

# Development Consent

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

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2022, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development



Joanna Bakopanos

**Director**

**Industry Assessments**

Sydney

1 April 2026

File: EF25/2303

### SCHEDULE 1

<b>Application Number:</b>	SSD-79933225
<b>Applicant:</b>	LMS Energy Pty Ltd
<b>Consent Authority:</b>	Minister for Planning and Public Spaces
<b>Site:</b>	Little Forest Road, Lucas Heights Lot 102 DP 1009354
<b>Development:</b>	Construction and operation of a bioenergy facility to convert landfill gas from the Lucas Heights landfill into electricity

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## DEFINITIONS

<b>Additional Information</b>	Additional assessments provided by the Applicant to support the development application, including the document titled: 'Lucas Heights Bioenergy Facility Bushfire Assessment' prepared by GHD Pty Ltd dated 3 February 2026
<b>Applicant</b>	LMS Energy Pty Ltd, or any person carrying out any development to which this consent applies
<b>BCA</b>	Building Code of Australia
<b>BC Act</b>	<i>Biodiversity Conservation Act 2016</i>
<b>Carrier</b>	Operator of a telecommunication network and/or associated infrastructure, as defined in section 7 of the <i>Telecommunications Act 1997</i> (Cth)
<b>CEMP</b>	Construction Environmental Management Plan
<b>Conditions of this consent</b>	Conditions contained in Schedule 2 of this document
<b>Construction</b>	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
<b>Council</b>	Sutherland Shire Council
<b>Day</b>	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
<b>Decommissioning</b>	The controlled process of safely retiring a facility from service, including decontamination, dismantling and disposal after the cessation of operations
<b>Demolition</b>	The deconstruction and removal of buildings, sheds and other structures on the site
<b>Department</b>	NSW Department of Planning, Housing and Infrastructure (DPHI)
<b>Development</b>	The development described in Schedule 1, the EIS and Submissions Report, including the works and activities comprising construction and operation of a bioenergy facility, as modified by the conditions of this consent
<b>Development layout</b>	The plans at Appendix 1 of this consent
<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
<b>EIS</b>	The Environmental Impact Statement titled 'Lucas Heights Bioenergy Facility Environmental Impact Statement', prepared by GHD Pty Ltd dated 22 October 2025, submitted with the application for consent for the development
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	As defined in section 1.4 of the EP&A Act
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2021
<b>EPL</b>	Environment Protection Licence under the POEO Act
<b>Evening</b>	The period from 6 pm to 10 pm
<b>Heritage</b>	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
<b>Incident</b>	An occurrence or set of circumstances that causes or threatens to cause material harm 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  <b>Note:</b> "Material harm" is defined in this consent
<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Material harm</b>	Is harm that: <ul style="list-style-type: none"> <li>a) involves actual 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</li> </ul>

- consequence of that environmental harm (pollution), may cause harm to the health or safety of people; or
- b) 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)

**Note:** This definition excludes “harm” that is either authorised under this consent or any other statutory approval

**Note:** For the purposes of this definition, material harm excludes incidents captured by Work Health and Safety reporting requirements

<b>Minister</b>	NSW Minister for Planning and Public Spaces (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>Night</b>	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent
<b>OEMP</b>	Operational Environmental Management Plan
<b>Operation</b>	The carrying out of a bioenergy facility as described in the EIS and Submissions Report
<b>Planning Secretary</b>	Secretary of the Department, or delegate
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Reasonable</b>	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
<b>Rehabilitation</b>	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
<b>Submissions Report (SR)</b>	The Applicant’s response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the document titled ‘Lucas Heights Bioenergy Facility Response to submissions’, prepared by GHD Pty Ltd and dated 4 February 2026
<b>Sensitive receivers</b>	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
<b>Site</b>	The land defined in Schedule 1
<b>Upgrading</b>	The carrying out of works (including replacing plant, equipment, or machinery or updating relevant technology) to improve the efficiency of the development or to enable or enhance its continued operation, and the carrying out of the following maintenance works
<b>VENM</b>	Virgin Excavated Natural Material
<b>Waste</b>	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
<b>Year</b>	A period of 12 consecutive months

**SCHEDULE 2**  
**PART A ADMINISTRATIVE CONDITIONS**

**OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT**

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

**TERMS OF CONSENT**

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
  - (b) in accordance with all written directions of the Planning Secretary;
  - (c) in accordance with the EIS and Submissions Report and 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.

