the Planning Secretary; and
- (b) implement the most recent version of the CCP approved by the Planning Secretary for the duration of the development.

VISUAL AMENITY

B6. Prior to commencement of construction of the buildings, the Applicant must prepare the final design of the external finishes to the façade to the satisfaction of the Planning Secretary. The design must be generally consistent with the final architectural plans dated 19 April 2024.

Landscaping

B7. Prior to the commencement of construction of the development, the Applicant must prepare a Landscape Management Plan (LMP) to manage the revegetation and landscaping works on-site, in consultation with the CCC and to the satisfaction of the Planning Secretary. The LMP must form part of the CEMP in accordance with condition C5. The plan must:

- (a) be prepared in consultation with Biodiversity and Conservation Science (BCS) Group of DCCEE and DCCEE Water;
- (b) detail the species to be planted on site;
- (c) include details of the timing of planting, including early planting of the landscaped mounds to the south of Braddon Road;
- (d) describe the monitoring and maintenance measures to manage revegetation and landscaping works;
- (e) be in accordance with the Preliminary Design Plan prepared by GHD and dated April 2024;
- (f) detail the species to be planted on-site, including a minimum of 150 *Eucalyptus macarthurii*;
- (g) include a Riparian Vegetation Management Plan to manage the planting and ongoing maintenance of the riparian zone; and
- (h) be consistent with the Applicant's Management and Mitigation Measures at Appendix 2.

B8. The Applicant must:

- (a) not commence construction until the LMP is approved by the Planning Secretary;
- (b) implement the most recent version of the LMP approved by the Planning Secretary; and
- (c) maintain the landscaping and vegetation in accordance with the approved LMP required by condition B7 for the life of the development.

B9. The Applicant must undertake riparian restoration works in accordance with *Guidelines for Controlled Activities on Waterfront Land* and generally in accordance with the LMP required by condition B7.

Visual Mitigation

B10. Prior to commencement of construction and every subsequent year for a total period of five years, the Applicant must:

- (a) notify in writing the residential sensitive receivers identified on the plan in Appendix 1, that they are eligible to have mitigation (landscaping or vegetation screening) installed on their property to minimise the visual impact of the development on their property; and
- (b) provide evidence of the consultation with the landowners identified in condition B10(a) to the Planning Secretary.

B11. For a period of five years from the commencement of construction, the landowners of the residential sensitive properties identified on the plan in Appendix 1 may, on one occasion, request the Applicant to implement visual impact mitigation measures on their land to minimise the visual impacts of the development on their dwelling (including its curtilage). Upon receiving a written request from any of the current landowners under condition B10 of this consent, the Applicant must implement appropriate mitigation in consultation with the owner. The mitigation measures must:

- (a) be reasonable and feasible, aimed at reducing the visibility of the development from the dwelling and its curtilage, and commensurate with the level of visual impact on the dwelling; and
- (b) be implemented within 12 months of receiving the written request unless the Planning Secretary agrees otherwise.

Note: To avoid any doubt regarding the requirements of condition B10 and B11:

- a) mitigation measures are not required to be implemented to reduce the visibility of the development from any other locations on the property other than the dwelling and its curtilage;
- b) mitigation measures, once installed, are the responsibility of the landowner to maintain; and
- c) landowners are only permitted to make one request for mitigation measures during the five-year period from the commencement of construction.

The identification of appropriate visual impact mitigation measures will be more effective following the completion of construction of the development. It is recommended the owner consider whether there is benefit in delaying any request for visual mitigation until the owner is certain the development is visible from their dwelling or its curtilage.

Lighting

B12. 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

B13. Prior to the construction of the 2 metre high security fencing, the Applicant must provide detailed plans of the fencing, including specifications, materials and colours, to the satisfaction of the Planning Secretary. Fencing must be constructed in accordance with the approved detailed plans.

B14. Prior to the commencement of operation, the Applicant must prepare a Signage Strategy to the satisfaction of the Planning Secretary. The Strategy must be consistent with the signage shown on the design plans in the Amendment RTS and Additional Information. All signage must be erected in accordance with the approved Signage Strategy.

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

TRAFFIC AND ACCESS

Construction Traffic Management Plan

B15. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the development to the satisfaction of the Planning Secretary. The CTMP 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 including the transport of any Over Size Over Mass loads;
- (d) include a clear figure illustrating the heavy vehicle route and site access, which are to avoid residential areas and the Argyle Street and Lackey Road intersection;
- (e) detail parking arrangements;
- (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.

B16. The Applicant must:

- (a) not commence construction until the CTMP required by condition B15 is approved by the Planning Secretary; and
- (b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of construction.

Level Crossing, Roadworks and Access

B17. Prior to the commencement of construction of the level crossing works, the Applicant must:

- (a) undertake a road safety audit;
- (b) prepare an Australian Level Crossing Assessment Model; and

- (c) finalise detailed design of the level crossing including provision for A-Double trucks in consultation with Council and Boral.
- B18. Prior to the commencement of any construction works at the site (except earthworks as defined in this consent) or as otherwise agreed by the Planning Secretary, the Applicant must construct the relocated level crossing, the works on Collins Road and Douglas Road, and decommission the existing level crossing as shown in Figure 3 in Appendix 1 in accordance with the relevant standards and to the satisfaction of Council (roads and level crossing) and Boral (level crossing only). The Applicant must obtain approval for road works under section 138 of the *Roads Act 1993*.
- B19. Before the relocated level crossing is operational and works on Collins Road and Douglas Road are finalised, the Applicant may transport earthmoving equipment to the site over a maximum of three days to undertake earthworks. The Applicant must engage a traffic controller to oversee the safe movement of heavy vehicles and earthmoving equipment over the existing level crossing. Unless otherwise agreed by the Planning Secretary, earthworks must not commence until the traffic controller has been approved by the Planning Secretary and engaged by the Applicant.
- B20. Prior to the issue of the Occupation Certificate for the development, the Applicant must finalise the construction of Braddon Road and the 'north-south access road', as shown in Figure 3 in Appendix 1 in accordance with the relevant standards and to the satisfaction of Council. The Applicant must obtain approval for the works under section 138 of the *Roads Act 1993*.

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 of the development, 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) be prepared in consultation with Council;
 - (c) detail the measures that are to be implemented to ensure road safety and network efficiency;
 - (d) detail heavy vehicle routes, access, and parking arrangements;
 - (e) include a strategy to minimise and manage traffic noise;
 - (f) 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;
 - (g) include a Traffic Control Plan (TCP) detailing:
 - (i) heavy vehicle routes consistent with Table A-1 in Appendix A of the Amendment RTS, road safety and efficiency measures and the on-site measures to be implemented to control the manoeuvring of vehicles in designated areas, including front-end loaders within the waste receipt and processing areas and mitigate the potential for on-site vehicle conflict; and
 - (ii) installation of weighbridges and signage; and
 - (h) include a Heavy Vehicle Monitoring Plan to monitor the number of truck movements associated with the transport of plastic (incoming and outgoing). The monitoring plan is to be kept on site for the life of the development and made available to Council and TfNSW upon request.

Operating Conditions

- B23. 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) no heavy vehicles over 19 m access the site;
 - (c) 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;

- (d) the development does not result in any vehicles queuing on the public road network;
- (e) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
- (f) all vehicles are wholly contained on site before being required to stop;
- (g) all loading and unloading of materials is carried out on-site;
- (h) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network;
- (i) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times;
- (j) heavy vehicles associated with the development do not use the intersection of Argyle Street and Lackey Road; and
- (k) a National Heavy Safety Vehicle Register approval must be obtained for any Over Size Over Mass Loads, if required.

Work Place Travel Plan

- B24. Prior to the commencement of operation of the development, the Applicant must prepare a Work Place Travel Plan. The Work Place Travel Plan must form part of the OEMP required by condition C5 and must:
- (a) be prepared in consultation with TfNSW;
 - (b) outline facilities and measures to promote public transport usage, such as car share schemes and employee incentives; and
 - (c) describe pedestrian and bicycle linkages and end of trip facilities available on-site.
- B25. The Applicant must not commence operation until the Work Place Travel Plan is submitted to the Planning Secretary.
- B26. The Applicant must implement the most recent version of the Work Place Travel Plan submitted to the Planning Secretary for the duration of the development.

SOILS, WATER QUALITY AND HYDROLOGY

Imported Soil

- B27. 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.

