

Project Approval

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

I approve the project application referred to in Schedule 1, subject to the conditions in Schedules 2 to 4.

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.

[signed 22 November 2009]

The Hon Kristina Keneally MP
Minister for Planning

Sydney

2009

The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

SCHEDULE 1

Application No:	06_0139 (as modified)
Applicant:	ThaQuarry Pty Ltd & ACN114 843 453 Pty Ltd
Approval Authority:	Minister for Planning and Public Spaces
Land:	Lot 1 and Lot 2 DP 1145808 and Lot 2 DP 1247691, Eastern Creek in the Blacktown local government area
Project:	Eastern Creek Waste Project

SUMMARY OF MODIFICATIONS

Modification	Description	Determined
Mod 1 – 75W	Installation of a conveyor and chute, allow two-way traffic on Fourth Avenue, construction of concrete bay walls within the Greenwaste Processing Area and relocation of the wheel wash.	30/09/2010
Mod 2 – 75W	Administrative amendment to correct the land (lot and DP) to which the project applies.	09/11/2010
LEC consent order	(case number 10994 of 2009)	11/11/2009
MOD 3 – 75W	Amendments to landform levels, stormwater design and VPA. Retrospective approval of various structures.	05/12/2011
MOD 4 – 75W	Extension of the operational hours for the Materials Processing Centre.	14/12/2013
MOD 5 – 75W	Construction of a Pre-Sort Enclosure.	17/03/2016
MOD 6 – 75W	Increase to landfill limit, extension of operating hours and amend noise limits.	29/04/2020
MOD 7 – 75W		Withdrawn
MOD 8 – 4.55(1A)	Convert the Pre-Sort Enclosure to a second Materials Processing Centre, relocate the car parking and relocate the weighbridges.	03/03/2021
MOD 10 – 4.55(1A)	Installation and operation of two permanent landfill gas flares	11/03/2022
MOD 11 – 4.55(1A)	Installation and operation of an elevated timber picking station and associated infrastructure.	30/08/2022
MOD 12 – 4.55(1A)	Amendment of approved location of landfill gas flare compound	11/10/2022
MOD 13 – 4.55(1A)	Production of Refuse Derived Fuel	27/10/2022
MOD 14 – 4.55(1A)	Power Generation System	1/5/2024
MOD 15 – 4.55(1A)	Production of RDF in MPC1, including installation and operation of new infrastructure, conveyor upgrades, fire safety measure upgrades and external RDF storage area	18/10/24

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DEFINITIONS

Applicant	ThaQuarry Pty Ltd & ACN114 843 453 Pty Ltd, or their successors
BCA	Building Code of Australia
Building Certificate	Building Certificate means a building certificate issued under Part 8 of the EP&A Act
Construction	The demolition of buildings or works, carrying out of works and erection of buildings covered by this approval
Council	Blacktown City Council
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning, Housing and Infrastructure
EA	Environmental assessment titled <i>Light Horse Business Centre</i> dated December 2008, the associated response to issues raised in submissions, dated 6 April 2009 and Preferred Project Report dated 26 June 2009.
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning & Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning & Assessment Regulation 2000</i>
EPL	Environmental Protection Licence
Evening	The period from 6pm to 10pm
Feasible	Feasible relates to engineering considerations and what is practical to build
Fuel specification	The allowable concentration of certain contaminants in a fuel
Incident	An incident causing or threatening material harm to the environment, and/or an exceedance of the limits or performance criteria in this approval
Land	In general, the definition of land is consistent with the definition in the EP&A Act.
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 and Public Spaces
Mitigation	Activities associated with reducing the impacts of the project
Modification Assessments	The document assessing the environmental impact of a proposed modification of this approval and any other information submitted with the following modification requests made under the EP&A Act: <ul style="list-style-type: none"> • 06_0139 MOD 1 prepared by Light Horse Business Centre and dated August 2010, as amended by additional information dated 6 September 2010 and 13 September; • 06_0139 MOD 2 dated 9 November 2010; • 06_0139 MOD 3 prepared by Light Horse Business Centre and dated 10 May 2011, as amended by the revised Environmental Assessment Report prepared by Light Horse Business Centre and dated September 2011; • 06_0139 MOD 4 prepared by Urbis Pty Ltd and dated October 2013; • 06_0139 MOD 5 prepared by Urbis Pty Ltd and dated 18 March 2015, as amended by the Response to Submissions prepared by Urbis Pty Ltd and dated 19 May 2015 and the Spoil Management Plan prepared by Genesis Xero Waste and dated September 2015; • 06_0139 MOD 6 prepared by EMM Consulting and dated 30 August 2018, as amended by the Response to Submissions report prepared by EMM Consulting and dated 20 November 2019; • 06_0139 MOD 8 prepared by Arcadis Australia Pacific Pty Limited and dated 12 November 2020, as amended by the Response to Submissions report prepared by Arcadis Australia Pacific Pty Limited and dated 28 January 2021; and • 06_0139 MOD 10 prepared by Jackson Environment and Planning and dated 30 November 2021, as amended by the Response to Request for Additional Information prepared by Jackson Environment and Planning and dated 8 February 2022; • 06_0139 MOD 11 prepared by Jackson Environment and Planning dated 30 May 2022, as amended by the document titled DPIE Request for Additional Information prepared by Jackson Environment and Planning dated 7 July 2022; • 06_0139 MOD 12 prepared by Jackson Environment and Planning and dated 19 August 2022; • 06_0139 MOD 13 prepared by Jackson Environment and Planning dated 23 September 2022, Final (v2), as amended by the revised

	<p>Statement of Environmental Effects dated 18 October 2022, Final (v3 RTS) and the Response to Submissions Eastern Creek Recycling Ecology Park Mod-13 – Refuse Derived Fuel Supply, prepared by Jackson Environment and Planning dated 18 October 2022, Final (v2);</p> <ul style="list-style-type: none"> • 06_0139-MOD 14 Bingo Gas to Electricity Project (V02) prepared by bd Infrastructure dated 21 December 2023, as amended by the updated Bingo Gas to Electricity Project (V04) dated 15 March 2024, Letter re Eastern Creek Recycling Ecology Park (MP06_0139-Mod-14) prepared by bd Infrastructure dated 21 March 2024, and Eastern Creek Recycling Ecology Park - Landfill Gas Cogeneration Plant Modification - additional air quality impact assessment prepared by EMM dated 29 April 2024; and • 06_0139-Mod-15 Modification Report titled 'Eastern Creek Recycling Ecology Park MPC1 Modifications for RDF Production Modification Report' prepared by Jackson Environment and Planning Pty Ltd dated 28 June 2024, Final V3, as amended by the 'Response to Submissions Report Eastern Creek Recycling Ecology Park - MPC1 Modifications for RDF Production (MP06_0139-Mod-15)' prepared by Jackson Environment and Planning Pty Ltd dated 10 September 2024 and the memo from BINGO Industries to the Department dated 8 October 2024.
Morning shoulder	The period from 6am to 7am on Monday to Saturday, and 6am to 8am on Sunday and Public Holidays
MPC	The enclosed Materials Processing Centre described in modification application 06_0139 Mod 4, including the operation of conveyors to external stockpiles, but not including operation of the conveyor and chute to the landfill in the quarry void
MPC2	Materials Processing Centre 2
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Non-Putrescible Waste Operations Planning Secretary	As defined by Schedule 2 of the <i>POEO Regulation</i> Operations are triggered by the receipt of waste on site Secretary of the Department of Planning, Housing and Infrastructure, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Power Generation System	A system to combust Landfill Gas from the landfill cell at the site and convert it to electrical power via an array of four engines
Putrescible Waste Precinct Plan	As defined by Schedule 2 of the <i>POEO Regulation</i> State Environmental Planning Policy No: 59 - Central Western Sydney Economic and Employment Lands - Employment Lands Precinct Plan - Eastern Creek Precinct dated 14 December 2005
Precinct Plan Road	As detailed in Section 10 of the Precinct Plan, in particular Figure 30 – Local Road Pattern.
Precinct Plan Stormwater Scheme	As detailed in Section 5 of the Precinct Plan, in particular Figure 11 – Stormwater Management Plan.
Project	The development described in the EA, which includes the continued use of unauthorised works on site
PSE	Pre-Sort Enclosure
RDF	Refuse derived fuel
RDF Product 1	Refuse derived fuel produced from residual timber waste from MPC2 primarily comprised of non-recyclable engineered timber
RDF Product 2	Refuse derived fuel produced from residual waste processed through the RDF plant in MPC1, comprised of biomass, cardboard, plastics and other non-chlorine based combustible materials with a high calorific value
Reasonable	Reasonable relates to the application of judgment in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
Refuse Derived Fuel	A fuel produced by processing the residues of waste by sorting and shredding (particle size reduction), dehydrating (moisture removal), and removal of recyclable and hazardous materials
Rehabilitation	The treatment or management of land disturbed by the project for the purpose of establishing a safe, stable and non-polluting environment
Remediation	Activities associated with partially or fully repairing or rehabilitating the impacts of the project or controlling the environmental consequences of this impact