**NOTIFICATION OF COMMENCEMENT**

- A6. 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.
- A7. 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).

**SURRENDER OF EXISTING CONSENTS OR APPROVALS**

- A8. Within 12 months of the date of commencement of development to which this consent applies, or within another timeframe agreed by the Planning Secretary, the Applicant must surrender the existing Sutherland Shire Council development consents for the existing renewable electricity (power station) facility (DA 970251 and DA 03/2231) in accordance with the EP&A Regulation.
- A9. Upon the commencement of development to which this consent applies, and before the surrender of existing development consents or project approvals required under condition A8, the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals.

**Note:** This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 6 of the EP&A Act. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.

## **STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS**

A10. With the approval of the Planning Secretary, the Applicant may:

- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
- (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
- (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).

A11. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.

A12. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

## **UTILITIES, SERVICES AND PUBLIC INFRASTRUCTURE**

### **General Requirements**

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

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

A14. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:

- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development;
- (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development; and
- (c) obtain any relevant approval(s) from the relevant service provider(s), prior to undertaking construction of the corresponding utility works.

## **DEMOLITION**

A15. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

## **STRUCTURAL ADEQUACY**

A16. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

### **Note:**

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

## **EXTERNAL WALLS AND CLADDING**

A17. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A18. 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.

A19. 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**

A20. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

## **OPERATION OF PLANT AND EQUIPMENT**

A21. All plant and equipment used on site, or to monitor the performance of the development, must be:

- (a) maintained in a proper and efficient condition; and
- (b) operated in a proper and efficient manner.

## **WORK AS EXECUTED PLANS**

A22. Prior to the issue of the Occupation Certificate for the development, work-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the Principal Certifier.

## **APPLICABILITY OF GUIDELINES**

A23. 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.

A24. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

## **ADVISORY NOTES**

**AN1.** All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

## PART B SPECIFIC ENVIRONMENTAL CONDITIONS

### AIR QUALITY

#### Dust Minimisation

- B1. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- B2. 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

- B3. The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.

#### Air Quality Management Plan

- B4. Prior to the commencement of operation of the development, the Applicant must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The AQMP must form part of the OEMP required by condition C5. The AQMP must:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) detail and rank all emissions from all sources of the development, including particulate emissions;
  - (c) describe a program that is capable of evaluating the performance of the operation and determining compliance with key performance indicators;
  - (d) identify the control measures that will be implemented for each emission source; and
  - (e) nominate the following for each of the proposed controls:
    - (i) key performance indicator;
    - (ii) monitoring method;
    - (iii) location, frequency and duration of monitoring;
    - (iv) record keeping;
    - (v) complaints register;
    - (vi) response procedures; and
    - (vii) compliance monitoring.
- B5. The Applicant must:
- (a) not commence operation until the Air Quality Management Plan required by condition B4 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.

#### Landfill Gas

- B6. Captured biogas received from the LHRRP landfill must be either:
- (a) combusted within the development for the purpose of electricity generation; or
  - (b) flared.
- B7. Flaring of biogas is to be minimised and restricted to the following periods:
- (a) development commissioning;
  - (b) excess gas production;
  - (c) non-routine operations (including development shutdown and maintenance); or
  - (d) circumstances where the power generation infrastructure is not feasible to operate due to operational constraints (such as electricity network grid outages and/or maintenance).

## NOISE

### Hours of Work

B8. The Applicant must comply with the hours detailed in Table 1.

**Table 1** Hours of Work

Activity	Day	Time
Construction	Monday – Friday	7 am to 5 pm
	Saturday & Sunday	8 am to 5 pm
Operation	Monday – Sunday	24 hours

B9. Works outside of the hours identified in condition B8 may be undertaken in the following circumstances:

- (a) works that are inaudible at the nearest sensitive receivers;
- (b) works agreed to in writing by the Planning Secretary;
- (c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
- (d) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

### Operational Noise

B10. The Applicant must implement all recommended noise mitigation measures in the *Lucas Heights Bioenergy Facility Noise Impact Assessment*, prepared by GHD Pty Ltd and dated 17 October 2025.

