

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

2006

SCHEDULE 1

Application No: 05_0098

Proponent: WSN Environmental Solutions

Approval Authority: Minister for Planning and Public Spaces

Land: Lot 35 DP 1098588, Camden local government area.

Project: Jacks Gully Alternative Waste Technology Facility

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SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
05_009-MOD-1 (MOD 1)	27/11/2006	Minister	Change the property description following subdivision.
05_009-MOD-2 (MOD 2)	03/04/2009	Minister	Update description of the land.
05_009-MOD-3 (MOD 3)	26/08/2010	Minister	Regularise an existing pipeline to capture landfill gas.
05_009-MOD-4 (MOD 4)	10/12/2010	Minister	Amend the receipt and processing garden waste tonnage.
05_009-MOD-5 (MOD 5)	10/12/2015	Minister	Permit the receipt and processing of 530 m ³ per day of liquid waste and increase the processing capacity of general solid (putrescible) waste to 130,000 tonnes per annum.
05_009-MOD-6 (MOD 6)	17/06/2020	Director	Increase operational hours and amend Condition 2.9 to accurately reflect approved operations.
05_009-MOD-7 (MOD 7)		Director	<ul style="list-style-type: none"> • increase the general solid waste throughput from 130,000 to 170,000 tonnes per annum (tpa) • receipt and processing of 40,000 tpa of glass and 30,000 tpa of pre-consumer waste • increase the receipt of garden waste capacity from 25,000 to 50,000 tpa • fire safety upgrades.

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.
Department	Department of Planning, Housing and Infrastructure
DPI	<i>Department of Primary Industries.</i>
EA	<i>Environmental Assessment: Proposed Alternative Waste Technology Facility at Jacks Gully Waste and Recycling Centre (WSN Environmental Solutions, March 2006, Volumes 1 and 2).</i>
EPA	<i>Environment Protection Authority.</i>
EPL	Environment Protection Licence issued under the <i>Protection of the Environment Operations Act 1997.</i>
Feasible	<i>Feasible relates to engineering considerations and what is practical to build.</i>
FSS	Fire Safety Study
Garden Waste	<i>As defined in Schedule 1 of the Protection of the Environment Operations Act 1997.</i>
General Solid Waste	<i>As defined in Schedule 1 of the Protection of the Environment Operations Act 1997.</i>
Incident	A set of circumstances that: <ul style="list-style-type: none"> causes or threatens to cause material harm to the environment; and/or breaches or exceeds the limits or performance measures/criteria in this approval.
Liquid Waste	<i>As defined in Schedule 1 of the Protection of the Environment Operations Act 1997.</i>
MACROC	Macarthur Regional Organisation of Councils.
Material harm to the environment	Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial.
Minister	Minister for Planning and Public Spaces
Mitigation	Activities associated with reducing the impacts of the project prior to or during those impacts occurring.
Modification Assessments	The document assessing the environmental impact of a proposed modification of this consent and any other information submitted with the following modification applications made under the EP&A Act: <ul style="list-style-type: none"> 05_0098 MOD 1 prepared by WSN Environmental Solutions and dated 11 October 2006; 05_0098 MOD 2 prepared by WSN Environmental Solutions and dated 16 January 2009; 05_0098 MOD 3 prepared by WSN Environmental Solutions and dated 29 June 2010; 05_0098 MOD 4 prepared by WSN Environmental Solutions and dated 9 September 2010; 05_0098 MOD 5 prepared by Cardno NSW/ACT and dated 30 October 2013; 05_0098 MOD 6 prepared by SUEZ Recycling and Recovery Pty Ltd and dated 25 February 2019; and 05_0098 MOD 7 prepared by Element Environmental Pty Ltd and dated 10 May 2024.
Organic Waste	<i>As defined in Schedule 1 of the Protection of the Environment Operations Act 1997.</i>

Operation	Commissioning of any stage of works as described in the Major Projects Application 05_0098.
Pre-consumer waste	Waste materials generated during product manufacturing prior to consumer use, including offcuts and rejected materials from the production of food, textiles and packaging, as described in the Modification Application 05_0098 MOD 7 dated 10 May 2024.
Proponent	SITA Australia Pty Ltd, or its successors.
Publicly Available	Available for inspection by a member of the general public (for example available on an internet site or at a display centre).
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements.
Planning Secretary	Planning Secretary of the Department, or delegate
Site	Land to which Major Projects Application 05_0098 applies.

