

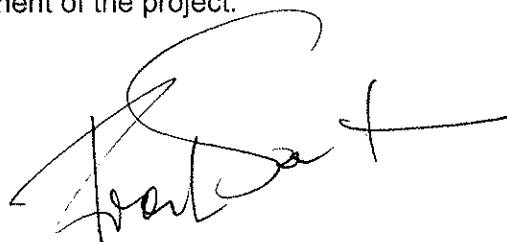
Project Approval

Section 75J of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Planning, approve the project 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 project.



Frank Sartor MP
Minister for Planning

Sydney

7th Sept

2006

File No: S04/00422

SCHEDULE 1

Application No:	05_0098.
Proponent:	WSN Environmental Solutions
Approval Authority:	Minister for Planning
Land:	Lots 2-4 DP 250033, Lot 2 DP 1076817
Project:	Jacks Gully Alternative Waste Technology Facility

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SCHEDULE 2

Act	<i>Environmental Planning and Assessment Act, 1979.</i>
Construction	Includes any activity requiring a Construction Certificate, significant excavation work, road works, demolition, or any construction related activity as described in Major Projects Application 05_0098.
Council	Camden Council.
DEC	Department of Environment and Conservation.
Department	Department of Planning.
Director-General	Director-General of the Department (or delegate).
EA	<i>Environmental Assessment: Proposed Alternative Waste Technology Facility at Jacks Gully Waste and Recycling Centre</i> (WSN Environmental Solutions, March 2006, Volumes 1 and 2).
EPL	Environment Protection Licence issued under the <i>Protection of the Environment Operations Act 1997</i> .
MACROC	Macarthur Regional Organisation of Councils.
Minister	Minister for Planning.
Operation	Commissioning of any stage of works as described in the Major Projects Application 05_0098.
Proponent	WSN Environmental Solutions, or its successors on title
Publicly Available	Available for inspection by a member of the general public (for example available on an internet site or at a display centre).
Site	Land to which Major Projects Application 05_0098 applies.

1. ADMINISTRATIVE CONDITIONS

Terms of Approval

- 1.1 The Proponent shall carry out the project generally in accordance with the:
 - a) Major Project Application 05_0098, lodged with the Department of Planning on 14 December 2005;
 - b) environmental assessment: *Environmental Assessment: Proposed Alternative Waste Technology Facility at Jacks Gully Waste and Recycling Centre* (WSN Environmental Solutions, March 2006, Volumes 1 and 2);
 - c) the Statement of Commitments, prepared by WSN Environmental Solutions and dated March 2006;
 - d) response to submissions: *Responses to Submissions* prepared by WSN Environmental Solutions, dated 16 June 2006; and
 - e) conditions of this approval.
- 1.2 If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of the inconsistency.
- 1.3 The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
 - a) any reports, plans or correspondence that are submitted by the Proponent in accordance with this approval; and
 - b) the implementation of any actions or measures contained in those reports, plans or correspondence submitted by the Proponent.

2. SPECIFIC ENVIRONMENTAL CONDITIONS

Air Quality

- 2.1 The Proponent shall not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the *Protection of the Environment Operations Act 1997*.
- 2.2 The Proponent shall design, construct, operate and maintain the project in a manner that prevents and/or minimises dust emissions from the site.
- 2.3 The Proponent shall ensure that all vehicles entering or leaving the site with a load that may generate offensive odours or dust emissions are covered at all times.

Stormwater Management

- 2.4 The Proponent shall ensure that all areas involving the handling, treatment or storage of waste and outputs must be sealed, with all runoff directed to a first flush system.
- 2.5 The proponent shall construct bunds to ensure that above-ground tanks and vats including those used for treating or processing waste/water slurry and tanks for storing wastewater from these activities, are surrounded with a bund with a capacity of 110% or greater than that of the largest tank within the bund. Areas to be bunded include:
 - a) the AWT process building and tank farm; and
 - b) the perimeter of the AWT site.

Wastewater Management

- 2.6 The Proponent shall ensure that process wastewater from the ArrowBio plant is kept separate from the stormwater management system and is stored in a reservoir or tank engineered and designed in accordance with the requirements of the DEC's (1999) *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes*.