## HAZARDS AND RISK

### Pre-construction

B11. At least one month prior to the commencement of construction of the development (except for construction of those preliminary works that are outside the scope of the hazard studies), or within such further period as the Planning Secretary may agree, the Applicant must prepare and submit for the approval of the Planning Secretary the studies set out under subsections (a) below (the pre-construction studies) for operations at the site. Construction, other than of preliminary works, must not commence until approval has been given by the Planning Secretary and, with respect to the Fire Safety Study, approval has also been given by Fire and Rescue NSW.

- (a) A **Fire Safety Study** for the development. This study must 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). The study must meet the requirements of Fire and Rescue NSW.

### Pre-commissioning

B12. The Applicant must develop and implement the plans and systems set out under subsections (a) below. No later than two months prior to the commencement of commissioning of the development, or within such further period as the Planning Secretary may agree:

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

### Further Requirements

B13. The Applicant must comply with all reasonable requirements of the Planning Secretary in respect of the implementation of any measures arising from the reports submitted in respect of conditions B11 and B12, within such time as the Planning Secretary may agree.

### Dangerous Goods

B14. 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.

B15. 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*.

B16. In the event of an inconsistency between the requirements of conditions B15(a) and B15(b), the most stringent requirement must prevail to the extent of the inconsistency.

### **Bunding**

B17. 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).

### **Emergency Services Information Package**

B18. From the commencement of operation 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.

### **BUSH FIRE**

B19. The Applicant must ensure the development complies with the relevant provisions of *Planning for Bush fire Protection 2019* and must implement the recommendations made in the *Lucas Heights Bioenergy Facility Bush fire Assessment* prepared by GHD Pty Ltd, dated 3 February 2026 for the life of the development.

B20. Notwithstanding the requirements of condition B19, the entire site, must be managed as an Inner Protection Area consistent with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*.

B21. Prior to the commencement of construction of the development, the Applicant must prepare a Bush fire Emergency Management and Evacuation Plan. The Plan must form part of the CEMP and OEMP required by conditions C2 and C5 and must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) address the provisions of *A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan 2014*;
- (c) include details of:
  - (i) the bush fire emergency responses for both construction and operation phases of the development;
  - (ii) assembly points and evacuation routes;
  - (iii) evacuation and refuge protocols; and
  - (iv) awareness training for employees and contractors.

B22. The Applicant must:

- (a) submit a copy of the Bush fire Emergency Management and Evacuation Plan required by condition B21 to the Planning Secretary prior to the commencement of construction; and
- (b) implement the most recent version of the Bush fire Emergency Management and Evacuation Plan for the duration of the development.

B23. Essential equipment, transformers and on-site hazardous material storage must be:

- (a) designed and housed in such a way as to minimise the impact of bush fire on the infrastructure during bush fire emergencies; and
- (b) designed and maintained so as to not create a bush fire risk.

### **TRAFFIC AND ACCESS**

#### **Construction Traffic Management Plan**

B24. Prior to the commencement of construction of the development, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the development. The plan must form part of the CEMP required by condition C2 and must:

- (a) be prepared by a suitably qualified and experienced person(s),
- (b) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
- (c) detail heavy vehicle routes, access and parking arrangements;
- (d) 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;
- (e) include a program to monitor the effectiveness of these measures; and

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

B25. The Applicant must:

- (a) not commence construction until the CTMP required by condition B24 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.

### **Parking**

B26. 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.

## **CONTAMINATION**

### **Unexpected Finds**

B27. Prior to the commencement of construction, the Applicant must prepare an unexpected contamination finds procedure to ensure that potentially contaminated material is appropriately managed. The procedure must:

- (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 regulations.

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.

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

### **Imported Soil**

B28. The Applicant must:

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

### **Erosion and Sediment Control**

B29. Prior to the commencement of any construction or other surface disturbance for the development, the Applicant must install suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book* (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.

B30. The Applicant must maintain the erosion and sediment control measures installed on-site in accordance with condition B29 for the duration of construction of the development.

### **Discharge Limits**

B31. 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.

### **Water Management Plan**

B32. 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:

- (a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;
- (b) provide details of:
  - (i) water use, metering, disposal and management on-site;
  - (ii) the management of wastewater streams on-site;
- (c) contain a Surface Water Management Plan, including:
  - (i) a program to monitor:
    - surface water flows and quality;
    - surface water storage and use; and

- sediment basin operation;
- (ii) surface water impact assessment criteria, including trigger levels for investigating and potential adverse surface water impacts; and
- (iii) a protocol for the investigation and mitigation of identified exceedances of the surface water impact assessment criteria.