Construction Soil and Water Management Plan

- B28. Prior to the commencement of earthworks, the Applicant must prepare a Construction Soil and Water Management Plan (CSWMP) to the satisfaction of the Planning Secretary. The CSWMP 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 WaterNSW;
 - (c) include an Erosion and Sediment Control Plan which includes:
 - (i) upsized sediment basins where necessary;
 - (ii) procedures to ensure areas disturbed areas are stabilised as quickly as possible; and
 - (iii) regular inspections of the erosion and sediment control measures.
- B29. The Applicant must not commence construction until the CSWMP is approved by the Planning Secretary.
- B30. The Applicant must implement the most recent version of the CSWMP submitted to the Planning Secretary for the duration of the development.

Erosion and Sediment Control

- B31. 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 Erosion and Sediment Control Plan included in the CSWMP required by Condition B28 and the relevant requirements of the *Managing Urban Stormwater: B24s and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline.
- B32. The Applicant must maintain the erosion and sediment control measures installed on-site in accordance with condition B31 for the duration of construction of the development.

Discharge Limits

B33. 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

- B34. Prior to the commencement of construction of the stormwater management system, the Applicant must finalise the detailed design of the stormwater management system for the development. The system must:
- be designed by a suitably qualified and experienced person(s);
 - be designed in consultation with WaterNSW;
 - be generally in accordance with the conceptual design in the Amendment Report;
 - be designed to reduce offsite flood impacts by adjusting the north-eastern dam spillway in consultation with BCS;
 - be in accordance with applicable Australian Standards; and
 - 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.
- B35. 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 B34) and ensure the system is operational.
- B36. The Applicant must maintain the stormwater management system installed on the site under condition B35 for the duration of the development.
- B37. All floor levels must be no lower than the 1% Annual Exceedance Probability flood plus 500 mm of freeboard.
- B38. Any structures below the 1% Annual Exceedance Probability plus 500mm of freeboard must be constructed from flood compatible building components.

Water Management Plan

- B39. Prior to the commencement of operation of the development, the Applicant must prepare a Water Management Plan to the satisfaction of the Planning Secretary. The Water Management Plan must form part of the OEMP required by condition C5 and must:
- be prepared by a suitably qualified and experienced person(s);
 - be prepared in consultation with WaterNSW;
 - provide details of:
 - water use, metering, disposal (ensuring wastewater is released during the night-time period) and management on-site; and
 - the management of surface water and wastewater streams on-site;
 - include a commitment to ongoing monitoring and implementation of potential measures to reduce the level of microplastics in wastewater released to sewer;
 - contain a Surface Water Management Plan, including:
 - a program to monitor:
 - surface water flows and quality;
 - surface water storage and use; and
 - storage basin and bioretention basin operation;
 - surface water impact assessment criteria, including trigger levels for investigating and potential adverse surface water impacts; and
 - a protocol for the investigation and mitigation of identified exceedances of the surface water impact assessment criteria.
- B40. The Applicant must:
- not commence operation until the Water Management Plan required by condition B39 is approved by the Planning Secretary; and
 - implement the most recent version of the Water Management Plan approved by the Planning Secretary for the duration of the development.

AIR QUALITY

Dust Minimisation

- B41. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B42. During construction of the development, the Applicant must ensure that:

- (a) exposed surfaces and stockpiles are suppressed by regular watering or other alternative suppression method;
- (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

B43. 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. The installed equipment must be able to be retrofitted or upgraded.

Air Quality Management Plan

B44. 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 and microplastics;
- (c) describe a program that is capable of evaluating the performance of the operation and determining compliance with key performance indicators;
- (d) identify the control measures that will be implemented for each emission source including keeping all doors shut when not in use; 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.

B45. The Applicant must:

- (a) not commence operation until the Air Quality Management Plan required by condition B44 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

B46. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

Air Quality Verification Report

B47. At each of six months, two years and full operation following the commencement of operations, or within a timeframe as otherwise agreed with the Planning Secretary, a Post-commissioning Air Verification Report (PAVR) must be prepared to the satisfaction of Planning Secretary. The PAVR must be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary and include:

- (a) verification of actual emissions against the air quality criteria in the site's EPL and predictions in the Air Quality Impact Assessment dated 25 January 2022, and the RTS, undertaken in accordance with the EPA's *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales*;
- (b) details of management and mitigation measures to be implemented to address any exceedances of the criteria;
- (c) a description of contingency measures to be implemented in the event the management and mitigation measures in condition B47(b) are not effective in reducing air quality impacts to meet the criteria; and
- (d) timing for implementing and validating the effectiveness of the contingency measures.

NOISE AND VIBRATION

Noise Mitigation

B48. The Applicant must ensure the detailed design of the operational machinery and building components incorporates the recommended mitigation measures in Table 6.2 of the 'Moss Vale Plastics Recycling and Reprocessing Facility Technical Report 2 – Noise and Vibration', prepared by GHD Pty Ltd, dated 24 January 2022.

Hours of Work

B49. The Applicant must comply with the hours detailed in Table 1,.

Table 1 Hours of Work

Activity	Day	Time
Earthworks and construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm
Recycling and reprocessing	Monday – Sunday	24 hours
Waste delivery and collection	Monday to Friday	7 am to 6 pm
Administration and education	Monday to Friday	9 am to 5 pm

- B50. Works outside of the hours identified in condition B49 may be undertaken in the following circumstances:
- works that are inaudible at the nearest sensitive receivers;
 - works approved in writing by the Planning Secretary;
 - for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
 - where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Construction Noise Limits

B51. 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.

Vibration Criteria

- B52. Vibration caused by construction at any residence or structure outside the site must be limited to:
- for structural damage, the latest version of *DIN 4150-3 (2016-12) Vibration in Buildings – Part 3: Effects on Structures* (German Institute for Standardisation, 2016);
 - 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); and
 - for mouse exposure (at the ABR Facility), 50 micrometres per second.
- B53. Vibratory compactors must be limited to 8 tonnes and not be used closer than 75 metres from the ABR Facility unless vibration monitoring confirms compliance with the vibration criteria specified in condition B52 in accordance with the letter titled Response to Department of Planning and Environment issues raised - noise prepared by GHD and dated 27 February 2024.

Construction Noise and Vibration Management Plan

- B54. The Applicant must prepare a Construction Noise and Vibration Management Plan (CNVMP) for the development to the satisfaction of the Planning Secretary. The CNVMP must form part of the CEMP in accordance with condition C2 and must
- be prepared by a suitably qualified and experienced noise expert whose appointment has been endorsed by the Planning Secretary;
 - be prepared in consultation with the ABR Facility;
 - 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);
 - describe the measures to be implemented to manage high noise and vibration generating works such as piling, in close proximity to sensitive receivers. The measures must include special consideration for mitigation

of impacts to the ABR Facility, including respite periods, timing, duration of works, and not operating the two noisiest pieces of equipment simultaneously;

- (e) describe a program to monitor compliance with the construction noise limits specified in condition B51 and the construction vibration criteria in condition B52. This must include details of management actions to be taken to address any exceedances, and a description of contingency measures in the event management actions are not effective in reducing noise and vibration levels to an acceptable level;
- (f) include strategies that have been developed with the community and the ABR Facility for managing high noise and vibration generating works, including limiting plant size, relocating equipment and stopping works;
- (g) describe the consultation undertaken to develop the strategies in condition B54(e);
- (h) include a complaints management system that would be implemented for the duration of the development.

B55. The Applicant must:

- (a) not commence construction of the development until the CNVMP Plan required by condition B54 is approved by the Planning Secretary; and
- (b) implement the most recent version of the CNVMP approved by the Planning Secretary for the duration of construction.

Operational Noise Limits

B56. 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	Evening	Night	Night
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{AMax}
9-11 Lackey Road, Moss Vale (Lot 10, DP 1084421)	40	35	35	52
72 Beaconsfield Road, Moss Vale (Lot 8, DP 24499)	40	37	37	52
50A Bulwer Road, Moss Vale (Lot 9, DP 2810)	40	35	35	52

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). Refer to the plan in Appendix 1 for the location of residential sensitive receivers.