Residual Waste

Site

SMA

Statement of Commitments

VENM

Residual waste is the waste left over after all recyclable or re-usable material has been removed following a bona-fide resource recovery process or source separation collection system

The land referred to in Schedule 1

Segregated Materials Area

The Applicant's Statement of Commitments in the EA and Statement of Commitments in Response to Submissions dated 6 April 2009

Virgin Excavated Natural Material, as defined in the *Protection of the Environment Operations Act 1997*

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

1. The **Applicant must** implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or decommissioning of the project.

Terms of Approval

2. The **Applicant must** carry out the project in accordance with the:
 - a) EA;
 - b) Statement of Commitments;
 - c) site plan and building elevation drawings at Appendix 1 and Appendix 6;
 - d) NSW Land and Environment Court order dated 11 November 2010 (case number 10994 of 2009); and
 - e) Modification Assessments.
- 2a. The construction of the buildings referred to in condition 8(a - c) are not approved, only the use of the buildings.
3. If there is any inconsistency between the above, the conditions of this approval shall prevail to the extent of any inconsistency.
4. The **Applicant must** comply with any reasonable requirement/s of the **Planning Secretary** arising from the Department's assessment of:
 - a) any reports, plans, strategies, programs or correspondence that are submitted in accordance with this approval; and
 - b) the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.

Limits on Approval

5. The **Applicant must** not receive more than 2 million tonnes of materials at the site per calendar year.
6. Nothing in this approval gives affect to or approves those works being undertaken, structures or buildings, on the site, in the area currently leased to Hanson (see Figure 1.2 in the EA).

Dispute Resolution

7. In the event that a dispute arises between the **Applicant** and Council or a public authority, other than the Department, in relation to the reasonableness of any requirements proposed by Council or a public authority arising from the conditions of this approval, the matter can be referred by either party to the **Planning Secretary** for resolution.

*Note: If the dispute cannot be resolved in 28 days, the **Planning Secretary** will refer the matter to an Independent Dispute Resolution Process (see Appendix 5).*

Structural Adequacy

8. Prior to commencement of operations the Applicant must obtain and provide copies of all necessary building certificates from Council to the Planning Secretary, for the following works:
 - a) the weighbridge and associated infrastructure;
 - b) the amenities building adjacent to the MPC building; and
 - c) the new administration/office building adjacent the car parking area.
9. The **Applicant must** ensure that all new buildings and structures, and any alterations or additions to existing buildings and structure are constructed in accordance with the relevant requirements of the BCA.

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.
- 9a. Construction works associated with the weighing silos, and conveyor and chute system must be:
 - a) the subject of appropriate certification from a qualified geotechnical and civil engineers; and
 - b) in accordance with the relevant Australian Standards.

- 9b No temporary structures such as demountable sheds or shipping containers are to be used as a substitute for any approved permanent structure. This does not prevent the use of demountable structures on site during construction.

Demolition

10. The **Applicant must** ensure that all demolition work is carried out in accordance with *Australian Standard AS 2601:2001: The Demolition of Structures*, or its latest version.

Utilities

11. Prior to the construction of any utility works, the **Applicant must** obtain the relevant approvals from service providers and Council, including, but not limited to a Section 73 Compliance Certificate from Sydney Water.

Protection of Public Infrastructure

12. The **Applicant must**:
- a) prepare a dilapidation report of the public infrastructure in the vicinity of the site (including roads, gutters, footpaths), in consultation with Council, and submit a copy of this report to the Department prior to the commencement of construction;
 - b) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project; and
 - c) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project.

Operation of Plant and Equipment

13. The **Applicant must** ensure that all plant and equipment used on the site is:
- a) maintained in a proper and efficient condition; and
 - b) operated in a proper and efficient manner.

Staged Submission of Documents

14. With the approval of the **Planning Secretary**, the **Applicant** may submit to the **Planning Secretary** for approval any plan, strategy, study, or program required by this consent on a progressive basis.

Consultation & Approval Requirements

15. Where this approval requires the Applicant to prepare a plan, strategy, study, or program in consultation with a specified agency, the Applicant must:
- a) provide a draft of the plan, strategy, study, or program to the relevant agency for comment/endorsement; and
 - b) amend the draft to take account of the comments provided by the agency, if any.
16. Where this approval requires the Applicant to submit a plan, strategy, study, or program to the Planning Secretary or an agency for approval, the Applicant is required to obtain written approval from the Planning Secretary or agency.

SCHEDULE 3 SPECIFIC ENVIRONMENTAL CONDITIONS

WASTE

Limits on Input

1. The **Applicant must** not:
 - a) landfill more than 1,000,000 tonnes of non-putrescible waste per calendar year (excluding residual waste from the Materials Processing Centre and Materials Processing Centre 2);
 - b) receive or landfill putrescible waste on site;
 - c) stockpile more than 50 tonnes of tyres on site at any one time;
 - d) stockpile more than 20,000 tonnes of green waste on site at any one time.
 - e) receive waste on site that is contaminated by chemicals and/ or pathogens that will not be rendered harmless by the process or that may constitute a health or environmental risk, including clinical and related waste and diseased carcasses; and
 - f) receive waste on site containing contaminants classified as hazardous waste, restricted waste (other than asbestos) or liquid waste under the POEO Act.

Waste Acceptance and Screening

2. The **Applicant must**:
 - a) implement suitable procedures to:
 - ensure that the site does not accept wastes that are prohibited; and
 - screen incoming waste loads;
 - b) install suitable signs at the entry to the site, indicating the types of waste that are permitted to be accepted and those wastes that are prohibited; and
 - c) ensure that:
 - all waste sludges and wastes that are controlled under a tracking system have all the appropriate documentation prior to acceptance at the site;
 - staff receive adequate training in order to be able to recognise and handle hazardous or other unapproved wastes; and
 - Procedures and training requirements are integrated into the Environmental Management Strategy for the Project (See Schedule 5 condition 1).
3. The **Applicant must**:
 - a) implement procedures to identify and handle asbestos waste. These procedures should be In accordance with National Occupational Health and Commission (Safe Work Australia's) Code of Practice & Guidance Notes for the Management & Control of Asbestos in WorkPlaces, relative guidelines and legislation from Workcover NSW and the POEO Regulation; and
 - b) integrate these procedures into the Environmental Management Strategy for the Project (See Schedule 5 condition 1).
- 3a The **Applicant must ensure that at no time is asbestos waste (as defined in the POEO Act) permitted to be placed in the conveyor/chute system for conveyance to the base of the landfill.**

