

Development Consent

Section 89E of the *Environmental Planning and Assessment Act 1979*

As delegate for the Minister for Planning under delegation executed on 14 September 2011, the Planning Assessment Commission (the Commission) of New South Wales, approves the Development Application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

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



Ross Carter
Member of the



Dianne Leeson
Member of the Commission

Commission Sydney

11 September 2017

SCHEDULE 1

Application No: SSD 7267

Applicant: SUEZ RECYCLING & RECOVERY PTY LTD

Consent Authority: Minister for Planning

Development: Alteration and additions to and an increase in the processing capacity of an existing waste transfer station to 230,000 tonnes per annum (tpa) of waste including 140,000 tpa of general solid waste (putrescible) and 90,000 tpa of general solid waste (non-putrescible)

TABLE OF CONTENTS

DEFINITIONS	iii
PART A: ADMINISTRATIVE CONDITIONS	1
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT.....	1
TERMS OF CONSENT.....	1
LIMITS OF CONSENT.....	1
STAGED SUBMISSION OF PLANS OR PROGRAMS.....	1
EVIDENCE OF CONSULTATION.....	2
STATUTORY REQUIREMENTS	2
DEMOLITION.....	2
STRUCTURAL ADEQUACY AND CERTIFICATION.....	2
UTILITIES AND SERVICES.....	2
PROTECTION OF PUBLIC INFRASTRUCTURE.....	2
OPERATION OF PLANT AND EQUIPMENT	3
COMPLIANCE	3
DEVELOPMENT CONTRIBUTIONS	3
REQUIREMENTS PRIOR TO COMMENCEMENT OF EXPANDED OPERATIONS.....	3
SURRENDER OF CONSENTS	3
PART B: ENVIRONMENTAL PERFORMANCE AND MANAGEMENT	5

WASTE MANAGEMENT	5
AIR QUALITY.....	5
SOILS, WATER QUALITY AND HYDROLOGY.....	7
TRAFFIC AND ACCESS	8
NOISE.....	9
VIBRATION.....	9
HAZARDS AND RISK.....	10
LITTER AND PEST CONTROL	10
CONTAMINATION.....	10
TRANSGRID TRANSMISSION LINE EASEMENT.....	10
VISUAL AMENITY	11
PART C: ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING.....	12
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN	12
OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN.....	12
MANAGEMENT PLAN REQUIREMENTS.....	12
ANNUAL REVIEW	13
REPORTING.....	13
AUDITING.....	14
ACCESS TO INFORMATION	14
APPENDIX A DEVELOPMENT LAYOUT PLANS.....	15
APPENDIX B APPLICANT'S MANAGEMENT AND MITIGATION MEASURES.....	21

NSW Government ii Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267)

DEFINITIONS

24 hours Relating to one day, or happening only on one day Applicant SUEZ Recycling & Recovery Pty Ltd, or any other person(s) carrying out any development to which this consent applies

AS Australian Standard

BCA Building Code of Australia

CEMP Construction Environmental Management Plan Certifying Authority A person who is authorised by or under section 109D of the EP&A Act to issue Part 4A certificates

Construction The demolition of buildings or works, the carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent

Council Fairfield City Council

Day The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays

Demolition The removal of buildings, sheds and other structures on the site Department of Planning and Environment

Development The development as described in the EIS and RTS, and as generally depicted in Appendix A
 EIS Environmental Impact Statement titled *Increasing Capacity for Putrescible Waste at Wetherill Park Resource Recovery Facility* prepared by Golder Associates dated March 2016

ENM Excavated Natural Material

EPA NSW Environment Protection Authority

EP&A Act *Environmental Planning and Assessment Act* 1979 EP&A Regulation *Environmental Planning and Assessment Regulation* 2000 EPL Environment Protection Licence issued by the EPA under the POEO Act

Evening The period from 6 pm to 10 pm

Expanded Operations The point at which site throughput of general solid waste (putrescible) exceeds 10,000 tpa

FIA Flood Impact Assessment titled *Supplementary Flood Impact Assessment to Update the Wetherill Park EIS*

prepared by Golder Associates Pty Ltd
dated 11 October 2016

FRNSW Fire and Rescue NSW

General solid waste (putrescible) As defined in Part 3 Schedule 1 of the POEO Act
General solid waste (non-putrescible) As defined in Part 3 Schedule 1 of the POEO Act
Heavy vehicle Any vehicle with a gross vehicle mass of five tonnes or more
Incident A set of circumstances causing or threatening material harm to the environment, and/or an exceedance of the limits or performance criteria in this consent

Land In general, the definition of land is consistent with the definition in the EP&A Act
Management & Mitigation Measures The Applicant's management and mitigation measures contained in the EIS/RTS and included in Appendix B

Material harm to the environment Harm to the environment is material if it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial

Minister Minister for Planning (or delegate)

Mitigation Activities associated with reducing the impacts of the development prior to or during those impacts occurring

Monitoring Any monitoring required under this consent must be undertaken in accordance with section 122C of the EP&A Act

Night The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays

OEMP Operational Environmental Management Plan

Operation The receipt, sorting, separating, processing and removal of waste
PCA Principal Certifying Authority authorised under section 109D of the EP&A Act