Operational Noise and Vibration Management Plan

B57. The Applicant must prepare an Operational Noise and Vibration Management Plan for the development to the satisfaction of the Planning Secretary. The Plan must form part of an OEMP in accordance with condition C5 and must:

- (a) be prepared by a suitably qualified and experienced noise expert;
- (b) ensure all doors to processing and manufacturing buildings are closed when not in use;
- (c) limit egressing heavy vehicles to two per 15 minute period;
- (d) describe all noise sources from the development;
- (e) identify the measures that will be implemented to minimise noise emissions and to achieve the noise limits in condition B56, consistent with the recommended noise mitigation measures in the Moss Vale Plastics Recycling and Reprocessing Facility Technical Report 2 – Noise and vibration dated 24 January 2022;
- (f) include a Traffic Noise Management Strategy;
- (g) describe a program to monitor compliance with the noise limits specified in condition B56; and
- (h) include a complaints management system that would be implemented for the duration of the development.

B58. The Applicant must:

- (a) not commence operation of the development until the Operational Noise and Vibration Management Plan required by condition B57 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Operational Noise and Vibration Management Plan approved by the Planning Secretary for the duration of the development.

Operational Noise Verification Report

- B59. Within three months of the commencement of operation of the development and again at a throughput of 120,000 tpa, the Applicant must prepare and submit a noise verification report for the development. The noise verification report must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) be prepared to the satisfaction of the Planning Secretary and the EPA;
 - (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);
 - (ii) the EPA Approved Methods for the Measurement and Analysis of Environmental Noise in NSW (EPA, 2022); and
 - (iii) the monitoring and reporting requirements detailed in Section 7 of the Noise Policy for Industry (EPA, 2017); and
 - (d) include:
 - (i) an analysis of compliance with noise limits specified in condition B56;
 - (ii) an outline of management actions to be taken to address any exceedances of the limits specified in condition B56; and
 - (iii) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

HAZARDS AND RISK

Fire Safety Study

- B60. At least one month prior to the commencement of construction the Applicant must prepare a Fire Safety Study for the development to the satisfaction of Fire and Rescue NSW and the Planning Secretary. This study must:
- (a) cover the relevant aspects of the Department's Hazardous Industry Planning Advisory Paper 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); and
 - (b) consider the operational capacity of local fire agencies and the need for the development to achieve an adequate level of on-site fire and life safety independence.
- B61. The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the report submitted in respect of conditions B60, within such time as the Planning Secretary may agree.

Emergency Plan

- B62. At least one month prior to the commencement of operation the Applicant must prepare a comprehensive Emergency Plan and detailed emergency procedures to the satisfaction of the Planning Secretary. The Emergency Plan must:
- (a) be prepared in consultation with FRNSW;
 - (b) be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 1, 'Emergency Planning';
 - (c) include consideration of the safety of all people outside of the development who may be at risk from the development; and
 - (d) detail procedures for immediately notifying the ABR Facility in case of a fire.
- B63. The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the report submitted in respect of condition B62, within such time as the Planning Secretary may agree.

Emergency Services Information Package

- B64. 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.

Dangerous Goods

- B65. 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.

- B66. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:
- (a) all relevant Australian Standards; and
 - (b) for liquids:
 - (i) a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
 - (ii) the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual*.
- B67. In the event of an inconsistency between the requirements of conditions B66(a) and B66(b), the most stringent requirement must prevail to the extent of the inconsistency.

Bunding

- B68. 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).

ABORIGINAL HERITAGE

Statutory Requirements

- B69. Before the commencement of any clearing or construction works for the development the Applicant must update Heritage NSW's Aboriginal Heritage Information Management System (AHIMS) Aboriginal Sites Register.

Aboriginal Cultural Heritage Management Plan

- B70. Prior to the commencement of any clearing or construction works for the development, the Applicant must prepare an Aboriginal Cultural Heritage Management Plan (ACHMP). The ACHMP must form part of the CEMP required by condition C2 and must:
- (a) be prepared by a suitably qualified and experienced expert in consultation with the Registered Aboriginal Parties to the satisfaction of Heritage NSW;
 - (b) include a program of surface collection including an attempt to locate isolated finds MVRec IF1, BRIF1 and BRIF2;
 - (c) be submitted to the Planning Secretary prior to construction of any part of the development;
 - (d) describe the procedures for unexpected finds and recovered object management;
 - (e) describe measures for the management of salvaged Aboriginal objects and sites impacted by the 2021 test excavation; and
 - (f) include procedures for the long-term care and control for the management of any Aboriginal objects from the project area.
- B71. The Applicant must:
- (a) not commence construction until the ACHMP is approved by the Planning Secretary; and
 - (b) implement the most recent version of the ACHMP approved by the Planning Secretary for the duration of the development.

Unexpected Finds Protocol

- B72. 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.
- B73. 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*.

BIODIVERSITY

- B74. Prior to any clearing or construction works for the development, the Applicant must purchase and retire 6 ecosystem credits to offset the removal of 0.28 ha of *Tableland Swamp Meadow*, 18 species credits to offset the removal of *Eucalyptus macarthurii* and 6 species credits for the removal of 0.28 ha of habitat for the Southern Myotis at the site. The credits must be retired in accordance with the requirements of the Biodiversity Offsets Scheme and the *Biodiversity Conservation Act 2016*.
- B75. The requirement to retire ecosystem, and species credits (see condition B74) may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the number and classes of ecosystem and species credits, as calculated by the Biodiversity Offsets Payment Calculator.

- B76. Prior to undertaking any clearing or construction works for the development, the Applicant must provide the Planning Secretary with evidence that:
- (a) the retirement of ecosystem and species credits has been completed in accordance with condition B74; or
 - (b) a payment has been made to the Biodiversity Conservation Fund in accordance with condition B75.
- B77. The Applicant must implement the mitigation measures identified in the Technical Report 1 – Biodiversity Development Assessment Report by GHD and dated 2 March 2023 during construction and operation, where applicable.

Tree Protection Measures

- B78. All trees identified for retention within the site are to be retained and protected in accordance with the latest version of Australian Standard 4970:2009 – *Protection of Trees on Development* for the duration of the development.

WASTE MANAGEMENT

Waste Monitoring Program

- B79. From the commencement of operation of the development, the Applicant must prepare and implement a Waste Monitoring Program for the development to the satisfaction of the Planning Secretary. 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;
 - (c) includes details of the management and monitoring of non-conforming or other prohibited waste; and
 - (d) 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.

Statutory Requirements

- B80. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.
- B81. 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).
- B82. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.
- B83. The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.

Pests, Vermin and Priority Weed Management

- B84. 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 Procedure

- B85. Prior to the commencement of construction, the Applicant must engage a suitably experienced expert 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 to prepare an unexpected contamination finds procedure to ensure that potentially contaminated material is appropriately managed. The procedure must:
- (a) form part of the of the CEMP in accordance with condition C2; and
 - (b) ensure any material identified as contaminated is managed in accordance with the POEO Act and its associated regulation.

Details of the final management approach and the results of any associated testing must be submitted to the Planning Secretary within six weeks of the Applicant becoming aware of the contamination find, or as otherwise agreed to by the Planning Secretary.

RECOMMENDED

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

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

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

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Community Consultation Plan (see condition B4);
 - (b) Construction Traffic Management Plan (see condition B15);
 - (c) Construction Soil and Water Management Plan (see condition B28);
 - (d) Construction Noise and Vibration Management Plan (see condition B54);
 - (e) Aboriginal Cultural Heritage Management Plan (see condition B70);
 - (f) Unexpected Contamination Finds Procedure (see condition B85B85); and
 - (g) Protocols developed to ensure there are no impacts on the ABR from construction of the development.
- 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) respond to any non-compliance; and
 - (ii) respond to emergencies.

- (c) include the following:
 - (i) Community Consultation Plan (see condition B5)
 - (ii) Operational Traffic Management Plan (see condition B22)
 - (iii) Work Place Travel Plan (see condition B24)
 - (iv) Water Management Plan (see condition B39);
 - (v) Air Quality (see condition B44);
 - (vi) Operational Noise and Vibration Management Plan (see condition B57B57)
 - (vii) Aboriginal Cultural Heritage Management Plan (see condition B70).
 - (viii) Waste Monitoring Program (see condition B79); and
 - (ix) Protocols developed to ensure there are no impacts on the ABR from operation of the development.