Limits on Outputs

4. Except for the following, the **Applicant must** dispose of all outputs produced from the waste processing and/or resource recovery facility on site to the landfill:
 - a) Recyclables extracted and delivered off-site for resource recovery purposes;
 - b) Putrescible waste extracted from the input waste stream and lawfully disposed of off-site;
 - c) Restricted waste and hazardous waste extracted from the input waste stream and lawfully disposed of off-site;
 - d) Output waste derived materials approved for use under the *Protection of the Environment Operations Act, 1997* and Regulation; and
 - e) **Refuse Derived Fuel produced and delivered off-site for lawful energy recovery.**
- 4a. **Notwithstanding condition 4.e) above, Refuse Derived Fuel material produced at the site and delivered off-site must be consistent with the material and waste processing procedures described in the approved 'Energy from Waste Management Plan – Refuse Derived Fuel (RDF)' prepared by Bingo Industries dated 8 October 2024 Version 2.0 Final and the 'Quality Control Plan RDF' prepared by Bingo Industries dated 5 September 2024 Version 2.0 Final.**

Refuse Derived Fuel

- 4b. The Applicant must implement the approved 'Energy from Waste Management Plan – Refuse Derived Fuel (RDF)' prepared by Bingo Industries dated 8 October 2024 Version 2.0 Final and the 'Quality Control Plan RDF' prepared by Bingo Industries dated 5 September 2024 Version 2.0 Final for the life of the development.
- 4c. The Applicant must comply with the resource recovery criteria requirements for mixed waste streams specified in Table 4 of the NSW Energy from Waste Policy Statement (2021) for the production of Refuse Derived Fuel at the site.
- 4d. The Applicant must ensure that all RDF is stored and/or stockpiled in accordance with the design requirements of FRNSW Guideline Fire Safety in Waste Facilities (2020).

Monitoring

- 5. Within 12 months of the commencement of operations, the Applicant must prepare and implement a **Waste Monitoring Program** for the Project. This Program must:
 - a) be prepared in consultation with EPA;
 - b) be prepared to the satisfaction of the Planning Secretary; and
 - c) include a suitable program to monitor the:
 - quantity, type and source of waste received on site; and
 - quantity, type and quality of the outputs produced by the site.
- 5a. One year after the commencement of production of RDF Product 2 under 06_0139-Mod-15 to this consent, and every year thereafter (unless otherwise agreed by the Planning Secretary), the Applicant must carry out an RDF Annual Review to the satisfaction of the Planning Secretary. The RDF Annual Review must:
 - a) be undertaken by a suitably qualified and experienced person;
 - b) demonstrate compliance with the resource recovery criteria defined in Table 4 and 5 in the NSW EPA Energy from Waste Policy Statement for all RDF produced at the development; and
 - c) demonstrate compliance with the relevant RDF Fuel Specification as per the contract of supply.

Note: The Planning Secretary must consult with the EPA as part of its consideration of the RDF Annual Review under this condition.

LANDFILL CONSTRUCTION AND OPERATION

- 6. Prior to the commencement of operations, the Applicant must install a floor and wall landfill liner within the former quarry void (below the weathered zone) unless otherwise agreed to by the Planning Secretary. The specifications of the landfill liner must be developed in consultation with EPA and submitted to the Planning Secretary for approval prior to construction commencing.

Note: the purpose of the landfill liner is to prevent the risk of potential leachate migration from the quarry void into groundwater aquifers. The Planning Secretary will only vary the requirement for a ground and wall liner if additional groundwater investigations (specified by EPA) reveal an alternative solution to prevent the risk of leachate migration can be achieved.
- 7. Prior to the commencement of operations the Applicant must implement all slope stabilisation and risk control measures detailed in the 'Geotechnical Quarry Slope Stability Assessment' report prepared by Jeffery and Katauskas Pty Ltd dated 17 March 2008. The results from any survey monitoring or inclinometers installed at the north face landslip area should be included in the Annual Environmental Review requirements outlined in Schedule 5 condition 3.
- 8. The Applicant must prepare and implement a **Landfill Plan** for the Project to manage the disposal of material into the void to ensure a suitable level of compaction occurs. The Plan must:
 - a) be to the satisfaction of the Planning Secretary;
 - b) be submitted within 12 months of commencing operations;
 - c) be submitted every 3 years during the life of the operation (coinciding with the independent environmental audit required at Schedule 4, condition 4); and
 - d) be submitted 12 months prior to the closure of the landfill;
 - e) be conducted by a suitably qualified, experienced, and independent engineer (or other relevant expert) whose appointment has been endorsed by the Planning Secretary;
 - f) detail the proposed disposal methodology to achieve a suitable level of compaction;
 - g) include a criteria or level of compaction target for the landfill, with the view to types of uses post-land filling of the void;
 - h) outline a process to monitor the performance of the disposal methodology, compaction and settling rates; and
 - i) contingency measures should the rates not be achieved; and

- j) procedures for reporting the components of this Plan.
9. The **Applicant must:**
- a) minimise the exposed or cleared areas at the landfill;
 - b) fill the landfill cell in a systematic manner in accordance with the Landfill Plan in Schedule 3 condition 8, that maximises compaction rates;
 - c) cover all exposed landfilled waste with at least 150mm of VENM (or a suitable alternative) at the end of daily waste disposal and compaction activities or with intermediate cover comprising at least a 300mm thick layer of VENM if the resultant covered surface is to be left exposed for more than 90 days.

Leachate Management System

10. Prior to the commencement of construction of the leachate management system, the **Applicant** must submit a report to the **Planning Secretary** for approval that is prepared in consultation with **EPA** and Sydney Water, providing design details of the proposed leachate collection, conveyance, extraction, storage, treatment and disposal systems for all aspects of the proposal's operations (landfill and materials processing centre / resource recovery facility), including but not limited to:
- a) a construction quality assurance (CQA) plan for the collection, conveyance and storage measures of leachate including details of the leachate barrier system proposed for any surface areas used for the direct impoundment of leachate;
 - b) details of the proposed leachate pre-treatment system, including its capacity;
 - c) a program for the installation and commissioning of the systems; and
 - d) details of the **Applicant's** proposed trade waste agreement with Sydney Water Corporation.
11. No waste may be received until the **Applicant** has constructed the proposed leachate collection system and the leachate treatment plant and has secured a trade waste agreement with Sydney Water Corporation for the disposal of treated leachate.

Windrow Management

12. The **Applicant must** manage windrow composting operations in accordance with:
- a) AS 4454-2003: Composts, Soil Conditioners and Mulches, Appendix N;
 - b) Best practice guidelines for Composting Systems;
 - c) the most protective level of measures set out in the Environmental Guidelines for Composting & Related Organics Processing Facilities; or
 - d) other practices approved by the EPA.

Litter Control

13. The **Applicant must:**
- a) Implement suitable measures to prevent the unnecessary proliferation of litter both on and off site; and
 - b) Inspect and clear the site and surrounding area, of litter on a daily basis.

Pest, Vermin, Feral Animal & Noxious Weed Management

14. The **Applicant must:**
- a) Implement suitable measures to manage pests, vermin, feral animals and declared noxious weeds on site and identify those measures in the Environmental Management Strategy for the Project (See Schedule 5 condition 1)
 - b) Inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin, feral animals 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; and
 - c) Perform ongoing monitoring of weed infestation on and adjoining the site.

Security, Hazards & Risks

15. The **Applicant must:**
- a) prevent unauthorised entry to the site; and
 - b) install and maintain a perimeter stock fence and lockable security gates on site.
16. The **Applicant must:**
- a) Prepare an **Emergency & Fire Response Plan** for the site to the satisfaction of NSW Fire Brigade, which should include but not be limited to mitigation measures, and include the number of days material can be stored on site, prior to construction commencing and the plan being implemented;
 - b) implement suitable measures to minimise the risk of fire on site;

- c) extinguish any fires on site promptly;
 - d) maintain adequate fire-fighting capacity on site: and
 - e) detail emergency evacuation procedures
- 16a The Applicant must prepare detailed design plans for the conveyor/chute system. These plans must:
- a) be prepared by a suitably qualified engineer in consultation with the EPA;
 - b) be submitted to the Planning Secretary for approval prior to the commencement of construction;
 - c) include the dimensions and gradients of the conveyor and chute;
 - d) include a fully enclosed conveyor/chute system;
 - e) include a waste drop height of no more than 3 metres between the end of the sock and the base of the quarry;
 - f) incorporate fine mist sprays at the discharge end of the chute to minimise dust; and
 - g) incorporate maintenance access points.
- 16b The Applicant must prepare a Conveyor and Chute System Maintenance and Management Plan. The Plan must:
- a) be submitted to the Planning Secretary for approval prior to the commencement of operation;
 - b) include a maintenance schedule;
 - c) detail contingency measures in the event that the system breaks down, or is not coping with the intended quantities of waste; and
 - d) detail contingency measures to remove asbestos waste from the system should it be detected.
- 16c. Prior to the commencement of operation of the RDF production infrastructure in MPC1 approved under 06_0139-Mod-15 to this consent, the Applicant must review and update, as necessary, the Emergency & Fire Response Plan required under Condition 16 of this consent to ensure it has been prepared in accordance with the requirements of the Department's *Hazardous Industry Planning Advisory Paper No.1, 'Emergency Planning'*.