POEO Act *Protection of the Environment Operations Act 1997*
POEO (Waste) Regulation *Protection of the Environment (Waste) Regulation 2014*
RTS Response to Submissions titled *Increase Capacity for Putrescible Waste at Wetherill Park Resource Recovery Facility* prepared by Golder Associates dated 11 October 2016 and *Further Response to Submissions* prepared by the SITA Australia Pty Ltd dated 8 December 2016

Secretary Secretary of the Department (or nominee)

NSW Government iii Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267)

Sensitive Receivers A location where people are likely to work or reside, this may include a dwelling, school, hospital, office or public recreational area

Site The land listed in Schedule 1

VENM Virgin Excavated Natural Material as defined in the POEO Act
Waste As defined in the POEO Act

Weighbridge A weighbridge that is verified in accordance with the *National Measures Act 1960*

SCHEDULE 2

PART A: ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

A1. In addition to meeting the specific performance criteria established under this consent, the Applicant must implement all measures to prevent and/or minimise any harm to the environment that may result from the Development.

TERMS OF CONSENT

A2. The Applicant, in acting on this consent, must carry out the Development in accordance with the:

- (a) State significant development application SSD 7267;
- (b) EIS and RTS;
- (c) conditions in Schedule 2;
- (d) development layout plans and drawings listed in Appendix A; and
- (e) the Management and Mitigation Measures as identified in Appendix B.

A3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.

A4. The Applicant must comply with all written requirement(s) of the Secretary arising from the Department's assessment of:

- (a) any strategies, plans, programs, reviews, audits, reports or correspondence that are submitted in accordance with this consent;
- (b) any reviews, reports or audits undertaken or commissioned by the Department regarding compliance with the consent; and
- (c) the implementation of any actions or measures contained in these documents.

LIMITS OF CONSENT

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 the date on which the consent would otherwise lapse under section 95 of the EP&A Act.

A6. The Applicant must not cause, permit or allow any materials or waste generated outside the site to be received at the site for storage, use, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by an EPL.

A7. The Applicant must not receive or process on site more than:

- (a) 140,000 tpa of general solid waste (putrescible);
- (b) 90,000 tpa of general solid waste (non-putrescible); and
- (c) 10 m³ of asbestos waste per week.

A8. The Applicant must not receive or process on site more than 575 m³ or 402.5 tonnes of general solid waste (putrescible) in any 24-hour period.

A9. The Applicant must not store general solid waste (putrescible) at the site for more than 24 hours from the time of receipt.

STAGED SUBMISSION OF PLANS OR PROGRAMS

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

- (a) submit any strategy, plan or program required by this consent on a progressive basis; and/or
- (b) combine any strategy, plan or program required by this consent.

A11. If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage 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. A clear relationship between the strategy, plan or program that is to be combined must be demonstrated.

REQUEST FOR INFORMATION

- A12. The Applicant must retain all weighbridge records as required by the POEO (Waste) Regulation and for the life of the development. The weighbridge records must be made immediately available on request by the Secretary and/or the EPA.
- A13. The Applicant must retain waste classification records for all wastes received on the site and waste disposed from the site for the life of the development. The waste classification records must be made immediately available on request by the EPA and/or the Secretary.

EVIDENCE OF CONSULTATION

- A14. Where consultation with any public authority is required by the conditions of this consent, the Applicant must: (a) consult with the relevant public authority prior to submitting the required documentation to the Secretary or the PCA for approval;
- (b) submit evidence of such consultation as part of the relevant documentation required by the conditions of this consent;
- (c) describe how matters raised by the public authority have been addressed and identify matters that have not been resolved; and
- (d) include the details of any outstanding issues raised by the relevant public authority and an explanation of disagreement between any public authority and the Applicant.

STATUTORY REQUIREMENTS

- A15. The Applicant must ensure that all licences, permits and approval/consents are obtained as required by law and maintained as required throughout the life of the Development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approval/consents.

DEMOLITION

- A16. The Applicant must ensure that all demolition associated with the Development is carried out in accordance with Australian Standard AS 2601:2001: The Demolition of Structures, or its latest version and the requirements of the Work Health and Safety Regulation, 2011.

STRUCTURAL ADEQUACY AND CERTIFICATION

- A17. The Applicant must ensure all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the BCA.
- A18. Prior to the issue of the Final Occupation Certificate, adjustments to any public utilities necessitated by the development are to be completed in accordance with the requirements of the relevant Authority. Any utility costs are to be at no cost to Council.

UTILITIES AND SERVICES

- A19. Prior to the construction of any utility works associated with the Development, the Applicant must obtain relevant approvals from service providers.
- A20. Prior to the commencement of construction, Approved Plans must be submitted to the Sydney Water "Tap In" service to determine if the development will have any impacts on Sydney Water assets.
- A21. Prior to the commencement of expanded operations, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

PROTECTION OF PUBLIC INFRASTRUCTURE

- A22. Prior to the commencement of construction, the Applicant must:
- (a) consult with the relevant owner and/or provider of services that are likely to be affected by the Development to make suitable arrangements for access to, diversion, protection, and/or support of the affected 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 this report to the Secretary and Council.