B33. The Applicant must:

- (a) not commence operation until the Water Management Plan required by condition B32 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Water Management Plan approved by the Planning Secretary for the duration of the development.

## 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) a condition compliance table for that plan;
  - (b) detailed baseline data (where required);
  - (c) 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;
  - (d) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
  - (e) 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 (d) above;
  - (f) 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;
  - (g) a program to investigate and implement ways to improve the environmental performance of the development over time;
  - (h) 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
  - (i) 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) a copy of the Bush fire Emergency Management and Evacuation Plan (see condition B21);
  - (b) Construction Traffic Management Plan (see condition B24);
  - (c) Erosion and Sediment Control Plan; and
  - (d) Community Consultation and Complaints Handling.
- C4. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
  - (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

#### OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C5. The Applicant must prepare an Operational Environmental Management Plan (OEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C6. As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:
- (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
  - (b) describe the procedures that would be implemented to:
    - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
    - (ii) receive, handle, respond to, and record complaints;

- (iii) resolve any disputes that may arise;
- (iv) respond to any non-compliance;
- (v) respond to emergencies; and
- (c) include the following environmental management plans:
  - (i) Air Quality (see condition B4); and
  - (ii) Water (see condition B32).
  - (iii) a copy of the Bush fire Emergency Management and Evacuation Plan (see condition B21).

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. Prior to the commencement of construction of any works associated with any modification to this consent, or within three months of:

- (a) the submission of an incident report under condition C10;
- (b) the submission of a Compliance Report under condition C14;
- (c) the submission of an Independent Audit under condition C16;
- (d) the approval of any modification of the conditions of this consent; or
- (e) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,

the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing of the outcomes of any review.

C9. If identified as part of the review process (see condition C8) or considered necessary to improve the environmental performance of the development, 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 in the case of a modification approving the construction of any works, prior to the commencement of construction of those works, 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 any non-compliance, the Applicant must notify the Department of the non-compliance, in writing, via the NSW planning portal (Major Projects).

C13. A non-compliance notification submitted under condition C12 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**

C14. Within six months after the first year of commencement of operation of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the

satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2026) and must also:

- (a) identify any trends in the monitoring data over the life of the development;
- (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
- (c) describe what measures will be implemented over the next year to improve the environmental performance of the development.

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

#### **Independent Audit**

C16. Within one year of the commencement of operation of the development, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:

- (a) be conducted and carried out in accordance with the Independent Audit Post Approval Requirements (Department 2026), or as updated from time to time and published on the Department's website
- (b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; and
- (c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary).

C17. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2026), the Applicant must:

- (a) review and respond to each Independent Audit Report prepared under condition C16 of this consent;
- (b) submit the response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations;
- (c) implement the recommendations to the satisfaction of the Planning Secretary; and
- (d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.

#### **Monitoring and Environmental Audits**

C18. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

**Note:** *For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.*

#### **ACCESS TO INFORMATION**

C19. At least 48 hours before the commencement of construction of the development and for the life of the development, the Applicant must:

- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
  - (i) the documents referred to in condition A2 of this consent;
  - (ii) all current statutory approvals for the development;
  - (iii) all approved strategies, plans and programs required under the conditions of this consent with the exception of any hazard and risk related documents;
  - (iv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
  - (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
  - (vi) a summary of the current stage and progress of the development;
  - (vii) contact details to enquire about the development or to make a complaint;
  - (viii) a complaints register, updated quarterly;
  - (ix) the Compliance Report of the development;

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

## APPENDIX 1 DEVELOPMENT LAYOUT PLANS

**Table 2 Schedule of Approved Plans**

<b>Drawing No.</b>	<b>Title</b>	<b>Issue</b>	<b>Date</b>
<b>Architectural Drawings prepared by LMS Energy</b>			
20057-DA-050-01	BIOENERGY FACILITY SITE LAYOUT	E	11/03/2026
20057-DA-050-02	BIOENERGY FACILITY SITE ELEVATIONS	E	11/03/2026
20057-DA-056-01	BIOENERGY FACILITY SITE LAYOUT (FIGURE 3.2)	0	16/03/2026