Emergency Services Information Package

- 16d. From the commencement of construction of the works approved under 06_0139-Mod-15 to this consent, and for the life of the development, an Emergency Services Information Package, developed in accordance with the FRNSW *Fire Safety Guideline – Emergency Services Information Package and Tactical Fire Plans*, must be stored in an emergency information cabinet directly adjacent to the main entry point to the site.

SOIL, WATER AND LEACHATE MANAGEMENT

Discharge Limits

- 17. Except as may be expressly provided in an EPL for the project, the Applicant must comply with Section 120 of the POEO Act.
- 18. Except as may be expressly provided in an EPL for the project, the Applicant must discharge wastewater, including treated wastewater, to sewer, in accordance with a Trade Waste Agreement with Sydney Water.
- 19. The Applicant must design and construct the sewer to the satisfaction of the Planning Secretary, to a sufficient size and depth, so as to not preclude the orderly development of Lots 9 and 11 in DP 241859, or the construction of the Precinct Plan Road that will eventually traverse Lot 10 DP 241859.

Bunding

- 20. The Applicant must store all chemicals, fuels and oils used on site in appropriately banded areas, with impervious flooring and sufficient capacity to contain 110% of the largest container stored within the bund. These bunds must be designed and installed in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling Liquids: Environmental Protection* manual.

Soil, Water and Leachate Management Plan

- 21. The Applicant must prepare and implement a **Soil, Water and Leachate Management Plan** for the site to the satisfaction of the Planning Secretary. This plan must:
 - a) be submitted to the Planning Secretary for approval prior to construction;
 - b) be prepared by a suitably qualified and experienced expert;
 - c) be prepared in consultation with the EPA and Council; and
 - d) include:
 - a site water balance;
 - an erosion and sediment control plan;

- a stormwater management scheme;
 - a surface water, groundwater and leachate monitoring program; and
 - a surface water, groundwater and leachate response plan.
22. The site water balance must:
- a) include details of all water extracted, transferred, used and/or discharged by the development;
 - b) identify the source of all water collected or stored on the site, including rainfall, stormwater and groundwater;
 - c) describe the measures that would be implemented to minimise water use on site.
23. The erosion and sediment control plan must:
- a) be consistent with the requirements in the latest version of *Managing Urban Stormwater: Soils and Construction* (Landcom);
 - b) identify the activities on site that could cause soil erosion and generate sediment; and
 - c) describe what measures would be implemented to:
 - minimise soil erosion and the transport of sediment to downstream waters, including the location, function and capacity of any erosion and sediment control structures; and
 - maintain these structures over time.
24. The stormwater management scheme must:
- a) be consistent with the guidance in the latest version of *Managing Urban Stormwater: Council Handbook* (DEC); and
 - b) include the detailed plans for the proposed surface water management system.
- 25.
- a) A site stormwater management system must be provided for the Total Operational Area prior to the final landform being established or filled to the lowest point of the rim of the quarry void area, whichever occurs sooner. The system must be designed to attenuate post development flows to a maximum of the predevelopment flows over the range of storms from the critical 2 year ARI event up to and including the critical 100 year ARI event under all stages of development including final landform for each of the four catchments shown in the Precinct Plan (Quarry, Quarry North, Upper Angus Creek and Ropes Creek Tributary catchments). The site stormwater management system must also comply with the stormwater quality management and Water Sensitive Urban Design (WSUD) criteria in the Precinct Plan.
 - b) For the purpose of calculating predevelopment flows, the predevelopment (rural) discharge rates are calculated from the catchment delineation shown in the Precinct Plan. The predevelopment catchment area for the Total Operational Area are summarised in Table 1 below.
 - c) The predevelopment catchment flows for the Total Operational Area are calculated to be consistent with Council's proposed Precinct Plan stormwater infrastructure calculations. The predevelopment catchment flows are to be determined using the predevelopment catchment parameters listed in Table 1 below for use in the XP-RAFTS hydrologic software, Council will provide the predevelopment discharges for the Total Operational Area.
 - d) The design rainfall data used in the hydrologic calculations must be in accordance with Council's current Engineering Guide for Development.
 - e) The catchment parameters utilised in the design must be in accordance with the Council's current Engineering Guide for Development and represents the actual developed catchment conditions including size, slope, impervious and pervious areas, time of concentration (if appropriate) and flow travel times.
 - f) The design of the site stormwater management system must be consistent with the proposed Precinct Plan road system and downstream stormwater systems. Details of how the system will connect to and discharge into the downstream systems are to be provided with the detailed design of the system.
 - g) The design of the site stormwater management system must incorporate a contingency to meet a sensitive analysis of the system in relation to climate change in accordance with best practice at the time the design in prepared.
 - h) The design calculations, detailed design plans and inspection, operation, monitoring and maintenance plan for the site stormwater management system must be prepared in consultation with OEH and Council and submitted to the Planning Secretary for approval prior to implementation and must include any staging requirements/ assumptions. Detailed design plans must comply with Council's Engineering Guide for Development Engineering Drawings requirements and must be provided to the Planning Secretary within 3 years of the Project Approval (ie. by 2 November 2012) or when a development proposal is lodged for the subject land, whichever is the sooner.
 - i) Inspection, monitoring and maintenance reports are to be provided to Council annually after the system is established and include details of the inspection, monitoring/ testing (as required) and maintenance activities conducted to demonstrate that the system is operating in accordance with the approved design performance standard.
 - j) Note: Should minor adjustments to the Total Operational Area be approved in future (typically less than 10% of the overall Operational Area), then the permissible predevelopment discharges must be recalculated in accordance with the parameters listed in Table 1 and an amended site stormwater

management system design prepared, submitted to, approved by the Planning Secretary and implemented in conjunction with the adjustment.

- k) The approved Total Operational Area site stormwater management system must be constructed, owned, maintained in proper and efficient condition and operated in a proper and efficient manner by the developer at no cost to Council. Suitable restrictions on use satisfactory to and approved by the Planning Secretary, must be created over the title of the Total Operational Area to effect these requirements.