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05_009-MOD-6	17/06/2020	Director	Increase operational hours and amend Condition 2.9 to accurately reflect approved operations.
05_009-MOD-7	17/06/2020	Director	<ul style="list-style-type: none"> • increase the general solid waste throughput from 130,000 to 240,000 tonnes per annum (tpa) • increase the receipt and transfer of garden waste capacity from 25,000 to 50,000 tpa • fire safety upgrades.

1. ADMINISTRATIVE CONDITIONS

Terms of Approval

- 1.1 The Proponent must 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) [Modification Assessments](#).
- 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 **must** comply with any reasonable requirement/s of the [Planning Secretary](#) 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.
- 1.4 [Within 3 months of the date of the approval for 05_0098 MOD 3 the Applicant must:](#)
 - a) [obtain and provide copies to the Planning Secretary all necessary building certificate\(s\) from Camden City Council for all buildings and structures the subject of modification application 05_0098 MOD 3; and](#)
 - b) [ensure that 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 Building Code of Australia.](#)

Notes:

- *Under Part 4A of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.*
- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.*
- *As the 1998 consent was issued under the Unamended Act it refers to Building Applications which have been replaced with Construction Certificates under the Amended Act. As such, all reference to Building Applications in the 1998 consent shall be noted as references to Construction Certificates. In accordance with the clause 20 of the Environmental Planning and Assessment (Savings and Transitional) Regulation 1998, as the Minister issued a Building Approval, the Minister is the Principal Certifying Authority.*

2. SPECIFIC ENVIRONMENTAL CONDITIONS

Air Quality

- 2.1 The Proponent **must** 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 **must** design, construct, operate and maintain the project in a manner that prevents and/or minimises dust emissions from the site.

- 2.3 The Proponent **must** 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 **must** 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 **must** 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 banded include:
- the AWT process building and tank farm; and
 - the perimeter of the AWT site.

Wastewater Management

- 2.6 The Proponent **must** 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 EPA'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 **must** provide evidence, to the satisfaction of the **Planning Secretary**, that the **EPA** is satisfied with the standard of the wastewater for its intended application. Irrigation or reuse of process wastewater **must** not commence until written approval has been provided by the **Planning Secretary**.

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

Waste Management

- 2.8 The Proponent **must not** cause, permit or allow any materials or waste generated outside the site to be received at the site for storage, resource recovery, processing, or disposal on the site, except as expressly permitted by an EPL.

~~2.9 The Proponent must not receive or process on the site more than:~~

- ~~130,000 tonnes per year of General Solid Waste;~~
- ~~25,000 tonnes per year of Garden Waste~~
- ~~5,000 tonnes per year of Organic Waste; and~~
- ~~520m³ per day of Liquid Waste comprising liquid organic waste, leachate and grease trap waste, with grease trap waste not exceeding 15,000 tonnes per year.~~

2.9 The Proponent must not receive on the site more than:

- 170,000 tonnes per year of General Solid Waste;**
- 30,000 tonnes per year of pre-consumer waste;**
- 40,000 tonnes per year of glass**
- 50,000 tonnes per year of garden waste**
- 5,000 tonnes per year of Organic Waste;**
- 520m³ per day of Liquid Waste comprising liquid organic waste, leachate and grease trap waste, with grease trap waste not exceeding 15,000 tonnes per year.**

2.9a Within the garden waste limit specified in Condition 2.9 d), the Proponent must not process more than 25,000 tonnes per year of garden waste on site, with the remainder limited to temporary storage and off-site transfer only.

- 2.10 Prior to applying any organic outputs to land, the Proponent **must** 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 EPA's *Environmental Guidelines: Use and Disposal of Biosolids Products* (1997) **must** not be the sole determinants of the suitability (or otherwise) of this material for land application.

The characterisation and proposed specification **must** be provided to the EPA, and evidence of the EPA's approval **must** be provided to the Planning Secretary 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 **must** 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 Planning Secretary.