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 C13;
- (b) the submission of an incident report under condition C10;
- (c) the submission of an Independent Audit under condition C15;
- (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 Applicant must notify the Department within 24 hours of becoming aware of an incident. The notification must be made via the NSW planning portal (Major Projects) and address details of the incident including:

- (a) date, time and location;
- (b) a brief description of what occurred and why it has been classified as an incident;
- (c) a description of what immediate steps were taken in relation to the incident; and
- (d) identifying a contact person for further communication regarding the incident.

C11. The Applicant must provide the Department with a subsequent incident report in accordance with the requirements set out in Appendix 3 (Incident Notification and Reporting Requirements).

Non-Compliance Notification

C12. Within seven days of becoming aware of a non-compliance, the Applicant must notify the Department of the non-compliance. The notification must be in writing and must be submitted via the NSW planning portal (Major Projects). The notification must identify the development (including the development application number and name), set out the condition of this consent that the development is non-compliant with, why it does not comply, the reasons for the non-compliance (if known), and what actions have been undertaken, or will be undertaken, and when, to address the non-compliance.

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

Compliance Reporting

C13. Within six months after the commencement of construction 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.

C14. 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

C15. 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).

C16. 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 C15 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

C17. 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

C18. 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 with the exception of any hazard and risk related studies;
 - (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - (v) minutes of CCC meetings;
 - (vi) 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;
 - (vii) 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;
 - (viii) a summary of the current stage and progress of the development;
 - (ix) contact details to enquire about the development or to make a complaint;

- (x) a complaints register, updated monthly;
 - (xi) the Compliance Report of the development;
 - (xii) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
 - (xiii) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