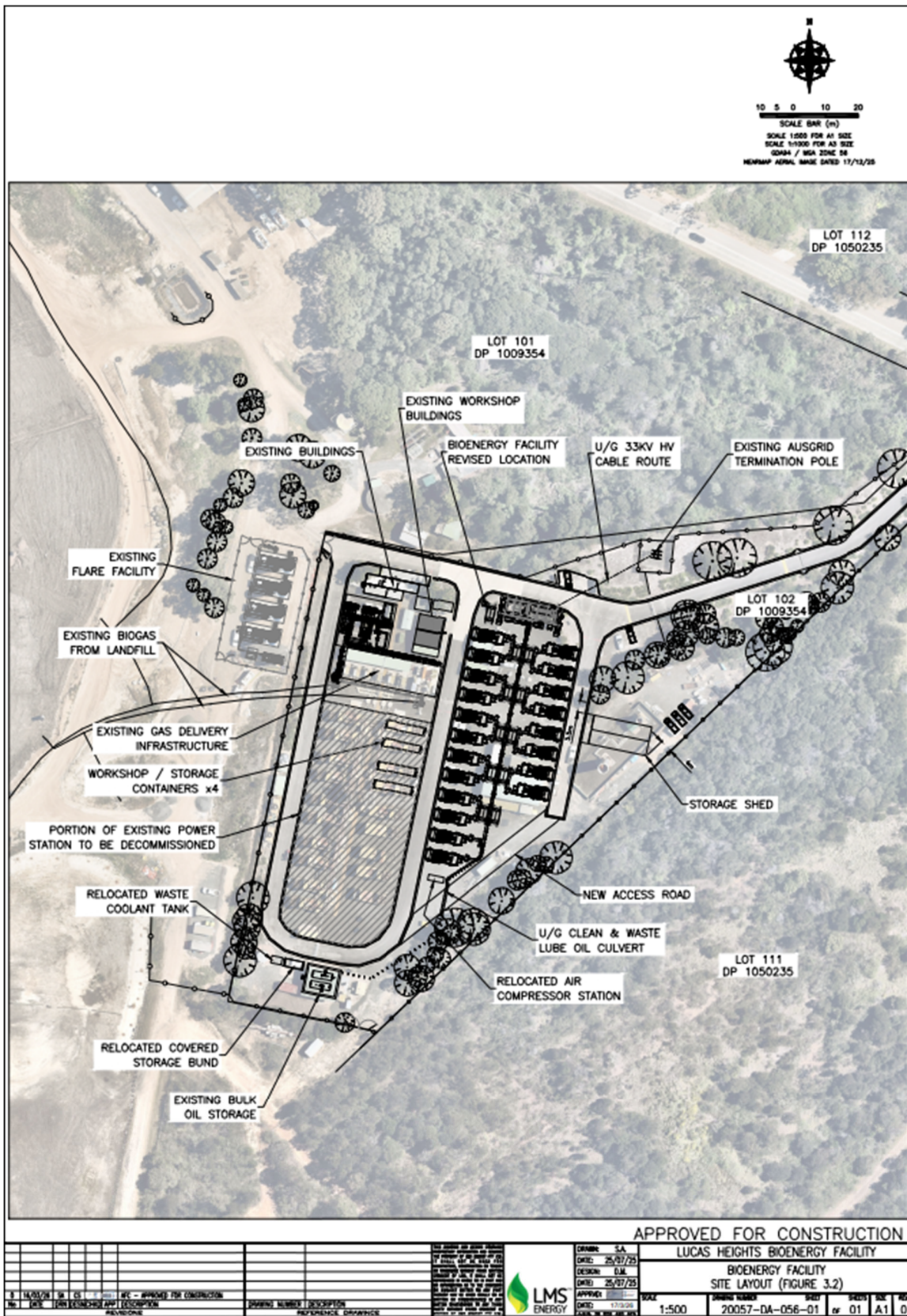


Figure 1: Site Plan

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

<b>ID</b>	<b>Environmental aspect</b>	<b>Mitigation measure</b>	<b>Responsibility</b>	<b>Timing</b>
<b>Air quality</b>				
AQ1	Air quality	The CEMP will include measures to minimise the potential for impacts on air quality including dust suppression (e.g. water spraying), vehicle speed limits, and management of exposed surfaces.	Contractor	Pre-construction / Construction
AQ2	Emissions testing	Stack emission testing will be documented in the OEMP. Testing to occur in accordance with the Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (NSW EPA, 2022b) as follows: <ul style="list-style-type: none"> <li>– within 4 weeks of commissioning</li> <li>– within 9–15 months from commissioning, and</li> <li>– every 5 years to confirm ongoing compliance.</li> </ul>	LMS	Commissioning / Operation
<b>Noise</b>				
NV1	Construction noise and vibration management	The CEMP will detail processes, responsibilities and measures to manage noise and vibration and minimise the potential for impacts, including mitigation measures NV2 to NV7 and the management measures listed in section 8.1 of Technical Report 2.  Measures that mitigate potential noise and vibration at the source will be prioritised.	Contractor	Pre-construction / Construction / Operation
NV2	Plant noise levels	The noise levels of plant and equipment should have an operating sound power lower to the levels presented in Table 5.1 of Technical Report 2 or similar.	Contractor	Pre-construction / Construction
NV3	Maintain equipment	Regularly inspect and maintain equipment to ensure it is in good working order, to prevent excessive noise emissions from deteriorating or faulty components, particularly for critical noise sources such as radiator fans, attenuators, and exhaust openings.  Equipment must not be operated until it is maintained or repaired, where maintenance or repair would address the annoying character of noise identified.	Contractor	Construction
NV4	Plant noise levels	Selection and design of low-noise equipment to ensure operational sound power levels remain at or below the reference levels used in the assessment.  This includes the following design measures: <ul style="list-style-type: none"> <li>– acoustic enclosure for CAT G3516LE generators</li> <li>– intake attenuators</li> <li>– discharge attenuators</li> <li>– silencers on generator exhausts</li> <li>– selection of low-noise radiator fans.</li> </ul>	LMS Energy	Detailed design
NV5	Noise monitoring	Compliance noise monitoring to be completed within 12 months of commencement of operation. Noise monitoring undertaken at the boundary of the power station will be compared to the predicted noise levels presented in Table 5.3 of Technical Report 2 and used to validate predicted noise levels at sensitive receivers presented in this report.	LMS Energy	Operation
<b>Hazards – Industrial</b>				