- 2.13 The Proponent **must** ensure that noise from the project at all existing and proposed residences, including Glenlee House, does not exceed:

- a) a $L_{Aeq(15\text{ minute})}$ noise emission criterion of 39 dB(A) during the day/evening;
- b) a $L_{Aeq(15\text{ minute})}$ noise emission criterion of 36 dB(A) during the night; and**
- c) a $L_{A1(1\text{ minute})}$ 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 $L_{A1(1\text{ minute})}$ 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 must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.

Table 1: Hours of Operation

Activity	Day	Time
Heavy vehicles entering/exiting site	Monday – Sunday	24 hours
Waste receipt	Monday – Friday	6 am – 5 pm
	Saturday – Sunday	8 am – 4 pm
	Public Holidays	6 am – 4 pm on a weekday 6 am – 2 pm on a weekend
Waste collection	Monday – Sunday	24 hours

2.14a Notwithstanding Condition 2.14, the number of heavy vehicles entering/exiting the site between 10pm and 6am Monday to Sunday for waste collection must not exceed 40 heavy vehicle movements (20 in and 20 out)..

~~2.14 The Proponent must 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 must 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 **must** 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, Liz Kernohan Drive, Barrow 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, Liz Kernohan, Barrow 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 The Proponent must take all reasonable steps to inform heavy vehicles carrying waste to/from the development to use the following routes:

- a) Narellan Road, Camden Bypass, Liz Kernohan Drive and Barrow Road when accessing the site from the north or east; and/or**
- b) Old Hume Highway, Camden Bypass, Liz Kernohan Drive and Barrow Road when accessing the site from the south or west.**

2.17a Notwithstanding the requirements of Condition 2.17, should the Stage 2 Spring Farm Parkway commence operation, the Applicant may utilise an alternate haulage route

subject to the approval of the Planning Secretary.

Note: The Planning Secretary will consult with Transport for NSW and Council during its consideration of whether to grant approval under condition 2.17a. Following this consultation, the Planning Secretary may request additional information from the Applicant prior to making a decision.

- 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 **must** 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 **must** 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 **must** provide to Council details of vehicle access routes to the site for vehicles carrying waste from non- MACROC Councils. Evidence of consultation with Council **must** be provided to the satisfaction of the **Planning Secretary**.
- 2.20 The Proponent **must** 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 **must** ensure that the project is designed to withstand the following mine subsidence parameters:
- a) Maximum subsidence: 1200mm
 - b) Maximum tilt: 5mm/m
 - c) Radius of curvature: 12000m

Visual

- 2.22 The Proponent **must** 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 **must** ensure that Liquefied Natural Gas is not used at the site.
- 2.24 Prior to commissioning the gas pipeline, the **Proponent must**:
- a) implement the proposed safeguards and actions listed in Appendix A of the HAZOP study report (AECOM, 26 August 2009);
 - b) prepare and implement a Commissioning Procedure; and
 - c) prepare and implement a Safety and Operating Plan (SAOP);
- for the pipeline based on Australian Standard AS/NZS 4645.1-2008 – Gas Distribution Networks, Part 1:- Network Management, to the satisfaction of the Planning Secretary.
- 2.25 The Proponent **must** prepare the studies set out under subsections a) to b) (the pre-construction studies). Construction associated with MOD 5, other than preliminary works that are outside the scope of the hazard studies, **must** not commence until the recommendations of the study have been considered and, where appropriate, acted upon:
- a) a Hazard and Operability Study for MOD 5, chaired by an independent qualified

person. The study must be consistent with the Department's *Hazardous Industry Planning Advisory Paper No. 8, 'HAZOP Guidelines'*; and