RECOMMENDED

APPENDIX 1 DEVELOPMENT LAYOUT PLANS

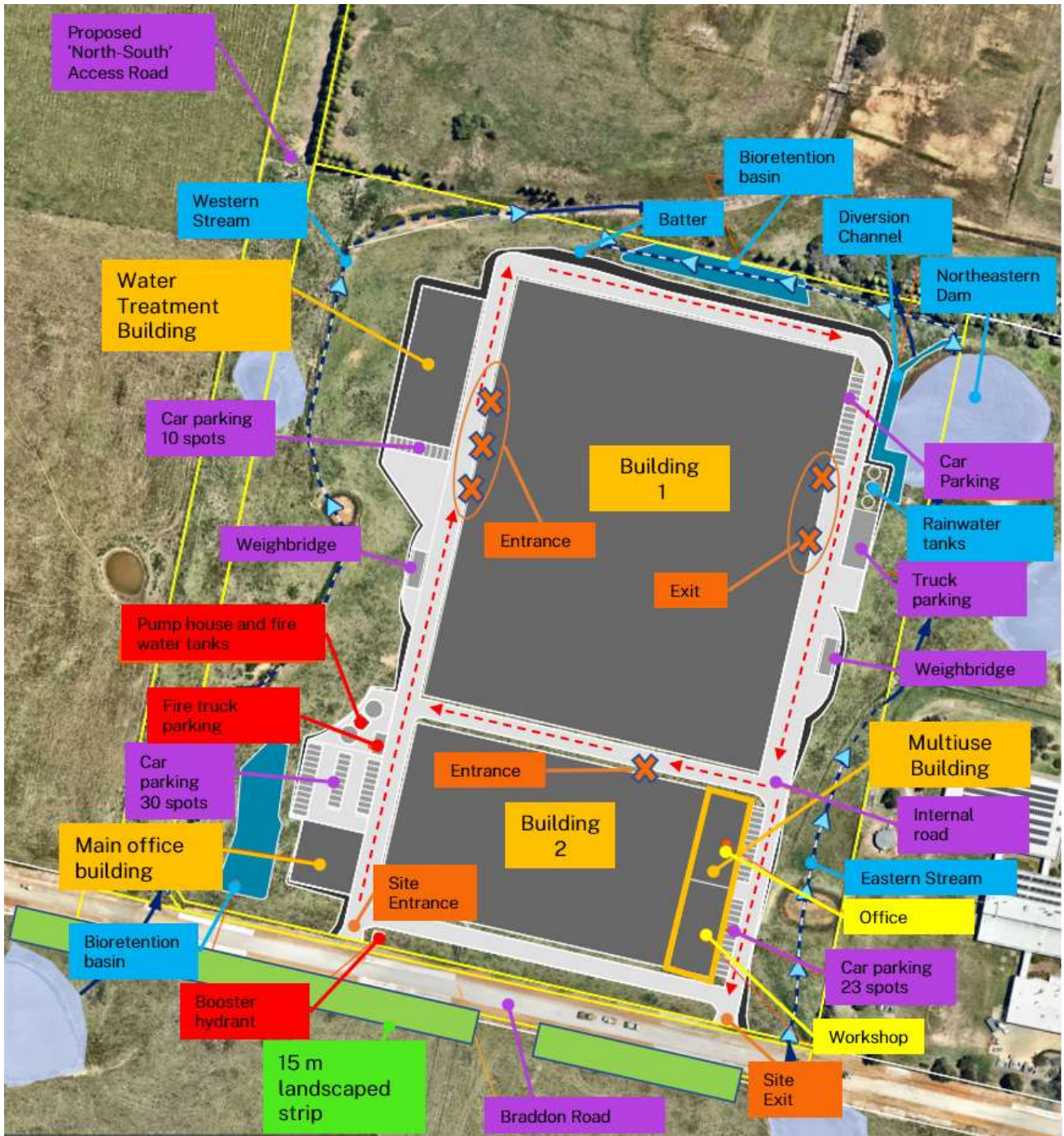


Figure 1: Site Plan

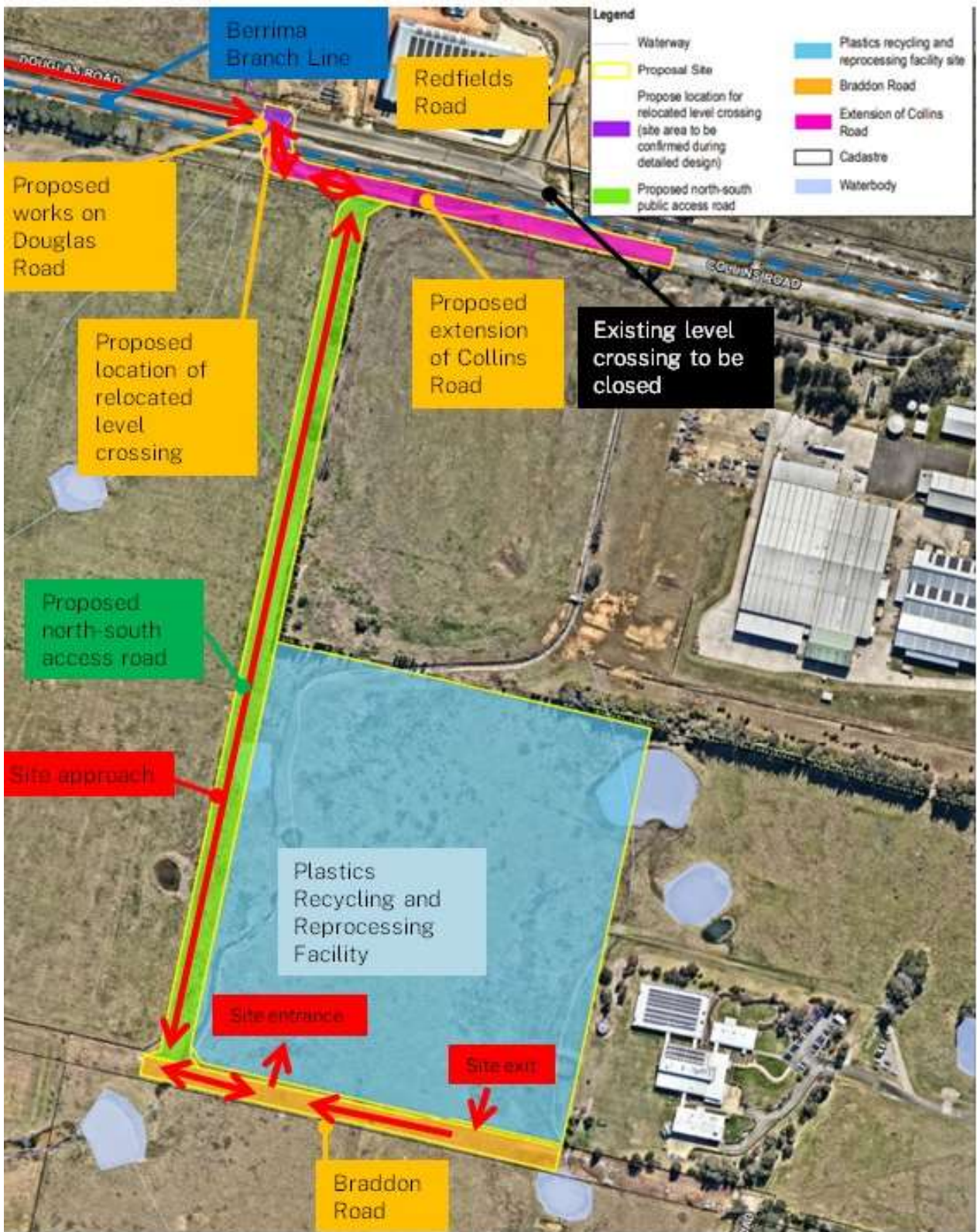




Figure 4: Residential Sensitive Receivers

APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

RECOMMENDED

Where new commitments have been added or new text has been added to an existing measure, it is in bold text. Where a commitment has been deleted or text from a commitment deleted, it appears as strikethrough text. All revised environmental mitigation measures will be incorporated into management plans where relevant.

Table C.9 Updated mitigation measures

Ref	Issue/Impact	Mitigation measures
Detailed design/pre-construction		
Waste management		
WM1	<i>Excess waste generation</i>	Detailed design will include measures to minimise quantities of waste requiring off-site disposal including cut and fill balance and careful procurement of construction materials to minimise excess waste materials.
WM2	<i>Construction waste management</i>	A construction waste management plan will be prepared prior to construction and implemented as part of the CEMP for the proposal. The plan will adopt the waste hierarchy principles contained in the <i>Waste Avoidance and Resource Recovery Act 2001</i> and detail processes, responsibilities and measures to manage waste and minimise the potential for impacts during construction. This includes waste separate, handling, storage, transport and off-site re-use, recycling and disposal locations.
Soils and water		
SW1	<i>General soil and erosion management</i>	<p>A detailed soil and water management plan will be developed after the construction contractor has been engaged and a detailed construction method has been developed. The detailed soil and water management plan will be developed in accordance with <i>Managing Urban Stormwater: Soils and Construction – Volume 1</i> in consultation with WaterNSW and include management procedures, operations and controls as well as monitoring and maintenance processes to ensure compliance requirements are satisfied.</p> <p>It will also include:</p> <ul style="list-style-type: none"> – the final water management configuration and staging of key activities – final sediment basin sizing requirements, with the basins operating as Type D/F ‘wet’ basins based on the soil conditions at the site – construction phase water quality monitoring of the sediment basins, as well as any discharge during construction hours. A daily rainfall record will also be kept. Where a discharge of greater than 50 mg/L of suspended solids occurs when the design rainfall event has not been exceeded this will be considered a non-compliance and remedial action taken.
SW2	<i>Riparian vegetation management</i>	<p>A detailed riparian vegetation management plan will be developed prior to the commencement of construction. The plan will meet the requirements of the <i>Water Management Act 2000</i> for controlled activities on waterfront land and detail the vegetation restoration associated with the realignment revegetation of the eastern waterway and revegetation of the western waterway.</p> <p>The plan will include:</p> <ul style="list-style-type: none"> – the final riparian vegetation management approach – riparian vegetation management measures – details of riparian vegetation monitoring, review and reporting.
SW3	<i>Embankment stability</i>	Embankment engineering will be undertaken during the detailed design phase to confirm the ongoing stability of the basins.
SW4	<i>Soils and water quality</i>	<p>A detailed soil and water management plan will be developed after the construction contractor has been engaged and a detailed construction method has been developed. The detailed soil and water management plan will be developed in accordance with <i>Managing Urban Stormwater: Soils and Construction – Volume 1</i> and include management procedures, operations and controls as well as monitoring and maintenance processes to ensure compliance requirements are satisfied.</p> <p>It will also include:</p> <ul style="list-style-type: none"> – the final water management configuration and staging of key activities – final sediment basin sizing requirements, with the basins operating as Type D/F ‘wet’ basins based on the soil conditions at the site – construction phase water quality monitoring of the sediment basins, as well as any discharge during construction hours. A daily rainfall record will also be kept. Where a

Ref	Issue/Impact	Mitigation measures
		discharge of greater than 50 mg/L of suspended solids occurs when the design rainfall event has not been exceeded this will be considered a non-compliance and remedial action taken.
SW54	Unexpected finds	An unexpected finds procedure will be developed and incorporated into the CEMP for the proposal. The unexpected finds procedure will describe the measures to manage unexpected finds such as buried waste including asbestos containing materials, and contamination indicators (such as odours, staining or sheens).
Noise and vibration		
NV1	<i>Managing the potential for noise and vibration impacts during construction</i>	<p>A construction noise and vibration management plan will be developed after the construction contractor has been engaged and a detailed construction method has been developed. The construction noise and vibration management plan will include a review of the construction noise predictions during the environmental impact assessment phase based. The plan will be based on the construction contractor's method and include a detailed examination of feasible and reasonable work practices and noise mitigation measures to manage potential impacts to sensitive receivers that are predicted to be 'noise affected'. The construction noise and vibration management plan will also include:</p> <ul style="list-style-type: none"> – details of the construction methodology – feasible and reasonable work practices and mitigation measures to be implemented – updated noise predictions at sensitive receivers – a noise monitoring procedure and program for the duration of works – a community consultation plan to liaise with the noise affected receivers – a vibration management plan prepared in consultation with Australian Bioresources to avoid potential impacts on its operations.
NV2	<i>Noise and vibration impacts during operation</i>	<p>As the design progresses, the proposal will continue to be refined to minimise the potential for operational impacts and ensure compliance with the requirements of the Noise Policy for Industry. Table 6.2 in <i>Technical Report 2 – Noise and Vibration</i> lists the design features that will be considered during detailed design.</p> <p>In addition, during detailed design and once vendor noise data is made available, the operational noise model will be updated to include manufacturer noise data (third-octave band) for all significant items of plant associated with the plastics recycling and reprocessing facility. Noise modelling will be undertaken during detailed design, using the updated noise model, to ensure the final design complies with the relevant environment protection licence conditions and the requirements of the <i>Noise Policy for Industry</i>.</p>
Fire and incident management		
FS1	<i>Fire safety</i>	The fire safety system for the proposal will be refined during detailed design and developed in consultation with FRNSW.
FS2	<i>Compliance with building codes</i>	A detailed <i>Building Code of Australia</i> review and assessment will be undertaken as part of the detailed design.
Aboriginal cultural heritage		
AH1	<i>Avoiding and minimising impacts on Aboriginal heritage</i>	<p>An ACHMP will be developed prior to construction commencing to manage Aboriginal cultural heritage within the study area. The ACHMP will include a long-term care and control procedure for the management of any Aboriginal objects impacted by the proposal, including any extant sites, and also provide policies for unexpected finds, including human skeletal material.</p> <p>The ACHMP will be developed in consultation with the RAPs.</p>
AH2	<i>Impacts on artefacts</i>	An attempt will be made to locate the isolated finds MVRec IF1, BR IF1, and BR IF2 before the commencement of construction. This will be undertaken with the assistance of the Aboriginal community and all visible artefacts will be collected.
AH3		The artefacts from the sites recorded during the test excavation programs will be re-buried with any other artefacts collected within the study area. The way they are reburied, and the location of the reburial will be set out in the ACHMP.