HM1	Hazard management	LMS will document comprehensive safety management measures detailed in HM3 – HM5 for the site in the Safety Management Plan).	LMS	Operation

ID	Environmental aspect	Mitigation measure	Responsibility	Timing
HM2	Fire safety	A fire safety study during detailed design to HIPAP No. 2 should be included as a condition of development consent to cover the fire safety strategy and fire protection systems for the bioenergy facility, including any fire water storage on-site, and retention systems to contain fire water in any fire scenario.	LMS	Detailed design
HM3	Hot work permit system	A hot work permit system will be required on-site for any welding or cutting activities.	Contractor	Pre-construction / Construction
HM4	Loss of LPG containment	Where cylinder valve covers are fitted, such as for the LP Gas Cylinders, these are not to be removed during handling and storage. All gas cylinders are to be stored in dedicated cylinder cages or racks in accordance with AS4332- 2005 - <i>The storage and handling of gases in cylinders</i> .	LMS	Operation
HM5	Final hazard assessment	If substantial changes are made to the design, such as a large increase in the proposed pressure of the biogas fuel for the gas engines, LMS should conduct a final hazard analysis to HIPAP No.6. The FHA should include a revised estimate of the risk at the site boundary for worst case events.	LMS	Pre-construction
<b>Hazards – bushfire</b>				
BF1	Bushfire Emergency Management and Evacuation Plan	A Bushfire Emergency Management and Evacuation Plan will be prepared and implemented for construction of the project in accordance with the Guide to Developing a Bush Fire Emergency Management and Evacuation Plan (RFS, 2014). Evacuation procedures will be consistent with the LHRRP Emergency Response Plan (Cleanaway 2025).	LMS	Construction / Operation
BF2	Asset protection zone	A BAL-29 APZ would be applied to the structures where combustible goods are stored and site offices are located.  The southeasternmost generator units do not have enough space to support a BAL-29 APZ due to proximity to the boundary, however it is recommended that the APZ be established up to the boundary to minimise the risk of ember attacks and radiant heat to the most vulnerable units.	LMS / Contractor	Operation
BF3	Bushfire management	Details of fire management are to be outlined in the bush fire emergency management and evacuation plan, including: <ul style="list-style-type: none"> <li>– Requirements for emergency access and egress including nomination of an alternative access route.</li> <li>– Formal preparedness procedures for staff and contractors to maintain awareness of and respond to escalating forecast fire danger including identification of firefighting equipment and fire water supply.</li> <li>– Formal pre-rehearsed procedures for staff and contractors to respond to respond to a formal bushfire warning being issued by emergency services, including identification of escape routes and refuge areas.</li> </ul>	LMS Energy / Contractor	Construction / Operation