- b) a Final Hazard Analysis for MOD 5, consistent with the Department's *Hazardous Industry Planning Advisory paper No 6 "Hazard Analysis"*. The document must be prepared and submitted to the Department no later than one month prior to the commencement of construction of MOD 5 (other than preliminary works), or within such further period as the Planning Secretary may agree.
- 2.26 The Proponent must develop and implement the plans and systems set out under subsections a) to b). No later than two months prior to the commencement of commissioning of MOD 5, or within such further period as the Planning Secretary may agree, the Proponent must submit for the approval of the Planning Secretary documentation describing those plans and systems. Commissioning must not commence until approval has been given by the Planning Secretary.
- a) the Proponent's Emergency Plan and detailed emergency procedures must be updated to incorporate any changes due to MOD 5. The plan must include detailed procedures for the safety of all people outside of the development who may be at risk from the development. The plan must be in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 1, 'Industry Emergency Planning Guidelines'*; and
- b) the Proponent's Safety Management System must be updated to include any changes due to MOD 5. The document must clearly specify all safety related procedures, responsibilities and policies, along with details of mechanisms for ensuring adherence to the procedures. Records must be kept on-site and must be available for inspection by the Planning Secretary upon request. The Safety Management System must be developed in accordance with the Department's *Hazardous Industry Planning Advisory Paper No. 9, 'Safety Management'*.
- 2.27 At least one month prior to the commencement of operation of MOD 7, or within such further as the Planning Secretary may agree, the Proponent must prepare and submit a Fire Safety Study for the operations at the Site to the Planning Secretary. The study must:**
- a) cover the relevant aspects of the *Department's Hazardous Industry Planning Advisory Paper No. 2 (HIPAP No.2)*;
- b) include an Initial Fire Safety Report (IFSR) and / or Performance-Based Design Brief / Fire Engineering Brief Questionnaire (FEBQ);
- c) be consistent with the relevant FRNSW Fire Safety Guidelines and FRNSW Technical Information; and
- d) be prepared to the satisfaction of Fire and Rescue NSW.
- Note: The 'to the satisfaction of FRNSW' in condition 2.27(d) above means confirmation in writing from Fire and Rescue NSW that the study meets their requirements as required by the Department's Hazardous Industry Planning Advisory Paper No. 2 'Fire Safety Study' guideline.*
- 2.28 The Proponent must:**
- a) not commence operation of MOD 7 until the FSS required by condition 2.27 is endorsed by Fire and Rescue NSW and submitted to the Planning Secretary; and
- b) implement the most recent version of the Fire Safety Study for the duration of the development.
- 2.29 Prior to the commencement of operation of MOD 7 the Proponent must:**
- a) update its Emergency Plan required by Condition 2.26a), in accordance with

Hazardous Industry Planning Advisory Paper (HIPAP) No. 11

- b) **prepare an Emergency Services Information Package in accordance with FRNSW fire safety guidelines – Emergency services information package and tactical fire plans.**

3. ENVIRONMENTAL MANAGEMENT AND MONITORING

Construction Environmental Management Plan

3.1 Prior to the commencement of construction, the Proponent **must** 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 **must** not commence until the **Planning Secretary** has approved the CEMP for that stage.

3.2 The CEMP for the project **must** 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 **EPA, DPI** 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 **EPA**, 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 EPA, 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 **must** 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 must not commence until the Planning Secretary has approved the OEMP.

3.4 The OEMP for the project **must** 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 **must** be prepared in

consultation with the EPA, 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 EPA 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 DPI 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.

3.4aa Prior to the commencement of operation of MOD 7, the OEMP required under condition 3.3 must be updated to the satisfaction of the Planning Secretary to include the following sub-plans:

- a) **an Operational Traffic Management Plan that would be implemented to minimize the impact of operational traffic associated with the project. The plan must be prepared in consultation with Council and must:**
- (i) be prepared by a suitably qualified and experienced person;
 - (i) detail the measures that are to be implemented to ensure road safety and network efficiency;
 - (ii) detail heavy vehicle routes, access and parking arrangements
 - (iii) include an Operational Driver Code of Conduct to:
 - a. minimise the impacts on the local and regional road network;
 - b. minimise conflicts with other road users;
 - c. minimise road traffic noise;
 - d. inform truck drivers of the site access arrangements and use of specified haul routes as per Condition 2.17; and
 - e. include a program to monitor the effectiveness of these measures; and
 - (iv) include a Traffic Control Plan detailing the on-site measures to be implemented to control the manoeuvring of vehicles in designated areas, including front end loaders within the waste receipt and processing areas, and mitigate the potential for on-site vehicle conflict.
- b) **an Air Quality and Odour Management Plan to manage and minimise air quality impacts associated with the project. The plan must:**
- (i) be prepared by a suitably qualified and experienced person(s)
 - (ii) detail and rank all emissions from all sources of the development, including odour;
 - (iii) describe a program that is capable of evaluating the performance of the operation and determining compliance with key performance indicators;
 - (iv) identify the control measures that will be implemented for each emission source; and
 - (v) describe the following for each of the proposed controls:
 - a. key performance indicator;
 - b. monitoring method;