Ref	Issue/Impact	Mitigation measures
Urban design and visual		
UV1	<i>Visual amenity</i>	'Early works' screening planting on the adjacent C4 portion of Lot 11 DP 1084421 (also owned by Plasrefine Recycling) will be implemented at the earliest opportunity, to reduce impacts from both the construction phase and operation phase.
UV2		Seed collection of local provenance species will be undertaken for use in the revegetation.
UV3		<p>As the design progresses, the proposal will continue to be refined to minimise the potential impacts on landscape character and views to the plastics recycling and reprocessing facility site. Design features that will be considered during detailed design include:</p> <ul style="list-style-type: none"> - Layout: <ul style="list-style-type: none"> • working with the existing topography and land slope, to optimise the siting of buildings and external infrastructure components, in a way which minimises the visual and landscape impacts for surrounding uses • minimising (and avoiding where possible) potential impacts to existing drainage corridors and nearby waterways • appropriate setbacks from public and private viewpoints, and suitable space for perimeter planting • having regard to the surrounding vehicular, pedestrian and cycling networks • achieve a well-integrated solution which achieves seamless integration between internal pathways and these surrounding networks • examine and address key vantage points and views from more exposed sections along Collins Road. - Alignment and design of new north-south public access road: <ul style="list-style-type: none"> • roadside planting and strategic use of lighting, to maintain the amenity of nearby rural residential properties • taller canopy trees and screening vegetation along the length of newly proposed access routes, leading to the plastics recycling and reprocessing facility, to make a positive contribution to the landscape setting in this location - Buildings and structures: <ul style="list-style-type: none"> • built form design strategies to minimise the footprint, height and bulk of the building, by avoiding large blank facades without suitable articulation • building materials and finishes compatible with surrounding visual environment and colours and materials that are sensitive to the surrounding landscape: <ul style="list-style-type: none"> - bright colours that would draw the eye and reflective surfaces will be avoided - a palette of natural, earthy tones that do not detract from long range views of the surrounding rural landscape, will be adopted. - Landscaping and setbacks: <ul style="list-style-type: none"> • planting in accordance with the Landscape Concept Plan • a minimum 15-metre-wide landscaped area along lot frontages to internal access roads and along boundaries with rural zoned land outside the MVEC, and minimum 3-metre-wide landscaped area along the side and rear boundaries • plant selection within the plastics recycling and reprocessing facility site and along the new access road that reflect the palette of the area, and use compatible local native species selected from Council's native species list • more transparent, open-style perimeter fencing (rather than solid, impermeable structures, except if needed for retaining purposes) constructed of natural materials • where possible, retaining existing vegetation and where not possible, providing replacement vegetation to assist in screening the proposed built form from the surrounding roads, residential areas and scenic viewpoints. - Lighting: <ul style="list-style-type: none"> • lighting provided in accordance with the Australian Standards for outdoor lighting, AS/NZS 4282:2019 <i>Control of the Obtrusive Effects of Outdoor Lighting</i>, to minimise lighting spill within the area

Ref	Issue/Impact	Mitigation measures
		<ul style="list-style-type: none"> the use of eco lighting and, where appropriate, the use of directional luminaires, shields and baffles to minimise sky glow and light spill for surrounding rural residential properties. <p>– Signage:</p> <ul style="list-style-type: none"> Signage for the facility and new north-south public access road will be in accordance with and consistent with Chapter 3 of the State Environmental Planning Policy Industry and Employment.
Biodiversity		
BD1	<i>Managing the potential for biodiversity impacts during construction</i>	Prior to the commencement of any work near the retained planted trees adjoining the proposal site, a survey will be carried out to mark the construction impact boundary. The perimeter of this area will be fenced using high visibility fencing and clearly marked as the limits of clearing. All vegetation outside this fence line will be clearly delineated as an exclusion zone to avoid unnecessary vegetation and habitat removal. Fencing and signage must be maintained for the duration of the construction period. Fencing will be designed to allow fauna to exit the site during clearing activities.
BD2		Control measures will be incorporated in the design of the proposal to limit the spread of weed propagules downstream of proposal site. Sediment control devices, such as silt fences, will assist in reducing the potential for spreading weeds.
BD3	<i>Introduction of weeds and pathogens</i>	A weed and pest species management plan will be developed as part of the CEMP to manage weeds and pathogens during the construction and operational phase of the proposal.
BD4	Vegetation management	A vegetation management plan will be developed prior to construction of the proposal to maintain the early works planting on the adjacent C4 portion of Lot 11 DP 1084421.
Greenhouse gas		
GHG1	<i>Greenhouse gas emissions during operation</i>	More efficient equipment and lighting will be investigated during detailed design.
Socio-economic		
SE1	<i>Social impacts, communication and engagement</i>	<p>A Community and Stakeholder Engagement Plan (CSEP) will be prepared to guide ongoing consultation with the community in order to build relationships and a sense of trust, and allow community members to share their concerns and gain relevant project information. The CSEP will help to ensure that:</p> <ul style="list-style-type: none"> The community and stakeholders have a high level of awareness of all processes and activities. Accurate and accessible information is made available. A timely response is given to issues and concerns raised by the community. Feedback from the community is encouraged. Opportunities for input are provided. <p>The CSEP will include strategies and protocols to:</p> <ul style="list-style-type: none"> Communicate with potentially affected residents, other community members, local businesses, local community groups, Aboriginal organisations and other key stakeholders such as emergency services and local schools to provide information about the project, and the likely nature, extent, and duration of changes. <p>The CSEP will define communication and consultation tools and activities, timing and responsibilities, and monitoring requirements.</p>
SE2		<p>A Communications and Engagement Strategy (CES) including a complaints management Procedure system will be prepared, which will enable a mechanism for landowners and the general community to engage with the proposal team throughout the construction phase of the proposal. The CES will be prepared alongside the CTMP and CEMP to ensure the construction process is properly informed by those impacted. The CES will:</p> <ul style="list-style-type: none"> include regular proposal updates and provide opportunities for the community to share feedback throughout the proposal's life cycle

Ref	Issue/Impact	Mitigation measures
		<ul style="list-style-type: none"> – build on the engagement activities undertaken to date and take into consideration the needs and aspirations of the community that have already been explored as well as existing relationships and networks within the community. – ensure the CEMP is integrated with the CES during construction stage, to provide a mechanism for landowners and the community to communicate and collaborate with the proposal team. – include strategies to promote community understanding and awareness of real and perceived health and wellbeing impacts. The CMP complaints management system will provide a range of avenues for community members to express their concerns or ask questions – paired with ongoing engagement with nearby residents of the PSA and additional mitigation as identified. – communicate both construction and operational traffic and road network impacts to affected stakeholders and community members appropriately – outline emergency protocols in case of fires at the facility – include reasonable and feasible work practices with all potentially impacted residents to be consulted during construction. Ongoing engagement to identify potential health and wellbeing impacts and work out mitigation techniques if appropriate and/or required. – offer Employee Assistance Program services for existing community members with medically diagnosed significant levels of distress and/or anxiety demonstrated by a medical practitioner to be directly related to the project. This service will be available to those directly impacted, along the haulage route and adjacent to the proposal site, up to and including the first year of operation. – communicate any opportunities in the proposal for community benefits.
SE3		To improve the project's ability to respond to the community's concerns more effectively, the monitoring framework included in section 11.4 of the <i>Social Impact Assessment</i> (Ethos Urban, 2023) will be implemented.
SE4	<i>Connection to land</i>	Provide pre-construction and ongoing education to on-site staff (e.g. via inductions) regarding project and local community history which describes current connection to land as well as the more recent agricultural history and community information to encourage respectful behaviours, and enable workers to recognise Aboriginal and European heritage artefacts to prevent accidental damage and promote the swift reporting of heritage discovery.
SE5	<i>Employment</i>	Explore opportunities for partnership building to enhance potential positive impacts associated with job creation during the construction and operational stage. This may include partnerships with organisations such as the nearby TAFE to offer special apprenticeships and programs, and the development of a local procurement strategy or social procurement strategy for employment, to target disadvantaged groups in the employment market. The local procurement strategy and social procurement plan will be prepared in consultation with Wingecarribee Shire Council and other key stakeholders to outline strategies to give preference to local and regional residents and businesses.
SE6	<i>Social impacts associated with changes to visual amenity</i>	Ensure the design of the facility, including in relation to materials, planting for visual screening etc responds to issues raised by the community – particularly surrounding residents, and is as sensitive as possible in its design to the surrounding natural environment.
SE7	<i>Social impacts, communication and engagement</i>	A community information and awareness strategy will be included in the CEMP and will outline measures to maintain communication with the community and all relevant stakeholders throughout construction of the proposal.
Traffic and transport		
TT1	<i>General impacts of construction activities on traffic, transport, access, pedestrians and cyclists.</i>	A CTMP will be prepared prior to the commencement of construction with site induction for construction personnel being undertaken to outline the requirements of the CTMP. The CTMP will aim to maintain the safety of all workers and road users within the vicinity of the proposal site.