ID	Environmental aspect	Mitigation measure	Responsibility	Timing
BF4	Construction requirements	Building work will comply with BAL-12.5 construction requirements as applicable to Class 5 to 8 structures. The southeasternmost generator units will comply with BAL-FZ.	LMS / Contractor	Construction
BF5	Water supply and fire suppression	A reticulated potable water supply will be provided on site to service amenities, hose reels, and safety systems. The high-voltage switchroom will be fitted with an internal fire and smoke detection system.	LMS	Operation
BF6	Access	The site is accessible directly via Little Forest Road.	LMS	Construction / Operation
<b>Soils and contamination</b>				
C1	Soil and contamination management	Preparation of a Construction Environmental Management Plan (CEMP) to manage potential contaminant exposure risks during construction works and to manage unexpected finds. A monitoring program should be implemented which includes a higher frequency of monitoring events that aligns with construction activities, particularly those that will disturb the ground surface. The CEMP should include an Unexpected Finds Protocol (UFP), while a site-specific Construction Safety Management Plan (CSMP) will be developed.	LMS / Contractor	Pre-construction / Construction
C2	Environmental monitoring	To reduce the potential for future workers to be exposed to contamination (if present), implement an environmental monitoring programme to assess for the presence of landfill gas at the project site (surface and subsurface) targeting underground services and buildings/structures where enclosed spaces are likely.	LMS	Operation
<b>Water resources</b>				
W1	Soil and water management	A detailed Construction Environmental Management Plan (CEMP) would be prepared and implemented for the Project. The CEMP would contain environmental control measures and a detailed Stormwater Management Plan (SMP) and Erosion and Sediment Control Plan (ESCP). The ESCP will outline the implementation of erosion and sediment control measures in accordance with Blue Book (Landcom, 2004), a key resource for the design and construction of stormwater management. It is expected that erosion and sediment controls would be installed in accordance with <i>Managing Urban Stormwater: Soils and construction – Volume 1</i> (Landcom, 2004). Specific controls that are applicable to the project would be included in the ESCP, including: <ul style="list-style-type: none"> <li>– Minimising the risk of erosion and sedimentation, with a priority on minimising the extent and duration of disturbance. Disturbed areas should be vegetated and stabilised as soon as practicable to do so.</li> <li>– Handling, management and disposal of soils, including the management of unexpected finds of contaminated materials, as recommended in the Preliminary Site Investigation (GHD, 2025a).</li> <li>– Handling of hazardous materials and procedures to manage spills to reduce and address soil and</li> </ul>	W1	Soil and water management