- NSW Government 2 Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267)*
- A23. 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 the Development; and

- (b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the Development.

OPERATION OF PLANT AND EQUIPMENT

- A24. The Applicant must ensure that all plant and equipment used for the Development is:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

COMPLIANCE

- A25. The Applicant must ensure that employees, contractors and sub-contractors are aware of, and comply with, the conditions of this consent relevant to their respective activities.

DEVELOPMENT CONTRIBUTIONS

- A26. Prior to the issue of a Construction Certificate for any part of the Development, the Applicant must pay \$32,795.06 to Council in accordance with the Fairfield City Council Indirect (Section 94A) Development Contributions Plan 2011.

Note: The contribution and the amount payable may be adjusted at the date of payment. Any unpaid contributions will be adjusted on a quarterly basis to account for movements in the Australian Bureau of Statistics, producer Price index – Building Construction (NSW South Wales).

REQUIREMENTS PRIOR TO COMMENCEMENT OF EXPANDED OPERATIONS

- A27. Prior to the commencement of expanded operations, the Applicant must ensure a Final Occupation Certificate or a Compliance Certificate has been issued for the following:
- (a) additional pavement and hardstand areas;
 - (b) stormwater system;
 - (c) the construction of an additional exit from the main transfer building to improve internal traffic flow
 - (d) roller shutter within existing waste transfer building; and
 - (e) workshop.

SURRENDER OF CONSENTS

- A28. In order for the development of land to proceed in a coordinated and orderly manner and to avoid potential conflicts with this consent, the Applicant must and in the manner prescribed by clause 97 of the EP&A Regulation, surrender the development consents described in **Table 1** prior to the commencement of expanded operations.

483A/89
2192/2003
816/2005
758/2005
1557/06
426.1/2009
1028.1/2010

Determination Date	Details
22 November 1989 23 March 2004	Construction and operation of a non-putrescible waste transfer station. Establishment of a timber stockpile for recycling of timber and timber by-products and the construction of a partially enclosed awning.
28 October 2005 10 November 2005	Extension of awning for the purposes of the recycling of cardboard and paper products as part of the operation of the non-putrescible waste transfer station. Extension of existing awning for the purposes of recycling cardboard and paper products as part of the operation of the non-putrescible waste transfer station.
27 September 2007	Use of existing recycling facility and waste transfer facility for acceptance, temporary storage and transfer of secured asbestos material
23 December 2009	Acceptance of putrescible recycling and transfer facility.
waste and other wastes at an existing waste	
	2 December 2010 Retailing of compost material

PART B: ENVIRONMENTAL PERFORMANCE AND MANAGEMENT

WASTE MANAGEMENT

Receipt, Storage & Handling of Waste

- B1. The Applicant shall only receive waste on site that is authorised for receipt by an EPL.
- B2. The Applicant shall ensure any waste generated on the site during construction is classified in accordance with the EPA's *Waste Classification Guidelines, 2014* or its latest version, and disposed of to a facility that may lawfully accept the waste.
- B3. The Applicant shall:
- (a) implement auditable procedures to:
 - i. ensure the site does not accept wastes that are prohibited;
 - ii. screen incoming waste loads; and
 - (b) ensure that:
 - i. all waste types that are controlled under a tracking system have the appropriate documentation prior to acceptance at the site;
 - ii. all waste received at the site must be recorded in accordance with clause 27 of the POEO (Waste) Regulation;
 - iii. details of the quantity, type and source of wastes received on the site must be provided to the EPA and the Secretary when requested;
 - iv. staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste;

Wastewater

- B4. The Applicant shall ensure all wastewater is discharged to sewer in accordance with a Trade Waste Agreement with Sydney Water.
- B5. The Applicant must ensure the first flush detention tank is bunded in accordance with:
- (a) all relevant Australian Standards;
 - (b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
 - (c) the *Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin* (EPA,1997).

In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement must prevail to the extent of the inconsistency.

AIR QUALITY

Meteorological Station

- B6. Prior to the commencement of any works on-site, the Applicant must install a suitable meteorological station on the site that complies with the requirements in the EPA's *Approved Methods for Sampling of Air Pollutants in New South Wales*.

Odour Management

- B7. The Applicant must ensure the Development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).
- B8. Prior to the commencement of expanded operations and to the satisfaction of the EPA, the Applicant must:
- (a) install deodorising sprays over the vehicle entrance and exits; and
 - (b) apply a sealant to the concrete working floor in the receival hall to prevent the absorption of leachate into the tipping floor.
- B9. During operations, the Applicant must:
- (a) conduct a weekly wash-down of any tipping area and surge pit contaminated with putrescible waste;
 - (b) conduct annual wash down of interior walls and surfaces;
 - (c) ensure that all trucks and trailers parked at the site are cleaned fortnightly; and
 - (d) ensure that deodorising sprays are operational at all times.

Dust Management

B10. The Applicant must implement all measures to minimise dust generated during construction and operation of the Development.

B11. During construction, the Applicant must ensure that:

- (a) exposed surfaces and stockpiles are suppressed by regular watering;
- (b) all trucks entering or leaving the site with loads have their loads covered;
- (c) trucks associated with the Development do not track dirt onto the public road network; and
- (d) public roads used by these trucks are kept clean.