- c. location, frequency and duration of monitoring;
- d. record keeping;
- e. complaints register;
- f. response procedures; and
- g. compliance monitoring.

Operation of MOD 7 must not commence until the Planning Secretary has approved the additional sub-plans of the OEMP.

Meteorological monitoring

3.4a The Proponent must operate a meteorological station on the site that complies with the requirements in the latest version of the *Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales*.

Odour Monitoring

3.5 Prior to the commencement of operations associated with the development, the Proponent **must** 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* (EPA, 2005).

The Program **must** be submitted for the approval of the **Planning Secretary** and operations **must** not commence until written approval has been received from the **Planning Secretary**.

- 3.5a The Proponent must prepare and implement a Standard Operating Procedure (SOP) to control fugitive emissions from the operations of the Organics Processing Plant. The SOP must be:
- a) consistent with the existing Environmental Management Plan;
 - b) developed in consultation with Council; and
 - c) submitted to the Planning Secretary for approval within 3 months of approval of Modification 4.

Odour Audit

- 3.5b The Proponent must carry out an Odour Audit of the Project no later than 6 months after the commencement of operation of the tank farm. The audit must:
- a) be carried out by a suitably qualified and experienced independent person(s), whose appointment has been endorsed by the Planning Secretary;
 - b) audit the Project in full operation;
 - c) include a summary of odour complaints and any actions that were carried out to address the complaints;
 - d) validate the Project against odour impact predictions in Modification Application 05_0098 MOD 5;
 - e) review design and management practices in the Project against industry best practice for odour management; and
 - f) 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.

3.5c The Proponent must comply with any reasonable requirement/s of the Planning Secretary arising from the Department's assessment of the Odour Audit.

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- 3.5d The Proponent must update the odour audit required under condition 3.5b no later than 6 months after the commencement of Modification Application 05_0098 MOD 6 to the satisfaction of the Planning Secretary and the EPA. In addition to the requirements under Condition 3.5b, the audit must also:
- be carried out by a suitably qualified and experienced independent person(s), whose appointment has been endorsed by the Planning Secretary;
 - be prepared in consultation with the EPA, including on the odour assessment methodology;
 - audit the project in full operation; and
 - validate the project against odour impact predictions in MOD 6.
- 3.5e Prior to the receipt of grease trap waste Modification Application 05_0098 MOD 6, the Proponent must enclose the location of the grease trap waste residuals bin.
- 3.5f The Proponent must conduct an odour audit no later than 6 months after the commencement of MOD 7 operations. The odour audit must:**
- be carried out by a suitably qualified and experienced independent person(s);**
 - audit the development in full operation;**
 - validate the actual emissions against the odour criteria and predictions in MOD 7; and**
 - be documented in an Odour Audit Report that includes:**
 - details of management and mitigation measures to be implemented to address any exceedances of the criteria or MOD 7 predictions;**
 - a description of contingency measures to be implemented in the event the management and mitigation measures in Condition 3.5f d)(i) are not effective in reducing odour impacts to meet the criteria; and**
 - the timing for implementing and validating the effectiveness of the contingency measures.**
- 3.5g Within six months of commissioning of the odour audit required by Condition 3.5f, or as otherwise agreed by the Planning Secretary, the Proponent must submit a copy of the Odour Audit Report to the satisfaction of the Planning Secretary, together with the Proponent's response to any recommendations contained in the Odour Audit Report.**

Noise Monitoring

- 3.6 Within 90 days of the commencement of operations associated with the development, and annually thereafter, the Proponent **must** assess the noise emission performance of the development during a period in which the development is operating under normal operating conditions. The assessment **must** include, but not necessarily be limited to:
- 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;
 - 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
 - details of any entries in the Complaints Register (required as part of the annual review under condition 5.5) relating to noise impacts.