ID	Environmental aspect	Mitigation measure	Responsibility	Timing
		<ul style="list-style-type: none"> <li>– access arrangements and routes for vehicles entering and egressing the site.</li> </ul> <p>The CTPMP will outline strategies to:</p> <ul style="list-style-type: none"> <li>– manage vehicular traffic movement associated with the project</li> <li>– minimise the impact of site-generated vehicle traffic on the operation of the adjoining road network</li> <li>– facilitate the continuous, safe, and efficient travel of workers, contractors, and the general public.</li> </ul>		
<b>Visual landscape and future land use</b>				
V1	Visual amenity	External finishes and colours of the new bioenergy facility will be selected to match or complement the existing infrastructure, with neutral, recessive tones to minimise contrast with the surrounding environment.	LMS	Detailed design / Construction
V2	Lighting	All external lighting will be directed downward, shielded, and comply with AS/NZS 4282:2019 (Control of the obtrusive effects of outdoor lighting) to avoid light spill into surrounding areas, particularly the future parkland.	LMS	Operation
<b>Biodiversity</b>				
B1	Unexpected presence of fauna	Ensure physical barriers are in place to minimise the potential for wild fauna to enter the construction site, and ensure works cease temporarily to avoid harm to any fauna. Native trees within 10 m of the construction footprint will be fenced off as NO-GO-ZONES as per the CEMP.	Contractor	Construction
<b>Cultural heritage</b>				
AB1	Unexpected finds of heritage items	In the event of an unexpected find of an Aboriginal item, works within the area will cease and a suitably qualified heritage professional will be engaged to assess the significance and management of the finds. An unanticipated discovery protocol will be implemented in the CEMP that details measures to be undertaken if heritage objects/sites not previously recorded in the project site are detected during construction works (unexpected finds).	Contractor	Construction
<b>Social and economic</b>				
SO1	Social impacts, communication and engagement	<p>LMS Energy will continue to develop and implement the Community Stakeholder Engagement Plan (CSEP) to guide the management and delivery of community and stakeholder engagement in the lead up to and during construction, and as required during operation and decommissioning, to ensure that:</p> <ul style="list-style-type: none"> <li>– accurate and accessible information about the project is provided</li> <li>– feedback from the community is encouraged</li> <li>– opportunities for input are provided</li> <li>– community members and stakeholders with the potential to be affected by construction activities are notified in a timely manner about the timing of activities and potential for impacts</li> <li>– enquiries and complaints are managed, and a timely response is provided for concerns raised.</li> </ul>	LMS Energy	Pre-construction / Construction / Operation / Decommissioning

ID	Environmental aspect	Mitigation measure	Responsibility	Timing
		<p>The plan will include approaches and protocols to:</p> <ul style="list-style-type: none"> <li>– communicate with potentially affected residents, other community members, businesses and other key stakeholders to provide information about the project, and the likely nature, extent and duration of changes</li> <li>– identify and engage with vulnerable persons that might be affected by the project</li> <li>– communicate information about potential access changes</li> <li>– share information about the project with other regional stakeholders to assist with managing cumulative impacts on local and regional communities.</li> </ul>		
SO2	Social impacts, communication and engagement	<p>An enquiries and complaints management systems will be developed, outlined in the CSEP, and implemented during all phases of the project.</p> <p>The complaints management systems will be maintained throughout the construction period and for a minimum of 12-months after construction finishes.</p>	LMS Energy	Pre-construction / Construction / Operation / Decommissioning
<b>Waste management</b>				
WA1	Minimising waste during materials procurement	Detailed design would include measures to minimise quantities of waste requiring off-site disposal and careful procurement of construction materials to minimise excess waste materials.	LMS	Design
WA2	Construction and decommissioning waste classification	All construction and decommissioning waste that is removed from site would be classified in accordance with the <i>Waste Classification Guidelines</i> (EPA 2014) and the waste provisions contained within the POEO Act and other relevant legislative and policy requirements with appropriate records retained.	Contractor	Construction
WA3	Preparation of construction and decommissioning waste management plan	A construction and decommissioning waste management plan would be prepared and implemented as part of the CEMP for the project. The plan would 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 and decommissioning. This would include waste separation, handling, storage, transport and off-site re-use, recycling and disposal locations.	Contractor	Construction
WA4	Preparation of operational waste management plan	<p>The Operational Environmental Management Plan (OEMP) includes a waste management plan which incorporates the requirements of relevant guidance documents and the waste management hierarchy principles contained in the <i>Waste Avoidance and Resource Recovery Act 2001</i>. This would include:</p> <ul style="list-style-type: none"> <li>– all key operational waste streams and expected quantities</li> <li>– waste classification procedures and details of how all waste streams would be recycled or disposed of in accordance with the <i>Waste Classification Guidelines</i> (EPA 2014) and the waste provisions contained within the POEO Act and other relevant legislative and policy requirements</li> <li>– details of off-site recycling and disposal locations</li> <li>– record keeping and reporting requirements.</li> </ul>	LMS	Operation

## 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;
  - (e) a summary of the incident;
  - (f) outcomes of an incident investigation, including identification of the cause of the incident;
  - (g) 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
  - (h) 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. If requested by the Planning Secretary, 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;
  - (b) outcomes of an incident investigation, including identification of the cause of the incident;
  - (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
  - (d) details of any communication with other stakeholders regarding the incident.