B12. Prior to the commencement of expanded operations, the Applicant must:

- (a) install dust suppression sprays over the vehicle entry and exit; and
- (b) install interior liner panels to facilitate wash down

B13. During operations, the Applicant must:

- (a) conduct weekly cleaning of surge pit and tipping area where interior walls have been contaminated with putrescible waste;
- (b) conduct a six-monthly brush down of interior walls; and
- (c) ensure that dust suppression sprays are operational when waste is being tipped and processed.

Odour Management Plan

B14. Prior to the commencement of expanded operations, the Applicant must prepare an Odour Management Plan (OMP) to the satisfaction of the EPA and the Secretary. The OMP must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C6. The OMP must:

- (a) be prepared by a suitably qualified and experienced person(s) in consultation with the EPA; (b) describe the measures that would be implemented on-site to ensure:
 - i. odour emissions are minimised, including details of the air pollution control devices and all other operational odour mitigation measures;
 - ii. compliance with the relevant conditions of this consent;
 - iii. compliance if adverse odour emissions occur or appear likely to occur;
- (c) include an ongoing monitoring program;
- (d) include well defined triggers for the deployment of odour mitigation and contingency measures; and (e) include a protocol which includes contingency measures for system failures.

B15. The Applicant shall ensure the OMP (as required and approved by the Secretary from time-to-time) is implemented for the operational life of the Development.

Odour Audit

B16. The Applicant must carry out an Odour Audit of the Development no later than six months after the commencement of expanded operations. Division 2B of Part 6 of the EP&A Act applies to this audit which is for the purpose of validating the odour data used in the EIS. The audit must:

- (a) be carried out by a suitably qualified, experienced and independent person(s), whose appointment has been endorsed by the Secretary;
- (b) audit the Development in full operation;
- (c) include a summary of odour complaints and any actions that were carried out to address the complaints;
- (d) validate the Development against odour impact predictions in the EIS and the RTS;
- (e) review the design and management practices in the Development against industry best practice for odour management;
- (f) identify suitable odour mitigation options and controls, including but necessarily limited to:
 - i. mechanical ventilation;
 - ii. operation of the building under negative pressure to minimise fugitive emissions; and
 - iii. odour capture and control options.
- (g) include an action plan that identifies and prioritises any odour mitigation measures that may be necessary to reduce odour emissions.

Note: *The Odour Audit may be prepared so that it addresses the requirements of this consent and the EPL for the Development.*

B17. Within two months of commissioning of the Odour Audit required by Condition B16, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the Odour Audit report to the satisfaction of the EPA and Secretary, together with the Applicant's response to any recommendations contained in the Odour Audit report.

NSW Government 6 Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267)

B18. The Applicant must comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of the Odour Audit report required by Condition B17.

SOILS, WATER QUALITY AND HYDROLOGY

Discharge Limits

B19. 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.

Flood Management

B20. Prior to the commencement of construction, the Applicant must prepare a Flood Emergency Response Plan (FERP) for the Development in consultation with Council and to the satisfaction of the Secretary. The Plan must form part of the CEMP and OEMP required by Conditions C1 and C4 and must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (b) address the provisions of the Floodplain Risk Management Guideline (OEH 2007);
- (c) include details of:
 - i. the flood emergency responses for both construction and operation phases of the Development; ii. predicted flood levels;
 - iii. flood warning time and flood notification;
 - iv. assembly points and evacuation routes;
 - v. evacuation and refuge protocols; and
 - vi. awareness training for employees and contractors.

B21. The Applicant shall ensure the FERP (as required and approved by the Secretary from time-to-time) is implemented for the operational life of the Development.

B22. During construction and operation of the Development, the Applicant must not use the driveways modelled as high hazard in the FIA as an evacuation route during times of flooding.

Stormwater Management System

B23. The Applicant must design, install and operate a stormwater management system for the Development. The system must:

- (a) be designed by a suitably qualified and experienced person(s);
- (b) be generally in accordance with the conceptual design in the EIS and applicable Australian Standards; (c) 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)*; (d) divert existing clean surface water around operational areas of the site;
- (e) prevent firewater and contaminated water from entering the stormwater management system; (f) direct all sediment laden water in overland flow away from the leachate management system; and (g) prevent cross-contamination of clean and sediment or leachate laden water.

Chemical Spills and Fire Water Containment

B24. To ensure that chemical spills and fire-water are contained on-site, prior to the commencement of expanded operations and to the satisfaction of FRNSW, the Applicant must ensure:

- (a) the stormwater isolation valve is automatically initiated upon either sprinkler activation and/or alternatively via activation of any Manual Call Point installed within the site;
- (b) the stormwater isolation valve functionality should include a fail-safe function on power failure which automatically closes the valve. The stormwater isolation valve must remain in the closed position until a manual over-ride function is initiated upon confirmation that stormwater isolation is no longer required or once any contaminated water is disposed via trade waste or at a site that can lawfully receive the waste; and
- (c) the location of the stormwater isolation valve and any associated controls must be clearly identified on the site's fire hydrant block plan, fire sprinkler block plan and the site plan located within the site's Emergency Response Plan.