Ref	Issue/Impact	Mitigation measures
TT2	<i>Design of the relocated level crossing</i>	Detailed design of the relocated level crossing will be undertaken in consultation with the landowner, nearby landowners and Wingecarribee Shire Council. It will include a three-dimensional geometric design and will ensure compliance with relevant codes and standards. An ALCAM that will assess potential risks and inform the decision making process for its precise location and design will also be undertaken. Appropriate signage and line marking will be provided to ensure readability of the rail level crossing arrangement and road alignment from a driver's perspective.
TT3	Road safety audit	A road safety audit will be undertaken during the detailed design phase of the proposal to validate the findings of the preliminary road safety audit.
Air quality		
AQ1	<i>Construction activities and earthworks that may cause dust impacts</i>	An air quality and odour management plan will be developed for the proposal which will incorporate the general and specific dust management measures for construction in Table 5.1, Table 5.2 and Table 5.3 of <i>Technical Report 3 – Air Quality and Odour</i> . Where impacts are found to be due to construction of the proposal, monitoring or additional mitigation and can be implemented as required.
Construction		
Waste management		
WM3	<i>Construction waste management</i>	All construction waste will be classified and recycled or disposal of in accordance with the <i>Waste Classification Guidelines</i> and the waste provisions contained within the POEO Act and other relevant legislative and policy requirements.
WM4	<i>Operational waste management</i>	An operational waste management plan will be developed and implemented which incorporates the requirements of relevant guidance documents, waste management hierarchy principles contained in the <i>Waste Avoidance and Resource Recovery Act 2001</i> . This will include: <ul style="list-style-type: none"> – all key operational waste streams and expected quantities – waste handling, management and storage procedures including for both plastic waste feedstock as well as wastes generated on-site – procedures for identifying and managing unacceptable and non-confirming feedstock – waste classification procedures and details of how all waste streams will be recycled or disposal of in accordance with the <i>Waste Classification Guidelines</i> and the waste provisions contained within the <i>Protection of the Environment Operations Act 1997</i>, Waste Regulation and other relevant legislative and policies – details of off-site recycling and disposal locations – record keeping and reporting requirements.
Water management		
W1	<i>Water quality impacts during operation</i>	A detailed operational water management plan will be developed before commencement of operations and updated yearly. The plan will be based on specifying and maintaining all mixed plastics waste receipt, storage, recycling and reprocessing activities and finished product storage within the buildings. The plan will also include daily visual inspection by a specified person(s) of the plastics recycling and reprocessing facility site for plastic waste or litter and <ul style="list-style-type: none"> – collection of any plastic waste or litter found outside of buildings during inspections – maintenance of an incident log where plastic waste or litter found outside of building during inspections.
Traffic and transport		
TT3 TT4	<i>Alternative transport</i>	A green travel plan will be developed to encourage and promote alternate transport opportunities to the plastics recycling and reprocessing facility. The green travel plan will summarise alternate transport options to access the facility, outlining where and how these services can be accessed and the frequency of the service.
TT4 TT5	<i>General impacts of operation activities on traffic, transport, access, pedestrians and cyclists.</i>	An operational traffic management plan (OTMP) will be prepared prior to the finalisation of construction in consultation with Transport for NSW and Wingecarribee Shire Council. The OTMP will aim to maintain the safety of all workers and road users within the vicinity of the proposal site and haulage route.

Ref	Issue/Impact	Mitigation measures
Noise and vibration		
NV3	<i>Noise impacts during operation</i>	<p>An operational noise management plan will be developed to minimise the risk of adverse noise impacts during the operation. It will be refined throughout the design process and have consideration to:</p> <ul style="list-style-type: none"> – the relevant license conditions (to be confirmed) – conditions of approval (to be confirmed) – the <i>Noise Policy for Industry</i> – <i>Australian Standards 1055 Acoustics – Description and measurement of environmental noise</i> – <i>Approved methods for the measurement and analysis of environmental noise in NSW</i> – currently in draft form. <p>The operational noise management plan will include:</p> <ul style="list-style-type: none"> – operational noise management measures to be implemented – updated operational noise predictions at sensitive receivers – a noise monitoring procedure and program – a complaints handling protocol. <p>The noise monitoring procedure and program will include at-source monitoring of heavy vehicles to measures the variability between vehicles entering and exiting the site. to confirm sound power levels. This will be undertaken during the commissioning phase of the proposal, prior to operation.</p> <p>Table 6.3 in <i>Technical Report 2 – Noise and Vibration</i> provides draft inclusions for incorporation into the operational noise management plan to minimise the risk of adverse noise impacts at sensitive receivers during the operation.</p>
Urban design and visual		
UV4	<i>Visual amenity</i>	Staging of works will be considered to undertake perimeter buffer planting in advance of construction works, particularly in locations where short-term visual mitigation would be beneficial. This will include larger-sized trees and shrub planting stock.
UV5		All practical measures will be taken to ensure construction equipment, stockpiles, and other visible elements are located away from rural residential properties and sensitive views, as much as possible.
UV6		Should any equipment or stockpiles be located in a visually prominent location for any reasonable period of time, screening measures such as hoarding and practices will be incorporated to ensure the site is kept tidy and visibility reduced.
UV7		No-go-zones will be implemented around drainage and water capture areas, and tree protection fencing will be implemented as needed, to support vegetation retention during construction.
Biodiversity		
BD4 BD5	<i>General biodiversity impacts</i>	All workers will be provided with an environmental induction prior to starting work on-site. This will include information on the ecological values of the site, protection measures to be implemented to protect biodiversity and penalties for breaches.
BD5 BD6	<i>Impacts of vegetation clearing</i>	Disturbance of vegetation will be limited to the minimum necessary to undertake the proposal.
BD6 BD7		Daily inspections of exclusion zones during works in area will be carried out.
BD7 BD8		Stockpiles of fill or vegetation will be placed within existing cleared areas (and not within areas of adjoining native vegetation).
BD8 BD9		Sediment fences will be installed to prevent transfer of sediments into adjacent vegetation.
BD9 BD10	<i>Introduction of weeds and pathogens</i>	The location and extent of any priority and/or high threat environmental weeds within the proposal site will be identified by a suitably qualified ecologist during pre-clearance surveys. The introduction and spread of weed species will be minimised by restricting

Ref	Issue/Impact	Mitigation measures
		<p>access to areas of native vegetation and communicating the responsibilities of all proposal personnel at site inductions and during regular toolbox meetings.</p> <p>All priority weeds identified on-site will be controlled and removed in accordance with the requirements of the <i>Biosecurity Act 2016</i> and Council's relevant Weed Control Manuals. Appropriate pesticides will be applied if required and a record of such application made in the pesticide application register.</p> <p>All noxious and environmental weeds will be cleared and stockpiled separately to all other vegetation, removed from site and disposed of at an appropriately licenced disposal facility. When transporting weed waste from the site to the waste facility, trucks will be covered to avoid the spread of weed-contaminated material. Disposal will be documented, and evidence of appropriate disposal will be kept.</p>
BD40 BD11		<p>All machinery entering the proposal site will be appropriately washed down and disinfected prior to work on-site to prevent the potential spread of weeds, Cinnamon Fungus (<i>Phytophthora cinnamomi</i>) and Myrtle Rust (<i>Pucciniales fungi</i>) in accordance with the national best practice guidelines for Phytophthora (O'Gara <i>et al.</i> 2005) and the <i>Myrtle Rust factsheet</i> (DPI 2015b) for hygiene control.</p>
BD44 BD12	<i>Removal of fauna habitat</i>	<p>Protocols to prevent introduction or spread of chytrid fungus will be implemented in accordance with the <i>Hygiene protocol for the control of disease in frogs</i> (DECC 2008c).</p>
BD42 BD13		<p>A trained ecologist will be present during the clearing of native vegetation or removal of potential fauna habitat to avoid impacts on resident fauna and to salvage habitat resources as far as is practicable.</p>
BD43 BD14		<p>Temporary dewatering of the dam will be done in accordance with a dam dewatering plan to be developed for the proposal in order to manage the environmental impacts that may arise from dewatering dams.</p> <p>The dewatering plan will include:</p> <ul style="list-style-type: none"> – the quality and quantity of the water to be released – the fate of the water – any impacts to native, threatened or protected species – relocation of displaced native fauna – the spread of exotic flora and fauna species.
BD44 BD15		<p>A suitably qualified and appropriately licenced ecologist will be present during the clearance of all native vegetation and/or fauna habitats. Animals that require handling must not be approached or handled until the ecologist is present, unless in an emergency (eg. when there are both no authorised persons present and where the failure to immediately intervene would place the animal at significant risk). In such an emergency, the site manager may obtain over the phone instructions from the project ecologist to ameliorate the situation. A wildlife rescue organisation (eg. WIRES or Sydney Wildlife) will be made aware of operations in case any injured fauna are found.</p> <p>All animals encountered will be treated humanely, ethically, and in accordance with relevant codes under the NSW <i>Prevention of Cruelty to Animals Act 1979</i>, including:</p> <ul style="list-style-type: none"> – Australian code of practice for the care of animals for scientific purposes (NHMRC 2004) – Code of practice for the welfare of wildlife during rehabilitation (DPI 2001) – animal ethics considerations and protocols outlined in this document. <p>If the project ecologist considers an animal is at risk of injury or undue stress, it will be gently directed into secure adjoining habitat. Where deemed necessary by the project ecologist, the animal may be required to be captured and released. Capture and release operations will proceed via the following protocols:</p> <ul style="list-style-type: none"> – All construction activities that are considered by the project ecologist be likely to increase the risk of injury, mortality or stress to the animal will be halted until the animal has been removed, which will be enforced with the co-operation of the construction contractor. Construction activities that do not contribute to the risk of injury, mortality or stress to the animal can continue (as determined by the project ecologist). – Only qualified ecologists or wildlife carers will be authorised to handle animals.