- 2.7 Prior to the irrigation or reuse of process wastewater from the ArrowBio plant on or off site, the Proponent shall provide evidence, to the satisfaction of the Director-General, that the DEC is satisfied with the standard of the wastewater for its intended application. Irrigation or reuse of process wastewater shall not commence until written approval has been provided by the Director-General.

This condition does not apply to any wastewater intended to be reused in the process as makeup water.

Waste Management

- 2.8 Except as provided by a condition of an EPL, the Proponent shall restrict the waste received at the site to the following:
- a) 130,000 tonnes per year of mixed municipal waste classified as inert or solid waste under Schedule 1 of the *Protection of the Environment Operations Act 1997*;
 - b) 25,000 tonnes per year of garden waste; and
 - c) 5,000 tonnes per year of biosolids.
- 2.9 Except as provided by a condition of an EPL, the Proponent shall ensure that the only wastes that are processed at the site are:
- a) 90,000 tonnes per year of mixed municipal waste classified as inert or solid waste under Schedule 1 of the *Protection of the Environment Operations Act 1997* at the ArrowBio Plant;
 - b) 25,000 tonnes per year of garden waste at the Garden Organics Plant; and
 - c) 5,000 tonnes per year of biosolids at the Garden Organics Plant.
- 2.10 Prior to applying any organic outputs to land, the Proponent shall fully characterise the organic outputs to be applied to land with supporting laboratory analysis and propose an appropriate specification to ensure this waste-derived material is fit for its intended purpose.

AS4454 *Composts, soil conditioners and mulches* and the DEC's *Environmental Guidelines: Use and Disposal of Biosolids Products* (1997) shall not be the sole determinants of the suitability (or otherwise) of this material for land application.

The characterisation and proposed specification shall be provided to the DEC, and evidence of the DEC's approval shall be provided to the Director-General within two weeks of the approval being granted.

- 2.11 Except as provided by a condition of an EPL, the Proponent shall ensure that the only waste landfilled at the site is non-putrescible waste.

Noise

- 2.12 The Proponent shall undertake all construction activities associated with the development that would generate an audible noise at any premises beyond the boundary of the site between the following hours:
- a) 7:00 am to 6:00 pm, Mondays to Fridays, inclusive;
 - b) 8:00 am to 1:00 pm, Saturdays; and
 - c) at no time on Sundays or public holidays
- unless otherwise approved in writing by the Director-General.
- 2.13 The Proponent shall ensure that noise from the project at all existing and proposed residences, including Glenlee House, does not exceed:
- a) a L_{Aeq} (15 minute) noise emission criterion of 39 dB(A) during the day/evening;
 - b) a L_{Aeq} (15 minute) noise emission criterion of 35 dB(A) during the night; and
 - c) a L_{A1} (1 minute) noise emission criterion of 45 dB(A) during the night.

Note: For the purposes of this condition, day is defined as the period from 7am to 6pm, Monday to Saturday, and 8am to 6pm, Sundays and Public Holidays. Evening is defined as the period from 6pm to 10pm. Night is defined as the period from 10pm to 7am, Monday to Saturday, and 10pm to 8am, Sundays and Public Holidays.

Noise emission limits apply under meteorological conditions of wind speeds up to 3 m/s at 10 metres above ground level or temperature inversions conditions of 3°C/100m and wind speed up to 2 m/s at 10 metres above the ground. To determine compliance with this condition, noise from the development must be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary.

Noise from the site is to be measured at 1m from the dwelling façade to determine compliance with the L_{A1} (1 minute) noise criterion specified in condition 2.13c. However, where it can be demonstrated that direct measurement of noise from the development is impractical, the EPA may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.