Sprinkler and Fire Hydrant System

B25. Prior to the commencement of expanded operations and to the satisfaction of FRNSW, the Applicant must ensure:

- (a) the sprinkler system has extended coverage across the surge pit and load-out chutes; and (b) the fire hydrant system is designed, installed and commissioned in accordance with AS 2419.1-2005.

NSW Government 7 Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267) Imported Soil

B26. The Applicant must:

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

Erosion and Sediment Control

B27. Prior to the commencement of construction, the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements in the latest version of the *Managing Urban Stormwater: Soils and Construction Guideline* and the Erosion and Sediment Control Plan included in the CEMP required by Condition C1.

TRAFFIC AND ACCESS

Parking

B28. Prior to the commencement of expanded operations, the Applicant must provide 21 on-site parking spaces for visitors and staff (including one accessible parking space) and 12 on-site parking spaces for heavy vehicles to ensure that traffic associated with the Development does not utilise public and residential streets or public parking facilities. Parking areas must be constructed in accordance with the latest version of AS 2890.

Operating Conditions

B29. 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 and AS 2890.2;
- (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
- (c) the Development does not result in any vehicles queuing on the public road network; (d) heavy vehicles and bins associated with the Development are not parked on local roads or footpaths in the vicinity of the site;
- (e) all vehicles are wholly contained on site before being required to stop;
- (f) all loading and unloading of materials is carried within the waste transfer station building; (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network;
- (h) the weighbridge stop line is moved 3 m to the west to prevent queuing on Davis Road; and (i) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

Operational Traffic Management Plan

B30. Prior to the commencement of expanded operations, the Applicant must prepare an Operational Traffic Management Plan (OTMP) for the Development to the satisfaction of the Secretary. The plan must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C6 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 including restricting queuing or parking of vehicles on Davis Road; (d) detail heavy vehicle routes, access and parking arrangements; (e) include a 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. ensure truck drivers use specified routes; and
- v. include a program to monitor the effectiveness of these measures.

B31. The Applicant shall ensure the OTMP (as required and approved by the Secretary from time-to-time) is implemented for the operational life of the Development.

NSW Government 8 Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267)
NOISE

Hours of Work

B32. The Applicant must comply with the hours detailed in **Table 2**;

Table 2: Hours of Work

Day

Monday – Friday Saturday
Monday – Sunday

Activity Time

Earthworks and construction 7 am to 6 pm 8 am to 1 pm
 Operation 24 hours

B33. Works outside of the hours identified in Condition B32 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 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 and /or prevent environmental

harm. Construction Noise Limits

B34. The Development must be constructed to achieve the construction noise management levels detailed in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009). All 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 EIS.

Operational Noise Limits

B35. The Applicant must ensure that noise generated by operation of the Development does not exceed the noise limits in **Table 3**.

Table 3: Noise Limits dB(A)

Day L _{Aeq} (15 minute)	Evening L _{Aeq} (15 minute)	Night L _{Aeq} (15 minute)
35	35	35

Location Night L_{A1}(1 minute)

All residential receivers 45

Note: Noise generated by the Development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy.

Noise Mitigation

B36. The Applicant must:
 (a) implement best practice, including all noise management and mitigation measures to prevent and minimise operational, low frequency and traffic noise generated by the development;
 (b) minimise the noise impacts of the development during adverse meteorological conditions; (c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant and equipment is not being used operationally until fully repaired; and
 (d) regularly assess noise emissions and relocated, modify and/or stop operations to ensure compliance with the relevant conditions of this consent.

Construction and Operational Noise Management

B37. The Applicant must ensure that all its vehicles are fitted with a broadband reversing alarm.

VIBRATION

Vibration Criteria

B38. Vibration caused by construction at any residence or structure outside the site must be limited to: (a) for

structural damage, German Standard DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures; and

- (b) for human exposure, the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: A Technical Guideline (Department of Environment and Conservation, 2006).

NSW Government 9 Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267)

HAZARDS AND RISK

B39. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:

- (a) the requirements of all relevant Australian Standards; and
(b) the NSW EPA's *'Storing and Handling of Liquids: Environmental Protection – Participants Handbook'* if the chemicals are liquids.

In the event of an inconsistency between the requirements listed from (a) to (b) above, the most stringent requirement must prevail to the extent of the inconsistency.

Dangerous Goods

B40. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.

B41. Dangerous goods, as defined by the *Australian Dangerous Goods Code*, must be stored and handled strictly in accordance with:

- (d) all relevant Australian Standards;
(e) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
(f) the *Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin* (EPA, 1997).

In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement must prevail to the extent of the inconsistency.

LITTER AND PEST CONTROL

Pests, Vermin and Noxious Weed Management

B42. The Applicant must:

- (a) ensure all waste loads are covered unless within the waste transfer station building; and
(b) maintain the site in a clean and tidy state at all times.

B43. The Applicant must:

- (a) implement suitable measures to manage pests, vermin and declared noxious 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 noxious 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, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.

CONTAMINATION

B44. Prior to the commencement of construction, the Applicant must prepare an unexpected finds protocol to ensure that potentially contaminated material is appropriately managed. The protocol must form part of the CEMP required by Condition C1 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Secretary, prior to its removal from the site.