Table 1 Predevelopment Catchment Parameters

	Quarry	Quarry North	Upper Angus Ck	Ropes Creek Tributary
Area (ha)	17.61	11.95	15.60	7.25
Initial Rainfall loss (mm)	25	25	25	25
Continuing Rainfall loss (mm/hr)	2.5	2.5	2.5	2.5
Impervious percentage	5%	5%	5%	5%
Vectored Slopes (%)	5.0	5.0	5.0	3.0
Pern (Manning's 'n')	0.04	0.05	0.04	0.04

- 25a. Within 3 months of the approval of Mod 8, the Applicant must prepare an Interim Stormwater Management Plan for the Materials Processing Centre 2, car park and weighbridges, to the satisfaction of the Planning Secretary. The plan must:
- be prepared in consultation with Council and the EPA;
 - include details and specifications for the detention basins in Catchment G (as shown in Proposed Future Stormwater Management Plan, Drawing No. SKC077, Issue P6, dated 26 October 2015; and letter from Genesis Xero Waste to Blacktown City Council, dated 4 November 2015); and
 - satisfy the requirements of *Council's Engineering Guide for Development (2005)* and *Blacktown Development Control Plan 2015*, or their most recent versions.
- 25b. The Applicant must construct the Materials Processing Centre 2 in accordance with the Interim Stormwater Management Plan approved by the Planning Secretary (as revised and approved by the Planning Secretary from time-to-time) unless otherwise agreed by the Planning Secretary.
- 25c. Prior to the commencement of construction of the Materials Processing Centre 2, the Applicant must provide a temporary washdown facility for construction concrete trucks, which is to be located and constructed to prevent concrete wash from entering the Ropes Creek catchment.
26. Delete
27. The surface water, groundwater, and leachate monitoring program must:
- be generally consistent with the guidance in benchmark techniques 4, 5, 6, 7 and 8 of Appendix A of the EPA's *Environmental Guidelines for Solid Waste Landfills* (1996, or the relevant sections of the latest version of the guideline); and
 - include:
 - baseline data;
 - details of the proposed monitoring network; and
 - the parameters for testing and respective trigger levels for action under the surface water, groundwater and leachate response plan (see below).
28. The surface water, groundwater and leachate response plan must:
- include a protocol for the investigation, notification and mitigation of any exceedances of the respective trigger levels; and
 - describe the array of measures that could be implemented to respond to any surface or groundwater contamination that may be caused by the development.

Spoil Management

- 28a. The Applicant must carry out bulk earthworks approved by Modification Application MP 06_0139 Mod 5 in accordance with the Spoil Management Plan Reference SMP 010915 dated September 2015 prepared by Genesis Xero Waste (subject to any revisions to the Spoil Management Plan that may be approved by the Planning Secretary from time to time).

AIR, ODOUR AND GREENHOUSE GAS

Air Quality Impact Assessment Criteria

29. The [Applicant must](#) ensure that dust generated by the development does not cause additional exceedances of the criteria listed in Tables 1 to 3 at any residence on, or on more than 25 percent of, any privately owned land.

Table 1: Long term impact assessment criteria for particulate matter

Pollutant	Averaging period	Criterion
Total suspended particulate (TSP) matter	Annual	90 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³

Table 2: Short term impact assessment criteria for particulate matter

Pollutant	Averaging period	Criterion
Particulate matter < 10 µm (PM ₁₀)	24 hour	50 µg/m ³

Table 3: Long term impact assessment criteria for deposited dust

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month

Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS/NZS 3580.10.1-2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.

Offensive Odour

30. The [Applicant must](#) not cause or permit the emission of offensive odours from the site, as defined under Section 129 of the POEO Act.
31. If the Independent Environmental Audit (see Condition 7 of Schedule 5) recommends that the green waste area (see plan in Appendix 1) be enclosed to reduce the odour impacts of the project, then the [Applicant must](#) enclose the area to the satisfaction of the [Planning Secretary](#) within the timeframe specified by the [Planning Secretary](#).
- 31a [The Applicant must ensure that each green waste bay has an individual cover and aerobic equipment fitted to reduce odour and the generation of leachate.](#)

Dust

32. The [Applicant must](#) implement all reasonable and feasible measures to minimise the dust generated by the project.
33. The [Applicant must](#) seal all internal haul roads within the operational area of the project (see Operational Area at Appendix 3), with the exception of haul roads within the quarry void itself.
34. Prior to the commencement of operations, the [Applicant must](#) ensure that water sprays or appropriate dust suppression measures identified in the EA are implemented within the site to provide effective dust suppression to all dust generating activities, including but not limited to dust generated by:
- crushing, screening and/or sorting operations;
 - vehicles moving on unpaved surfaces; and
 - the unloading of dry waste material.

Refuse Derived Fuel

- 34a. Fixed water sprays must be implemented to prevent dust emissions from any mobile shredder operated in the timber processing yard for the production of Refuse Derived Fuel.
- 34b. All Refuse Derived Fuel must be stored in three-sided storage bays fitted with a roof structure, as described in the 'Statement of Environmental Effects Modification Proposal Refuse Derived Fuel Supply Eastern Creek Recycling Ecology Park' prepared by Jackson Environment and Planning, dated 18 October 2022, Final (v3 RTS).
- 34c. All baled and wrapped RDF Product 2 stored external to MPC1 must only be stored in the external storage bays identified as 'Baled & Wrapped RDF (Bay 1)' and 'Baled and Wrapped RDF (Bay 2)' on Drawing Number EAS-I-GA-YL-2022-3, Sheet 2/2, dated 3 October 2024, Revision 7, prepared by Bingo Industries included at Appendix 2 of this consent.
- 34d. All loose (unbaled and unwrapped) RDF Product 2 must be stored and loaded for dispatch within MPC1.
- 35. During construction, the Applicant must ensure that:
 - a) all trucks entering or leaving the site with loads have their loads covered; and
 - b) the trucks associated with the project do not track dirt onto the public road network.

Greenhouse Gas Emissions

- 36. The Applicant must implement all reasonable and feasible measures to minimise:
 - a) energy use on site; and
 - b) the scope 1, 2 and 3 greenhouse gas emissions produced on site, to the satisfaction of the Planning Secretary.

Landfill Gas

- 36a. The Applicant must design, install and operate a permanent landfill gas flaring system in accordance with the requirements of the relevant legislation and guidelines, including the POEO (Clean Air) Regulation 2021 and the EPA's Solid Waste Landfill Guidelines (2016).
- 36b. Within three months of commissioning of the permanent landfill gas flaring system, the Applicant must prepare an Evaluation Report to the satisfaction of the Planning Secretary. The Evaluation Report must:
 - a) be prepared by a suitably qualified and experienced person(s);
 - b) be prepared in consultation with the EPA;
 - c) include the following:
 - i. evaluation of the effectiveness of the permanent flares and landfill gas extraction system at minimising surface landfill gas emissions; and
 - ii. quantification of the H₂S emission rates (surface flux) from the landfill surface.

Power Generation System

- 36c. The Applicant must design and operate the Power Generation System in accordance with the requirements of Group 6 plant and equipment in the POEO (Clean Air) Regulation. This must include:
 - a) for the flares in the Power Generation System, a residence time of more than 0.3 seconds and a combustion temperature of more than 760°C; and
 - b) the capability to retrofit air quality emissions controls in the future, if required.
- 36d. Within one month of commissioning of the Power Generation System, the Applicant must undertake post-commissioning air emissions monitoring. The monitoring must:
 - a) be undertaken by a suitably qualified and experienced person(s) to the satisfaction of the EPA;
 - b) be undertaken in accordance with the Approved Methods for the Sampling and Analysis of Air Pollutants in NSW;
 - c) be undertaken under conditions which represent worst-case emissions scenario; and
 - d) include a minimum of three rounds of air emissions monitoring during a period of no longer than three months.
- 36e. Within three months of completion of the final round of emissions monitoring required by Condition 36d., the Applicant must prepare an Air Emissions Verification Report (AEVR) to the satisfaction of the Planning Secretary. The AEVR must:
 - a) be prepared by a suitably qualified and experienced person(s);
 - b) be prepared in consultation with the EPA;

- c) be prepared in accordance with the Approved Methods for the Sampling and Analysis of Air Pollutants in NSW;
- d) include the following:
 - i. evidence to demonstrate monitoring was undertaken under conditions which a represent worst-case emissions scenario;
 - ii. a description of operating conditions during monitoring;
 - iii. a description of monitoring locations for all discharge points in accordance with Australian Standard AS4323.1 Stationary source emissions - Selection of sampling positions;
 - iv. comparison of monitoring results with the assumptions and air quality impact predictions of the Air Quality Impact Assessment for 06_0139 MOD 14; and
 - v. where any limits are exceeded or it is identified that current mitigation measures or management practices are not consistent with best practice, the AEVR must identify additional mitigation measures to prevent and minimise emissions as far as practical.