Transport

- 2.14 The Proponent shall ensure that heavy vehicles associated with the project do not enter or exit the site between 10pm and 7am, unless these movements are due to circumstances beyond the control of the Proponent.
- 2.15 Notwithstanding condition 2.14, the Proponent shall ensure that all waste to be processed at the site is received between the following hours:
- a) 7:00 am to 5:00 pm, Mondays to Fridays, inclusive;
 - b) 8:00 am to 4:00 pm, Saturdays and Sundays; and
 - c) 7:00 am to 2:00 pm on public holidays.
- 2.16 The Proponent shall take all reasonable steps to inform vehicles carrying waste to/from the development from MACROC Councils to use the following routes:
- a) Narellan Road, Camden Bypass, Springs Road, Richardson Road and the current right of way, when accessing the site from the north or east; and/or
 - b) Old Hume Highway, Camden Bypass, Springs Road, Richardson Road and the current right of way, when accessing the site from the south or west,
- prior to the finalisation of public access to the proposed arterial road referred to in the documents listed under condition 1.1.
- 2.17 Upon finalisation of public access to the proposed arterial road referred to in the documents listed under condition 1.1, the Proponent shall take all reasonable steps to inform vehicles carrying waste to/from the development from MACROC Councils to use the following routes:
- a) Narellan Road, Camden Bypass, arterial road and new public road when accessing the site from the north or east; and/or
 - b) Old Hume Highway, Camden Bypass, arterial road and new public road when accessing the site from the south or west.
- 2.18 Prior to finalisation of public access to the proposed road network referred to in the documents listed under condition 1.1, the Proponent shall pay Council \$13,194 annually for the maintenance of the local roads used by the AWT Facility. However, upon finalisation of public access to the proposed road network, the Proponent shall pay Council \$5,124 annually.

Note: This contribution is subject to indexation by the Implicit Price Deflator, as published by the Australian Bureau of Statistics.

- 2.19 Prior to the receipt of waste from non-MACROC Councils, the Proponent shall provide to Council details of vehicle access routes to the site for vehicles carrying waste from non-MACROC Councils. Evidence of consultation with Council shall be provided to the satisfaction of the Director-General.
- 2.20 The Proponent shall ensure that vehicles associated with the project do not park, queue or stand in any of the road reserves outside the site.

Mine Subsidence

- 2.21 The Proponent shall ensure that the project is designed to withstand the following mine subsidence parameters:
- a) Maximum subsidence: 1200mm
 - b) Maximum strains: 1.5mm
 - c) Maximum tilt: 5mm/m
 - d) Radius of curvature: 12000m

Visual

- 2.22 The Proponent shall ensure that all external lighting associated with the project:
- a) does not create a nuisance to surrounding properties or roadways; and
 - b) complies with AS 4282(INT) 1995 – *Control of Obtrusive Effects of Outdoor Lighting*.

Hazards

- 2.23 The Proponent shall ensure that Liquefied Natural Gas is not used at the site.

3. ENVIRONMENTAL MANAGEMENT AND MONITORING

Construction Environmental Management Plan

- 3.1 Prior to the commencement of construction, the Proponent shall prepare (and following approval implement) a **Construction Environmental Management Plan (CEMP)** for the project. This plan must outline the environmental management practices and procedures that would be implemented during each stage of construction, and include:
- a) a description of all activities to be undertaken on the site during construction of the project, including an indication of stages of construction, where relevant;
 - b) statutory and other obligations that the Proponent is required to fulfil during construction, including all approvals, consultations and agreements required from authorities and other stakeholders;
 - c) details of how the environmental performance of the construction works would be monitored, and what actions would be taken to address identified adverse environmental impacts;
 - d) a description of the roles and responsibilities for all relevant employees involved in the construction of the project
 - e) the management plans listed under condition 3.2; and
 - f) complaints handling procedures during construction and site preparation.

Site preparation and construction works associated with any stage of the project shall not commence until the Director-General has approved the CEMP for that stage.

- 3.2 The CEMP for the project shall include the following Management Plans:
- a) a **Soil and Water Management Plan** to detail measures to minimise the incidence of erosion and salinity during construction of the project. This plan must be prepared in consultation with the DEC, DNR and Council, and include:
 - i) an assessment of the potential salinity risk during construction;
 - ii) a description of the proposed erosion and sediment control measures, which must be consistent with best practice, and in general accordance with Landcom's