TRANSGRID TRANSMISSION LINE EASEMENT

B45. The Applicant must ensure no works of any kind are permitted within the 20-metre exclusion zone surrounding the transmission line tower.

B46. The Applicant must ensure that the existing ground level is to be retained at the site and the AUS7000 clearance requirement shall be met for the proposed driveway within TransGrid's easement.

B47. The Applicant must ensure that all works shall be carried out in accordance with the NSW WorkCover's *'Work Near Overhead Power Lines' Code of Practice 2006* and *TransGrid's Easement Guidelines for Third Party Development (V10)*. A safe unobstructed working platform shall be preserved around the transmission line structures for access by EWP, cranes as well as other large plant and equipment. No obstructions of any type

shall be placed within 30 metres of any part of a transmission line structure.

NSW Government 10 Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267)

B48. The Applicant must ensure that the design of access ways/roads to TransGrid's easement and structures shall cater for the weight and size of TransGrid's maintenance vehicles that have a 40 tonne load capacity.

B49. The Applicant must ensure that all activities and operating plant within the easement are limited to a height restriction of 4.3 m above ground height to ensure safe clearances to the overhead powerline.

B50. During construction, the Applicant must take adequate precautions to protect structures from accidental damage.

B51. The Applicant must ensure that the easement area shall not be used for temporary storage of construction spoil, topsoil, gravel or any other construction material.

B52. The Applicant must ensure that no obstruction of any type shall be placed within 30 m of any part of a transmission line structure.

B53. During construction, the Applicant must ensure that TransGrid have unrestricted access for the purpose of undertaking normal maintenance and inspection activities. At completion of works, access to transmission lines and structures must be freely available at all times for TransGrid plant and personnel.

B54. The Applicant must provide formal written notification of any amendment and/or additional works proposed to the subject site. Any additional works proposed within the easement require an assessment by TransGrid to ensure that clearances to transmission lines and structures are met. TransGrid's clearance requirements must be met to ensure public safety.

VISUAL AMENITY

Lighting

B55. The Applicant must ensure the lighting associated with the Development:
(a) complies with the latest version of AS 4282 (INT) - Control of Obtrusive Effects of Outdoor Lighting; and (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

PART C: ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C1. The Applicant must prepare a Construction Environmental Management Plan (CEMP) to the satisfaction of the Secretary. The CEMP must:
- (a) be prepared to the satisfaction of the Secretary prior to the commencement of construction;
 - (b) identify the statutory approvals that apply to the Development;
 - (c) outline all environmental management practices and procedures to be followed during construction works associated with the Development;
 - (d) explain the controls that would be implemented to minimise dust emissions during construction of the Development;
 - (e) describe all activities to be undertaken on the site during construction of the Development, including a clear indication of construction stages;
 - (f) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
 - (g) describe the roles and responsibilities for all relevant employees involved in construction works associated with the Development; and
 - (h) include the management plans required under Condition C2 of this consent.
- C2. As part of the CEMP required under Condition C1 of this consent, the Applicant must include the following:
- (a) FERP (see Condition B20); and
 - (b) Erosion and Sediment Control Plan (see Condition B27).
- C3. The Applicant must carry out the construction of the Development in accordance with the CEMP approved by the Secretary (and as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C4. The Applicant must prepare an Operational Environmental Management Plan (OEMP) to the satisfaction of the Secretary. The OEMP must:
- (a) be prepared to the satisfaction of the Secretary prior to the commencement of the expanded operation;
 - (b) be prepared by a suitably qualified and experienced expert;
 - (c) provide the strategic framework for environmental management of the Development;
 - (d) identify the statutory approvals that apply to the Development;
 - (e) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Development;
 - (f) 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
 - (g) include the following environmental management plans:
 - i. OMP (see Condition B14);
 - ii. FERP (see Condition B20);
 - iii. OTMP (see Condition B30); and
- C5. The Applicant must operate the Development in accordance with the OEMP approved by the Secretary (and as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

MANAGEMENT PLAN REQUIREMENTS

- C6. The Applicant must ensure that the environmental management plans required under Condition C1 and Condition C4 of this consent are prepared by a suitably qualified person or persons in accordance with best practice and include:
- (a) detailed baseline data;
 - (b) a description of:
 - i. the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - ii. any relevant limits or performance measures/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;

- statutory requirements, limits or performance measures/criteria;
- (d) a program to monitor and report on the:
 - i. impacts and environmental performance of the Development; and
 - ii. effectiveness of any management measures (see (c) above);
- (e) a contingency plan to manage any unpredicted impacts and their consequences;
- (f) a program to investigate and implement ways to improve the environmental performance of the Development over time;
- (g) a protocol for managing and reporting any:
 - i. incidents;
 - ii. complaints;
 - iii. non-compliances with statutory requirements; and
 - iv. exceedances of the impact assessment criteria and/or performance criteria; and
- (h) a protocol for periodic review of the plan.

Revision of Strategies, Plans and Programs

C7. Within three months of:

- (a) approval of a modification;
- (b) approval of an annual review under Condition C8;
- (c) submission of an incident report under Condition C9; or
- (d) completion of an audit under Condition C12,

the Applicant must review, and if necessary revise, the strategies, plans, and programs required under this consent to the satisfaction of the Secretary.