Air Quality, Odour and Greenhouse Gas Management Plan

- 37. The Applicant must prepare and implement an **Air Quality, Odour and Greenhouse Gas Management Plan** for the project to the satisfaction of the Planning Secretary. This plan must:
 - a) be prepared in consultation with EPA by a suitably qualified, experienced and independent expert whose appointment has been endorsed by the Planning Secretary;
 - b) include an air quality and odour monitoring program, which details:
 - the location, frequency and duration of monitoring which adequately represents of the sensitive receptors;
 - the provision for real-time boundary particulate matter monitoring; and
 - key performance indicators for monitoring, including for the Power Generation System;
 - c) include an air quality and odour mitigation strategy which:
 - details proactive measures to minimise odour and air quality impacts;
 - identifies real-time boundary monitoring trigger levels for remedial action;
 - details the remedial action that will be taken if trigger levels are exceeded;
 - d) include a program for monitoring subsurface gas, surface gas emission, and gas accumulation which:
 - is in general accordance with the guidance in sections 15-18 of Appendix A of the DEC's Environmental Guidelines for Solid Waste Landfills; and
 - includes a protocol for remediating uncontrolled landfill gas emissions;
 - e) describe protocols for record keeping and compliance reporting; and
 - f) describe protocols for the review and revision of the plan to ensure any controls remain effective over time, including following each modification, as required by Conditions 4 and 4a in Schedule 5.
- 37a. Within six months of the approval of 06_0139 MOD 6, and every two years thereafter, the Applicant must prepare a site-wide air quality audit to the satisfaction of the Planning Secretary. The audit must:
 - b) be undertaken by suitably qualified, experienced and independent expert;
 - c) be prepared in consultation with the EPA;
 - d) audit all aspects of the project with the potential to generate air emissions;
 - e) assess the operation against the air quality impact predictions in the AQIA (Ramboll Australia Pty Ltd, dated August 2018);
 - f) review and benchmark on-site mitigation measures, management practices and operations against best practice for air quality management and opportunities for continuous improvement;
 - g) compare any emissions with relevant limits contained in the conditions to this approval;
 - h) where any limits are exceeded or it is identified that current mitigation measures or management practices are not consistent with best practice, the air quality audit must identify additional mitigation measures to prevent and minimise emissions as far as practical. This include consideration of:
 - i. sealing parts of or all site haul roads;
 - ii. installation and/or upgrade of conveyors and associated dust suppression systems;
 - iii. non-road diesel equipment and diesel combustion emission controls;
 - iv. additional reactive management measures including but not limited to temporarily ceasing or altering operations or site practices; and
 - v. the measures detailed within the AQIA (Ramboll Australia Pty Ltd, dated August 2018);
 - i) specify a timeframe for when any mitigation measures identified in sub-clause (g) will be implemented; and
 - j) inform the update to the Air Quality, Odour and Greenhouse Gas Management Plan required under Condition 37 of Schedule 3.

NOISE

Noise Impact Assessment Criteria

- 38. The Applicant must ensure that noise from the project does not exceed the noise limits in Table 4.

Table 4: Noise Limits

Location	Noise Limits dB(A)						
	Day	Evening	Night			Morning Shoulder	
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (period)	L _{A1} (1 minute)	L _{Aeq} (15 minute)	L _{A1} (1 minute)
1-6 Eber Place, Minchinbury	48	47	44	41	53	47	53
2-44 Warbler Street, Erskine Park	42	42	39	N/A	44	39	44

- 38a. Noise generated by the project is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the *NSW Industrial Noise Policy*.
- 38b. Within six months of the approval of 06_0139 MOD 6, the Applicant must prepare a post commissioning noise report to validate the predictions of the acoustic reports submitted to support the modification request, to the satisfaction of the Planning Secretary. The report must:
- be undertaken by a suitably qualified and experienced person(s), consistent with the technical eligibility criteria for membership to the Association of Australian Acoustical Consultants or the Australian Acoustical Society;
 - be prepared in consultation with Blacktown City Council;
 - review on-site noise management measures;
 - compare the noise emissions of the project with the noise limits specified in Condition 38 of Schedule 3 and the EPLs; and
 - include an action plan to mitigate impacts should the report find actual noise impacts exceed the predicted noise impacts and the noise limits set under Condition 38 of Schedule 3 and the EPLs.
- 38c. Within two months after the completion of the post commissioning noise report required under Condition 38b of Schedule 3, the Applicant must submit to the satisfaction of the Planning Secretary verification that any actions identified in the post commissioning report have been implemented.

Hours of Operation

39. The Applicant must comply with the hours in Table 5.

Table 5: Hours of Work

Activity	Day	Time
Construction	Monday – Friday	7:00am to 6:00pm
	Saturday	8:00am to 4:00pm
	Sunday and Public Holidays	Nil
MPC and PSE – Operation, waste receipt, chute use and maintenance	Monday – Friday	24 hours
	Saturday	24 hours
	Sunday and Public Holidays	24 hours
SMA – Crushing and screening	Monday – Friday	6:00am to 6:00pm
	Saturday	8:00am to 4:00pm
	Sunday and Public Holidays	8:00am to 4:00pm
SMA – Receipt of segregated materials	Monday – Friday	24 hours
	Saturday	8:00am to 4:00pm
	Sunday and Public Holidays	8:00am to 4:00pm
Landfill – Truck deliveries	Monday – Friday	5:00am to 9:00pm
	Saturday	5:00am to 9:00pm
	Sunday and Public Holidays	5:00am to 9:00pm
Power Generation System and Landfill Gas Flares	Monday – Friday	24 hours
	Saturday	24 hours
	Sunday and Public Holidays	24 hours

39a. Deleted

39b. Deleted

39c. Deleted

39d. Prior to the commencement of earthworks for the Materials Processing Centre 2, the Applicant must install a temporary, non-earthen noise barrier on top of the quarry spoil pile which is sufficient in height to shield engine, excavation and truck loading noise associated with excavating the spoil pile. The barrier must remain in place until the spoil pile provides sufficient noise shielding to the west and it must be removed prior to the issue of an Occupation Certificate for the Materials Processing Centre 2. The barrier must not be comprised of shipping containers.

39e. The Applicant must ensure the roller doors of the Materials Processing Centre 2 remain closed during the hours of 10pm and 5am while not in use.

39f. The Applicant must ensure the roof, doors and walls of the Materials Processing Centre 2 has an acoustic performance of at least Rw 21 and any ventilation system installed does not compromise the performance of the enclosure.

Monitoring

40. The Applicant must prepare and implement a Noise Monitoring Program for the development, in consultation with EPA, and to the satisfaction of the Planning Secretary. This program must be submitted to the Planning Secretary for approval prior to commencement of operations, and include a noise monitoring protocol for evaluating compliance with the noise impact assessment criteria in this approval.

METROLOGICAL MONITORING

41. For the life of the Project, the Applicant must ensure that there is a suitable meteorological station in the vicinity of the site that complies with the requirements in the latest version of *Approved Methods for Sampling of Air Pollutants in New South Wales* guideline.

TRAFFIC, TRANSPORT & ACCESS

Access

42. Access to the Project from Archbold Road is not permitted.
43. Access to the Project **must** be via Old Wallgrove Road or Wonderland Drive, via the public Precinct Plan Road network, wherever a public road is available.
44. To facilitate both the construction of the sewer that will service the Project and the Precinct Plan Road that will eventually traverse Lot 10 DP241859, the **Applicant must** grant access in favour of the owners of Lots 9 and 11 in DP241859, across Lot 10 DP 241859.

Precinct Plan Roads

45. Within five years from the date of this approval or when an adjoining land owner is building a precinct road to a common boundary (whichever is sooner), the **Applicant must** design and construct, to the satisfaction of Council, those parts of the Precinct Plan Road network that ultimately fall within the operational area of the facility (See Appendix 3). These precinct roads **must** be dedicated to council, at no charge, to form part of the public road network.
46. When a Precinct Plan road is constructed, the **Applicant must** design and construct any new vehicular connections to the Precinct Plan Road, to the satisfaction of Council.