- publications *Soil and Water Management for Urban Development* and the *Managing Urban Stormwater – Soils and Construction*;
 - iii) details of any stormwater control dams, including evidence that such dams have sufficient capacity to cater for the 90th percentile 5 day rainfall event;
 - iv) details of the pollutant parameters of any pumped discharges from stormwater detention dams, including a limit of less than 50mg/L of Total Suspended Solids. No discharges shall contain water that has come into contact with waste;
 - v) a description of procedures that would be implemented to ensure that the erosion and sediment control measures are maintained at all times, and to address any erosion, should it occur; and
 - vi) a description of the decommissioning procedures for the proposed erosion and sediment control measures at the completion of construction.
- b) a **Noise Management Plan** to detail measures to manage and minimise noise emissions during construction. The plan must be prepared in consultation with the DEC, and include:
- i) identification of all work areas, site compounds and access routes (both private and public) to be used during construction;
 - ii) identification of the specific activities that will be carried out and associated noise sources occurring at each of the locations identified under condition 3.2b)i);
 - iii) identification of all potentially affected sensitive receivers;
 - iv) a comparison of predicted noise emissions with the construction noise and vibration objectives identified in the documents listed under condition 1.1 for construction periods greater than 26 weeks;
 - v) details of all noise mitigation measures to be implemented during construction, including the early erection of operational noise control barriers;
 - vi) monitoring measures for construction noise; and
 - vii) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity, and measures to receive, record and respond to complaints.
- c) a **Traffic Management Plan** to detail measures to manage and minimise the impact of construction traffic associated with the project. This plan must be prepared in consultation with the DEC, Council and Landcom, and include:
- i) details of predicted construction traffic volumes and proposed access routes in light of the planned closure of Springs Road, and proposed mitigation measures for the impact of construction vehicles on these routes;
 - ii) best noise practice in the selection and maintenance of construction vehicle fleets and specific procedures for drivers to minimise road traffic noise impacts, including limits to compression braking and movement scheduling where appropriate;
 - iii) clauses in conditions of employment, or in contracts, of drivers that require adherence to the noise minimisation procedures referred to in condition 3.3c)ii) and communication strategies for non-WSN owned and operated vehicles to ensure these procedures are implemented;
 - iv) a system of audited management practices that identifies non-conformances, initiates and monitors corrective and preventative action and assesses the implementation of the Traffic Management Plan.

Operation Environmental Management Plan

3.3 Prior to the commencement of operations, the Proponent shall prepare (and following approval implement) an **Operation Environmental Management Plan (OEMP)** for the project. This plan must describe the environmental management framework, practices and procedures that would be followed during operations, and include:

- a) identification of all statutory and other obligations that the Proponent is required to fulfil in relation to operation of the development, including all approvals, licences, approvals and consultations;

- b) a description of the roles and responsibilities for all relevant employees involved in the operation of the development;
- c) overall environmental policies, principles and performance measures that will be applied to the operation of the development; and
- d) the management plans listed under condition 3.4.

Operations shall not commence until the Director-General has approved the OEMP.

3.4 The OEMP for the project shall include the following Management Plans:

- a) a **Stormwater Management Plan** outlining the measures that would be implemented to manage the stormwater generated by the project. This plan shall be prepared in consultation with the DEC, and include:
 - (i) details of the proposed stormwater management system for the project, which must be designed as a first flush system to capture the first 10mm of stormwater for each m² of catchment; and
 - (ii) details of the program for the reuse of captured first flush stormwater, whether as process water in the ArrowBio Plant, as discharge to sewer, or tankering to an off site treatment facility, until such time as the Proponent has demonstrated to the satisfaction of the DEC that the stormwater is suitable for other management approaches.
- b) a **Vegetation Management Plan** outlining the measures that would be implemented to minimise the impacts of the project on surrounding vegetation. This plan must be prepared in consultation with DNR and Council, and include:
 - (i) details of any natural watercourses or riparian areas to be disturbed by the project;
 - (ii) details of the proposed program for the rehabilitation of disturbed areas; and
 - (iii) details of the proposed program for weed control at the site.

Odour Monitoring

3.5 Prior to the commencement of operations associated with the development, the Proponent shall prepare an ongoing odour monitoring program to ensure compliance with condition 2.1 of this approval throughout the life of the development, consistent with *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (DEC, 2005).

The Program shall be submitted for the approval of the Director-General and operations shall not commence until written approval has been received from the Director-General.