Note: *This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the Development.*

ANNUAL REVIEW

C8. Each year, the Applicant must review the environmental performance of the Development to the satisfaction of the Secretary. This review must:

- (a) describe the development that was carried out in the previous calendar year, and the Development that is proposed to be carried out over the next year;
- (b) include a comprehensive review of the monitoring results and complaints records of the Development over the previous calendar year, which includes a comparison of these results against the:
 - i. the relevant statutory requirements, limits or performance measures/criteria;
 - ii. requirements of any plan or program required under this consent;
 - iii. the monitoring results of previous years; and
 - iv. the relevant predictions in the EIS;
- (c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;
- (d) identify any trends in the monitoring data over the life of the Development;
- (e) identify any discrepancies between the predicted and actual impacts of the Development, and analyse the potential cause of any significant discrepancies; and
- (f) describe what measures will be implemented over the next year to improve the environmental performance of the Development.

REPORTING

Incident Reporting

C9. Within 24 hours of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment, a report shall be supplied to the Department outlining the basic facts. A further detailed report shall be prepared and submitted following investigations of the causes and identification of necessary additional preventive measures. That report must be submitted to the Secretary no later than 14 days after the incident or potential incident.

C10. The Applicant shall maintain a register of accidents, incidents and potential incidents. The register shall be made available for inspection at any time by the independent Hazard Auditor and the Department.

C11. The Applicant must provide regular reporting on the environmental performance of the Development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.

AUDITING

Independent Environmental Audit

C12. Within one year of the commencement of operation, and every three years thereafter, unless the Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (audit) of the Development. Division 2B of Part 6 of the EP&A Act applies to these audits, which are for the purposes of ascertaining information in relation to the environmental performance of the Development and the adequacy of strategies, plans and programs. Audits must:

- (a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
- (b) include consultation with the relevant agencies;
- (c) assess the environmental performance of the Development and assess whether it is complying with the requirements in this consent, and any other relevant approvals, relevant EPL(s) (including any assessment, plan or program required under these approvals);
- (d) review the adequacy of any approved strategy, plan or program required under the abovementioned consents; and
- (e) recommend measures or actions to improve the environmental performance of the Development, and/or any strategy, plan or program required under these consents.

Note: *This audit team must be led by a suitably qualified auditor, and include relevant experts in any other fields specified by the Secretary.*

C13. Within three months of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant must submit a copy of the audit report to the Secretary, and any other NSW agency that requests it, together with its response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The Applicant must implement these recommendations to the satisfaction of the Secretary.

ACCESS TO INFORMATION

C14. The Applicant must:

- (a) make copies of the following publicly available on its website:
 - i. the documents referred to in Condition A2;
 - ii. all current statutory approvals for the Development;
 - iii. all approved strategies, plans and programs required under the conditions of this consent;
 - iv. 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;
 - v. a complaint register updated on a monthly basis;
 - vi. the annual reviews of the Development;
 - vii. any independent environmental audit of the Development and the Applicant's response to the recommendations in any audit;
 - viii. any other matter required by the Secretary; and
 - ix. keep this information up to date, to the satisfaction of the Secretary.

NSW Government 15 Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267)
 NSW Government 16 Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267)
 NSW Government 17 Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267)
 NSW Government 18 Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267)
 NSW Government 19 Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267)
 NSW Government 20 Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267)

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

Environmental Issue	Mitigation and consolidation
Waste Management	<p>In order to ensure that the Development's waste management operations would have minimal impact on the surrounding environment the updated OEMP and associated procedures would act to mitigate potential impacts.</p>
Soil and Water	<p>The following mitigation and management measures would be adopted for soil:</p> <ul style="list-style-type: none"> • in the event of discovery of PASS, procedures would be developed to mitigate potential impacts on the environment. These procedures would be documented in the CEMP; • in the event of discovery of potential soil contamination, procedures would be developed to mitigate potential impacts on the environment. These procedures would be documented in the CEMP; • the CEMP would include a range of appropriate erosion and sediment control measures that would be required for implementation, monitoring and maintenance during the construction of the Development; • the updated OEMP would outline erosion and sediment control measures to be applied during operation of the Development. <p>A number of design features and management measures would be used to mitigate the potential for runoff from the Development to impact upon surface water.</p> <ul style="list-style-type: none"> • installation of a surface water management system in the new hardstand area; and • the existing OEMP and accompanying site procedures would be updated where required including update of the Surface Water Management Plan including a monitoring program. <p>Mitigation measures proposed to reduce the impact of leachate include:</p> <ul style="list-style-type: none"> • segregation of leachate from surface water and groundwater; and • continue to monitor leachate discharge to sewer in accordance with Trade Waste Agreement.