Ref	Issue/Impact	Mitigation measures
		<ul style="list-style-type: none"> Animals will be captured (if required) by the project ecologist using a safe and ethical technique, as is appropriate for the particular species (see below). Native animals that are unable to depart of their own accord will be captured and held in a receptacle appropriate for that species until release. All captive-held animals will be provided with food, water and warmth as is appropriate for the species. Each receptacle will only hold one animal at a time and will be cleaned and disinfected between use to avoid the spread of disease. <p>Details of any fauna relocated from trees, shrubs or other areas will be recorded on the register.</p>
BD15 BD16		The construction contractor will be required to contact the project ecologist for advice if any unexpected fauna are found during the construction period (ie. following clearing of native vegetation when the project ecologist is no longer on-site).
BD16 BD17		<p>A post-clearing report will be prepared documenting all animals that are handled, or otherwise managed, within the site. Data that will be recorded includes:</p> <ul style="list-style-type: none"> date and time of the sighting and details of the observer species number of individuals recorded adult/juvenile condition of the animal (living/dead/injured/sick) management action undertaken (eg. captured, handled, taken to vet) results of any management actions (eg. released, placed in a nest box, euthanised, placed with carer) an inventory of hollows and fallen timber salvaged and relocated.
Greenhouse gas		
GHG2	<i>Greenhouse gas emissions during construction</i>	Sustainable procurement practices will be adopted where feasible.
GHG3		Construction materials will be sourced locally where possible.
GHG4		Investigations into the feasibility of using biodiesel for trucks and equipment, electric vehicles and low carbon concrete will be undertaken will be undertaken.
GHG5		All plant and equipment used during construction will be regularly maintained to reduce emissions and comply with the relevant exhaust emission guidelines.
GHG6		All plant and equipment used during construction will be switched off when not in constant use and not left idling, as long as safe.
GHG7		Construction plant and equipment brought on-site will be regularly serviced and energy efficient vehicles or equipment will be selected where available.
Fire and incident management		
FS3	<i>Fire risks</i>	<p>Prior to commencement of operations, the following will be developed:</p> <ul style="list-style-type: none"> an operations plan for stockpile management, with a copy to be included within the Emergency Services Information Package an Incident Response Management Plan for staff and other persons at the facility in the event of fire an Emergency Services Information Package for firefighters in accordance with the FRNSW (2019) guideline <i>Emergency services information package and tactical fire plans</i>.
Socio-economic		
SE8	<i>Employment</i>	Explore opportunities for partnership building to enhance potential positive impacts associated with job creation during the construction and operational stage. This may include partnerships with organisations such as the nearby TAFE to offer special apprenticeships and programs, or the development of a local procurement strategy or social procurement strategy for employment, to target disadvantaged groups in the employment market.

Ref	Issue/Impact	Mitigation measures
SE9	<i>Social impacts, communication and engagement</i>	A contact log will be maintained to log public comments and complaints.
SE10		Maintain close dialogue with relevant stakeholders such as Wingecarribee Shire Council to identify opportunities to encourage social interaction between workers and the local community (such as complaints management, education, traineeships, local procurement) and mitigate any issues as they arise, both during construction and operation.
SE11	<i>Community consultative committee</i>	<p>A Community Consultative Committee will be established to provide a forum for open discussion between representatives of the community, Council and other stakeholders on issues directly relating to the proposal, environmental performance and community relations, and to keep the community informed on these matters.</p> <p>The Community Consultative Committee will provide a forum to:</p> <ul style="list-style-type: none"> – establish good working relationships between Plasrefine Recycling, the community and other stakeholders in relation to the proposal – provide for the ongoing communication of information on operations and the environmental performance of the proposal – provide an opportunity for comment on the proposal's environmental performance – discuss community concerns and review the resolution of community complaints – discuss how best to communicate relevant information on the proposal and its environmental performance to the broader community – work together towards outcomes of benefit of the proposal to the immediate neighbours and the local and regional community <p>Plasrefine Recycling will periodically review the operation and membership of the Community Consultative Committee in line with the <i>Community Consultative Committee Guideline</i> (NSW DPE, 2019), so that membership is appropriate for the issues discussed, and that matters discussed and minutes are distributed to all interested community stakeholders where possible.</p> <p>It is proposed that the Community Consultative Committee will continue into the operating phase of the proposal, for up to five years, or until the total throughput is reached (120,000tpa), whichever occurs first. The suitability of the Community Consultative Committee will also be reviewed every 12 months to ensure that it remains an effective method of communicating with the community and key stakeholders. Should it be decided by members of the Community Consultative Committee and the Department of Planning and Environment that it is no longer effective, alternative methods of engagement will be considered.</p> <p>Sensitive receivers and key stakeholders of the project will be invited to join the Community Consultative Committee.</p>
SE12	<i>Social impacts, communication and engagement</i>	Continuation of the community consultation methods provided during the planning phase and construction phase to enable nearby residents to notify the proposal team of issues and concerns related to construction impacts
Operation		
Air quality		
AQ2	<i>Operational air emissions</i>	The emission control system will be operational and regularly maintained. Should any unit become faulty, production on those affected lines will halt immediately and not resume until emission control systems are fully operational.
AQ3		An odour complaints management procedure will be developed as part of the broader complaints management procedures to ensure that any complaints regarding odour are received by appropriate personnel and that potential issues can be investigated, and site practices adjusted accordingly.
AQ4		Once operational, sampling of the proposal operational emissions will be conducted to confirm assumptions made throughout the air quality assessment. An air monitoring program will be established to ensure workplace exposure limits are maintained. Sampling will be undertaken in each building biannually by a suitable professional in accordance with guidance from Safe Work Australia and relevant Australian Standards.
AQ5		To maintain dust levels within both Building 1 and Building 2, regular sweeping and housekeeping practices will be undertaken.

APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. All incident notifications and reports must be submitted via the NSW planning portal (Major Projects).
2. The Applicant must provide notification as required under these requirements, 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.
3. Within **7 days** (or as otherwise agreed by the Planning Secretary) of the Applicant making the immediate incident notification (in accordance with condition C10), the Applicant is required to submit a subsequent incident report that:
 - (a) identifies how the incident was detected;
 - (b) identifies when the Applicant became aware of the incident;
 - (c) identifies any actual or potential non-compliance with conditions of consent;
 - (d) identifies further action(s) that will be taken in relation to the incident; and
- (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, including the period for implementing any corrective and/or preventative actions; and
- (d) details of any communication with other stakeholders regarding the incident.
4. The Applicant must submit any further reports as directed by the Planning Secretary.

INCIDENT REPORT REQUIREMENTS

5. 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.
6. The Incident Report must include:
 - (a) a summary of the incident;
 - (a) outcomes of an incident investigation, including identification of the cause of the incident;
 - (b) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - (c) details of any communication with other stakeholders regarding the incident.