Noise Monitoring

3.6 Within 90 days of the commencement of operations associated with the development, and annually thereafter, the Proponent shall assess the noise emission performance of the development during a period in which the development is operating under normal operating conditions. The assessment shall include, but not necessarily be limited to:

- a) noise monitoring, consistent with the guidelines provided in the *New South Wales Industrial Noise Policy* (EPA, 2000), to assess compliance with condition 2.13 of this approval;
- b) a comparison of the results of the noise monitoring required under a) above, and the predicted noise impacts detailed in the documents listed under condition 1.1 of this approval; and
- c) details of any entries in the Complaints Register (condition 6.3 of this approval) relating to noise impacts.

A report providing the results of the program shall be submitted to the Director-General and the DEC within 28 days of completion of the testing required under a).

3.7 If the results of the monitoring required under conditions 3.5 and 3.6 indicate that the operation of any component of the development, when operating under design loads and

normal operating conditions, exceeds the limits imposed under conditions 2.1 and/or 2.13 of this approval, the Proponent shall provide details of remedial measures to be implemented and a timetable for implementation to reduce emissions to the levels required.

Details of the remedial measures shall be submitted to the Director-General for approval, and be accompanied by evidence that the DEC is satisfied that the remedial measures are acceptable.

4. COMPLIANCE

- 4.1 Prior to the commencement of construction and operations, the Proponent shall certify in writing to the satisfaction of the Director-General, that it has complied with all the applicable conditions of this approval.

5. ENVIRONMENTAL REPORTING

Incident Reporting

- 5.1 The Proponent shall notify the DEC and the Director-General of any incident with actual or potential significant off-site impacts on people or the biophysical environment as soon as practicable after the occurrence of the incident. The Proponent shall provide written details of the incident to the DEC and the Director-General within seven days of the date on which the incident occurred.

Annual Performance Reporting

- 5.2 Within 12 months of the commencement of operations, and annually thereafter, the Proponent shall submit an **Annual Environmental Management Report (AEMR)** for the project to the DEC, Council, and the Department. The AEMR shall include:
- a) details of compliance with the conditions of this approval, and any other licences and approvals for the project;
 - b) a list of variations obtained to approvals applicable to the development and to the site during the preceding twelve-month period;
 - c) a copy of the Complaints Register for the preceding twelve month period (exclusive of personal details), and a description of how these complaints were addressed and resolved;
 - d) a comparison of the environmental impacts and performance of the development against the environmental impacts and performance predicted in the documents listed under condition 1.1;
 - e) identification of trends in monitoring data over the life of the development to date; and
 - f) environmental management targets and strategies for the following twelve-month period, taking into account identified trends in monitoring results.

6. COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

Access to Information

- 6.1 Subject to confidentiality, the Proponent shall make all documents required under this approval publicly available.

Complaints Procedure

- 6.2 Prior to the commencement of construction, the Proponent shall establish a community complaints system to the satisfaction of the Director-General. This system must include:
- a) a 24-hour telephone number on which complaints about operations on the site may be registered;
 - b) a postal address to which written complaints may be sent; and
 - c) an email address to which electronic complaints may be transmitted, should the Proponent have email capabilities.

The telephone number, the postal address and the email address shall be advertised in a newspaper circulating within the locality on at least one occasion prior to the commencement of construction of each stage of the development. These details must also be displayed on a sign near the entrance to the site, in a position that is clearly visible to the public and on the Proponent's internet site, should one exist. The telephone number, postal address and email address must be maintained throughout the life of the development.

- 6.3 The Proponent must record details of all complaints received about the project in an up-to-date Complaints Register. This register must record, but not necessarily be limited to:
- the date and time, where relevant, of the complaint;
 - a) the means by which the complaint was made (telephone, mail or email);
 - b) any personal details of the complainant that were provided, or if no details were provided, a note to that effect;
 - c) the nature of the complaint;
 - d) any action(s) taken by the Proponent in relation to the complaint, including any follow-up contact with the complainant; and
 - e) if no action was taken by the Proponent in relation to the complaint, the reason(s) why no action was taken.

The Complaints Register must be made available for inspection by the Director-General upon request.