<p>Air Quality, Greenhouse Gas and Odour</p>	<p>An Air Quality Management Plan would be developed as a subplan to the CEMP and would contain the following management measures:</p> <ul style="list-style-type: none"> • engines of on-site vehicles and plant would be switched off when not in use; and • construction machinery and vehicles on-site would be maintained and serviced according to the manufacturer's specifications. <p>During construction activities requiring exposed surfaces and stockpiling the following controls would be in place:</p> <ul style="list-style-type: none"> • minimise area of exposed surfaces; • water suppression on exposed areas and stockpiles; and • minimise amount of stockpiled material. <p>During on-site hauling activities, the following controls would be in place:</p> <ul style="list-style-type: none"> • watering of unsealed haul roads; • sealed haul roads to be cleaned regularly; • restrict vehicle traffic to designated routes; • imposing speed limits; and • covering vehicle loads when transporting material off-site. <p>The existing Odour and Dust Management Plans would be updated as part of the OEMP update. A number of control measures are proposed to ensure that the potential for any odour and dust impacts off-site are minimal. These controls include:</p> <ul style="list-style-type: none"> • continuing existing operation of the dust and odour suppression system; • waste delivery trucks entering the terminal would be required to be fully enclosed or covered; • the amount of putrescible waste on-site within the terminal at any time would be minimised as much as reasonably practicable;
---	--

NSW Government 21 Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267)

<p>Environmental Issue</p>	<p>Mitigation and consolidation</p>
-----------------------------------	--

- dust management procedures would be implemented within and outside the terminal building including regular sweeping and washing down, as required;
 - traffic management procedures to co-ordinate the delivery schedule and avoid a queue of the incoming or outgoing trucks for extended periods of time;
 - spill management procedures to include immediate cleaning up of any spill/leakage from incoming and outgoing trucks;
 - maintaining an odour complaint logbook and in the event of a complaint immediately investigate any unusual odour sources (including spill or leakage in the traffic areas) within the site boundary and take appropriate action as required; and
 - reviewing operational practices and management plans regularly and training of relevant staff regarding waste handling and transfer and odour and dust suppression.
- The mitigation measures that will be implemented on-site during construction of the Development to minimise energy usage and the number of vehicles required include the following:
- the contractor will limit idling time of plant and equipment whilst on-site;
 - the contractor will make certain that the only lighting left on overnight around the Site office will be security or emergency/access lighting; and
 - earthmoving equipment and on-site vehicles will be fitted with exhaust controls in accordance with the *Protection of the Environment Operations (Clean Air) Regulation 2010*.
 - the following energy efficient features have been identified as feasible on-site measures to reduce the Development's most significant sources of emissions.
 - all trucks leaving the Site carrying waste will be filled to the maximum reasonably practicable, depending on the truck size, to reduce the number of traffic movements required;
 - hybrid material handling equipment to be used;
 - EURO 5 standard for trucks;
 - large trailers and therefore less transfer trips;
 - timer switches and light sensors: where appropriate, lights within the transfer building would be fitted with timer switches and external lighting would be fitted with a light sensor; and
 - energy efficient lighting: LED lights will be installed and directed on-site.

<p>Traffic</p>	<p>Traffic management measures associated with the Development on the Site are proposed to be provided during construction and operation of the Development. These include:</p> <ul style="list-style-type: none"> • provision of 21 car parking spaces and 12 truck and trailer parking spaces on-site including one accessible parking space; • moving the existing stop line at the weighbridge forward by 3 m; • separation of commercial and domestic waste streams through appropriate signage and direction by staff; • a Construction Traffic Management Plan will be developed as part of the CEMP for the Development. This would include a traffic management plan identifying vehicle movements to and from the Site, internal access, interactions with general public, parking and access requirements for personnel and safety signage and training of personnel (as appropriate) in traffic management in accordance with relevant requirements and guidelines of the RMS and Council in terms of road safety and network efficiency.
<p>Noise and Vibration</p>	<p>The following measure have been or will be implemented at the site to mitigate noise:</p> <ul style="list-style-type: none"> • most equipment is replaced after 4 years; • equipment regularly maintained and serviced; • hybrid material handling equipment; and • EURO 5 standard for trucks.

NSW Government 22 Wetherill Park Transfer Station Department of Planning and Environment (SSD 7267)

<p>Environmental Issue</p>	<p>Mitigation and consolidation</p>
<p>Visual Amenity</p>	<p>The following measure have been or will be implemented at the site to mitigate visual impacts at the site:</p> <ul style="list-style-type: none"> • maintaining and supplementing the existing screening on-site.
<p>Hazards and Risks</p>	<p>The management standards and guidelines utilised for existing operations at Wetherill Park Resource Recovery Facility will continue to be applied on the Site and will be built upon and incorporated into the updated OEMP along with the mitigation measures identified.</p>
<p>Stakeholder</p>	<p>Stakeholder engagement activities would continue to be developed and facilitate the engagement process as part of construction and operation management measures. These may include:</p> <ul style="list-style-type: none"> • telephone line to communicate issues; • complaints management process; • updates of the Applicant's website; • clear signage at construction-sites during construction; and

	<ul style="list-style-type: none"> ● ongoing review and refinement of construction and operation impact mitigation measures
<p>Other Issues</p>	<ul style="list-style-type: none"> ● should indigenous or non-indigenous cultural material be identified during any works, construction and/or operation will cease in the vicinity of the find and the appropriate representative at OEH will be contacted; and ● should fauna and flora species and ecological communities be identified during any works, construction and/or operation will cease in the vicinity of the find and the appropriate representative at OEH will be contacted.