Internal Roads and Parking

47. The **Applicant must**:
 - a) ensure that all internal site paved, trafficable or parking areas on site complies with *AS2890.1 and/or AS2890.2* or their latest versions; and
 - b) construct at least 50 parking spaces for employees and visitors with at least 2% of those spaces provided for disabled drivers, clearly marked and signposted.

47a. Deleted

48. The **Applicant must** ensure that vehicles associated with the project do not park or queue on the public road network at any time.

Local and Regional Road Network Contributions

49.
 - a) By 22 November 2014, the Applicant must contribute toward the acquisition, design and construction of the Precinct Plan Road know as 'Quarry Link Road' between Old Wallgrove Road ad Wonderland Drive and Bridge B1 forming part of the Quarry Link Road.
 - b) The contribution must be the amount set out in the Table below or as approved by the Planning Secretary under paragraph c), whichever is the lesser.

Contribution	
R1 Quarry Link Road	\$560,213.00
B1 Bridge	\$413,412.00

- c) The final contribution payable by the Applicant under this Condition 49 must be subject to approval of the Planning Secretary. The Planning Secretary's consideration of an appropriate level of contribution must be on the basis of a costs base date of March 2010 and considers:
 - i) the level of contribution made by all other landowners within the Eastern Creek Precinct Plan:
 - ii) the level of contribution against the Land Acquisition (Just Terms Compensation) Act 1991:
 - iii) a independent verification from a quantity surveyor on the cost of the works, whose appointment has been approved by the Planning Secretary:
 - iv) the level of contribution against the Total Operational Area of the project (See Appendix 3):
 - v) any submissions made by the Applicant or Council in relation to the contribution.
- d) The contribution is to be indexed in accordance with the following formula:

$$= \frac{\$C_c \times \text{CPI (at time of payment)}}{(\text{March 2010})}$$

Where:

\$C is the contribution expressed in dollars

CPI of the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.

50. The Applicant must enter into a Planning Agreement in accordance with the terms of its offer dated 25 November 2011 within 1 month after public notification has been given in accordance with section 93G.

Transport Code of Conduct

51. The Applicant must prepare and implement a Transport Code of Conduct for the development to the satisfaction of the Planning Secretary. This protocol must:
- a) be submitted to the Planning Secretary for approval prior to the commencement of operations;
 - b) be prepared in consultation with the RTA and Blacktown Council; and
 - c) describe the measures that would be implemented to:
 - minimise the impacts of the development on the local and regional road network, including traffic noise.

VISUAL AMENITY

Lighting

52. The Applicant must ensure that the lighting associated with the project:
- 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.

Amenity Berms

53. The Applicant must prepare design details for the visual screens, impervious barriers and amenity berms being implemented for the facility, having regard to adjoining landowners. This design detail must be submitted to the Planning Secretary for approval prior to the commencement of construction or regrading of the amenity berms, visual screens or impervious barriers.
54. Prior to the commencement of operations, the Applicant must:
- a) construct and maintain, for the duration of the operations, amenity berms, impervious barriers and visual screens around the perimeter of the operational area (as detailed in the EA, the sit plan at Appendix 1 and Schedule 3, Condition 53 above);
 - b) retain the existing amenity berm to the north east of the quarry void at the perimeter;
 - c) vegetate the berms in accordance with the Landscape and Vegetation Management Plan at Schedule 3, condition 59;
 - d) maintain the height of the amenity berms at no less than 10 metres; and
 - e) conduct all earth works required to reshape the amenity berms on site, without impacting on adjoining landowners.
55. No stockpile on site should exceed the height of the berms, impervious barriers or visual screens.

Signage and Fencing

56. The Applicant must not install any signage or fencing on site without the written approval of the Planning Secretary. In seeking this approval the Applicant must:
- a) submit detailed plans of the proposed signage or fencing, which have been prepared in consultation with Council; and
 - b) demonstrate that the proposed signage or fencing is consistent with the relevant requirements from Council.

FLORA AND FAUNA MANAGEMENT

57. The Applicant must not disturb those areas identified as Conservation Areas in the Precinct Plan and identified and mapped in the EA.
58. The Applicant must comply with Clean up notices issued by the Environment Protection Authority to the Applicant in relation to creek rehabilitation and reinstatement work within Lot 2 DP 262213.

Landscape and Vegetation Management Plan

59. The Applicant must prepare and implement a **Landscape and Vegetation Management Plan** for the project to the satisfaction of the Planning Secretary. This plan must:

- a) be prepared in consultation with **NOW** and Council and be submitted to the **Planning Secretary** for approval within 3 months of this approval;
- b) be prepared in accordance with **NOW's Guidelines for Controlled Activities – Vegetation Management Plans**; and
- c) include:
 - a Landscape Plan for the project, which identifies screen plantings to minimise visual impacts, particularly on the amenity berms;
 - detailed plans and procedures to:
 - restore and maintain the waterways and riparian zones of the Ropes Creek Tributary on the site;
 - manage weeds in the vicinity of the riparian zones;
 - integrate works into the proposed landscaping for the rest of the site;
 - manage impacts on fauna; and
 - monitor the performance of the proposed restoration works.
- d) Provide details on how those areas identified as Conservation Areas in the Precinct Plan **must** be actively managed for conservation purposes including;
- k) improving the quality of the vegetation in these areas
- l) measure to control pests vermin, and noxious weeds; and
- m) measures to control access.

HERITAGE

- 60. The **Applicant must** not disturb those areas identified as High Sensitivity in McDonald 2005.
- 61. The **Applicant must** prepare and implement an **Aboriginal Heritage Management Plan**, in consultation with the **OEH**, and to the satisfaction of the **Planning Secretary**. The Plan must:
 - a) be submitted to the **Planning Secretary** for approval prior to the commencement of construction;
 - b) be prepared by a suitably qualified archaeologist;
 - c) be consistent with the management principles defined in McDonald 2005;
 - d) include a strategy for the salvage and long term management of salvaged objects;
 - e) include procedures for topsoil stripping and sub-surface excavation works in areas of moderate sensitivity and supervision by a qualified archaeologist;
 - f) identify procedures to be followed should previously unidentified objects be uncovered or additional impacts to sites be identified;
 - g) measures to protect Aboriginal heritage values of those areas marked high sensitivity in McDonald 2005; and
 - h) include a procedure for continued consultation with Aboriginal stakeholders.

SCHEDULE 4 REHABILITATION AND CLOSURE

Final Landform

1. The final landform for the landfill **must** generally be in accordance with the plan at Appendix 4. All earth works required to reach this final landform **must** be conducted on site, without impacting on adjoining landowners.

Rehabilitation / Closure Plan

2. Upon cessation of landfilling, the **Applicant must** decommission the landfill and rehabilitate the site. The **Applicant must** prepare and implement a **Rehabilitation and Closure Plan**. This plan must:
 - a) Be prepared in consultation with **EPA**, and Council
 - b) Be prepared by a suitably qualified and experienced expert;
 - c) Be submitted to the **Planning Secretary** for approval within 3 years of commencement of operations;
 - d) Define the objectives and criteria for rehabilitation and closure;
 - e) Investigate options for the future use of the site;
 - f) Describe the measures that would be implemented to achieve the specified objectives and criteria for the rehabilitation and closure;
 - g) Calculate the cost of implementing these measures; and
 - h) Describe how the performance of these measures would be monitored over time.

**SCHEDULE 5
ENVIRONMENTAL MANAGEMENT, REPORTING & AUDITING**

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1. The **Applicant must** prepare and implement an Environmental Management Strategy for the project to the satisfaction of the **Planning Secretary**. The Strategy must:
 - a) be submitted to the **Planning Secretary** for approval prior to the commencement of construction;
 - b) provide the strategic framework for environmental management of the project;
 - c) identify the statutory approvals that apply to the project;
 - d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;
 - e) describe the procedures that would be implemented to:
 - keep the local community and relevant agencies informed about the operation and environmental performance of the project;
 - receive, handle, respond to, and record complaints;
 - resolve any disputes that may arise during the course of the project;
 - respond to any non-compliance; and
 - respond to emergencies;
 - f) include:
 - copies of the various strategies, plans and programs that are required under the conditions of this approval once they have been approved; and
 - a clear plan depicting all the monitoring currently being carried out within the project area.