A report providing the results of the program **must** be submitted to the **Planning Secretary** and the **EPA** 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 **must** 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 **must** be submitted to the **Planning Secretary** for approval, and be accompanied by evidence that the **EPA** is satisfied that the remedial measures are acceptable.

4. COMPLIANCE

- 4.1 Prior to the commencement of construction and operations, the Proponent **must** certify in writing to the satisfaction of the **Planning Secretary**, that it has complied with all the applicable conditions of this approval.

5. REPORTING, REVIEW AND ACCESS TO INFORMATION

Incident reporting

- 5.1 The Proponent **must** notify, at the earliest opportunity, the **Planning Secretary** and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the Project, the Proponent **must** notify the **Planning Secretary** and any other relevant agencies as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent **must** provide the **Planning Secretary** and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

Regular reporting

- 5.2 The Proponent **must** provide regular reporting on the environmental performance of the Project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.

Independent Environmental Audit

- 5.3 Within 1 year of the date of approval to Modification 5, and every 3 years thereafter, unless the **Planning Secretary** directs otherwise, the Proponent **must** commission and pay the full cost of an Independent Environmental Audit of the Project. This audit **must**:
- be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the **Planning Secretary**;
 - led by a suitably qualified auditor, and include experts in fields specified by the **Planning Secretary**;
 - include consultation with the relevant agencies;
 - assess the environmental performance of the Project and assess whether it is complying with the requirements in this approval, and any other relevant approvals and relevant EPL/s (including any assessment, plan or program required under the approvals);
 - review the adequacy of any approved strategy, plan or program required under the abovementioned approvals; and
 - recommend measures or actions to improve the environmental performance of the Project, and/or any strategy, plan or program required under the approvals.
- 5.4 Within three months of commissioning this audit, or as otherwise agreed by the **Planning Secretary**, the Proponent **must** submit a copy of the audit report to the **Planning Secretary**, together with its response to any recommendations contained in the audit report.

Annual review

- 5.5 Within 1 year of the date of approval to Modification 5, and every year thereafter, the Proponent must review the environmental performance of the Project. This review must:
- a) describe the operations that were carried out in the previous calendar year, and the operations that are proposed to be carried out over the next year;
 - b) include a comprehensive review of the monitoring results and complaints records of the project over the previous calendar year, which includes a comparison of the results against the:
 - (i) the relevant statutory requirements, limits or performance measures/criteria;
 - (ii) requirements of any plan or program required under this approval;
 - (iii) the monitoring results of previous years; and
 - (iv) the relevant predictions in the EA;
 - 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 Project;
 - e) identify any discrepancies between the predicted and actual impacts of the Project, 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 Project.

Revision of strategies, plans and programs

- 5.6 Within 3 months of the submission of an:
- a) annual review under Condition 5.5 above;
 - b) incident report under Condition 5.1 above;
 - c) audit under Condition 5.3 above; or
 - d) any modification to this consent,

the Proponent must review, and if necessary revise, the strategies, plans, and programs required under this approval.

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 Project.

- 5.7 The Proponent must ensure that the operation of the Project is undertaken in accordance with all relevant updated and/or amended strategies, management plans and programs approved by the Planning Secretary (or as revised and approved by the Planning Secretary), unless otherwise agreed by the Planning Secretary.

Access to information

- 5.8 The Proponent must:
- a) make copies of the following publicly available on its website:
 - (i) the documents referred to in Condition 1.1;
 - (ii) all current statutory approvals for the Project;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) a comprehensive summary of the monitoring results of the Project, reported in accordance with the specifications in any conditions of this approval, or any approved plans and programs;
 - (v) a complaints register, updated on a monthly basis;
 - (vi) the annual reviews of the Project;

- (vii) any independent environmental audit of the Project, and the Proponent's response to the recommendations in any audit; and
 - (viii) any other matter required by the Planning Secretary; and
- b) keep this information up to date.

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