Management Plan Requirements

2. The **Applicant must** ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:
 - a) detailed baseline data;
 - b) a description of:
 - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - any relevant limits or performance measures/criteria;
 - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;
 - c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
 - d) a program to monitor and report on the:
 - impacts and environmental performance of the project;
 - 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 project over time;
 - g) a protocol for managing and reporting any:
 - incidents;
 - complaints;
 - non-compliances with statutory requirements; and
 - exceedances of the impact assessment criteria and/or performance criteria; and
 - h) a protocol for periodic review of the plan.

Construction Environmental Management Plan

- 2a. The Applicant must prepare a Construction Environmental Management Plan (CEMP) for any works approved under a modification to this consent, in accordance with the requirements of Condition 2 of Schedule 5 of this consent, and to the satisfaction of the Planning Secretary.
- 2b. As part of the CEMP required under Condition 2a of this consent, the Applicant must include the following as relevant to any modification approved under this consent:
 - a) Construction traffic management plan;
 - b) Erosion and sediment control plan;
 - c) Construction noise and vibration management plan;
 - d) Construction and demolition waste management plan; and
 - e) Community consultation and complaints handling.

- 2c. The Applicant must:
- a) not commence construction of the works approved under any modification to this consent until the CEMP is approved by the Planning Secretary; and
 - b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary from time to time.

Annual Review

3. By the end of December 2010, and annually thereafter, the Applicant must review the environmental performance of the project to the satisfaction of the Planning Secretary. This review must:
- a) describe the works that were carried out in the past year, and the works 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 past year, which includes a comparison of these results against the
 - the relevant statutory requirements, limits or performance measures/criteria;
 - the monitoring results of previous years; and
 - 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 measure will be implemented over the next year to improve the environmental performance of the project.

Revision of Strategies, Plans & Programs

4. Within three months of:
- a) the submission of an annual audit under Condition 3 of Schedule 5;
 - b) the submission of an incident report under Condition 5 of Schedule 5;
 - c) the submission of an Independent Environmental Audit under Condition 7 of Schedule 5;
 - d) the approval of any modification of the conditions of this approval;
 - e) the issue of a direction of the Planning Secretary under Condition 4 of Schedule 2; or
 - f) the completion of the site-wide air quality audit under Condition 37a of Schedule 3;
- the strategies, plans and programs required under this approval must be reviewed, and the Department must be notified in writing that a review is being carried out.
- 4a. If necessary to either improve the environmental performance of the project, cater for a modification or comply with a direction, the strategies, plans and programs required under this approval must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

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

REPORTING

Incident

5. The Applicant must notify the Planning Secretary and any other relevant agencies of any incident associated with the project as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant must provide the Planning Secretary and any relevant agencies with a detailed report on the incident.

Regular

6. The Applicant 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, and to the satisfaction of the Planning Secretary.

INDEPENDENT ENVIRONMENTAL AUDIT

7. Within 6 months of the commencement of operation, and every 2 years thereafter, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:
- a) be conducted by suitably qualified, experienced and independent team of experts (including an odour expert), whose appointment has been endorsed by the Planning Secretary;

- b) include consultation with the relevant agencies;
- c) include a full odour audit of the project, taking into consideration the relevant technical guidelines and any odour complaints made since the previous audit;
- d) assess the environmental performance of the project and assess whether it is complying with the relevant requirements in this approval and any relevant EPL (including any assessment, plan or program required under these approvals);
- e) review the adequacy of strategies, plans or programs required under these approvals; and, if appropriate; and
- f) recommend measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under these approvals.

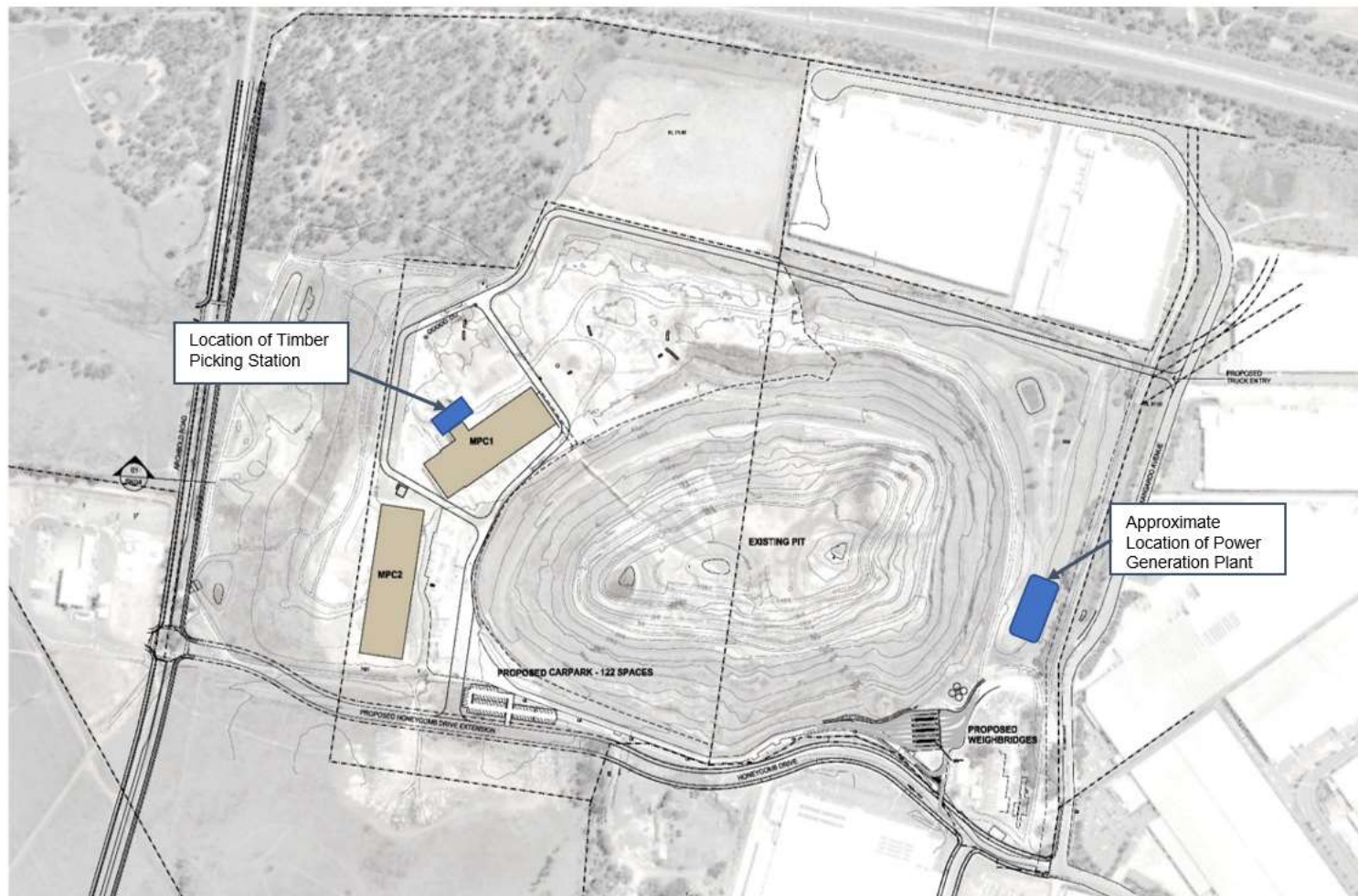
Note: This audit team must be led by a suitably qualified auditor and include experts in any fields specified by the [Planning Secretary](#).

8. Within 6 weeks of the completing of this audit, or as otherwise agreed by the [Planning Secretary](#), the [Applicant must](#) submit a copy of the audit report to the [Planning Secretary](#), together with its response to any recommendations contained in the audit report.

ACCESS TO INFORMATION

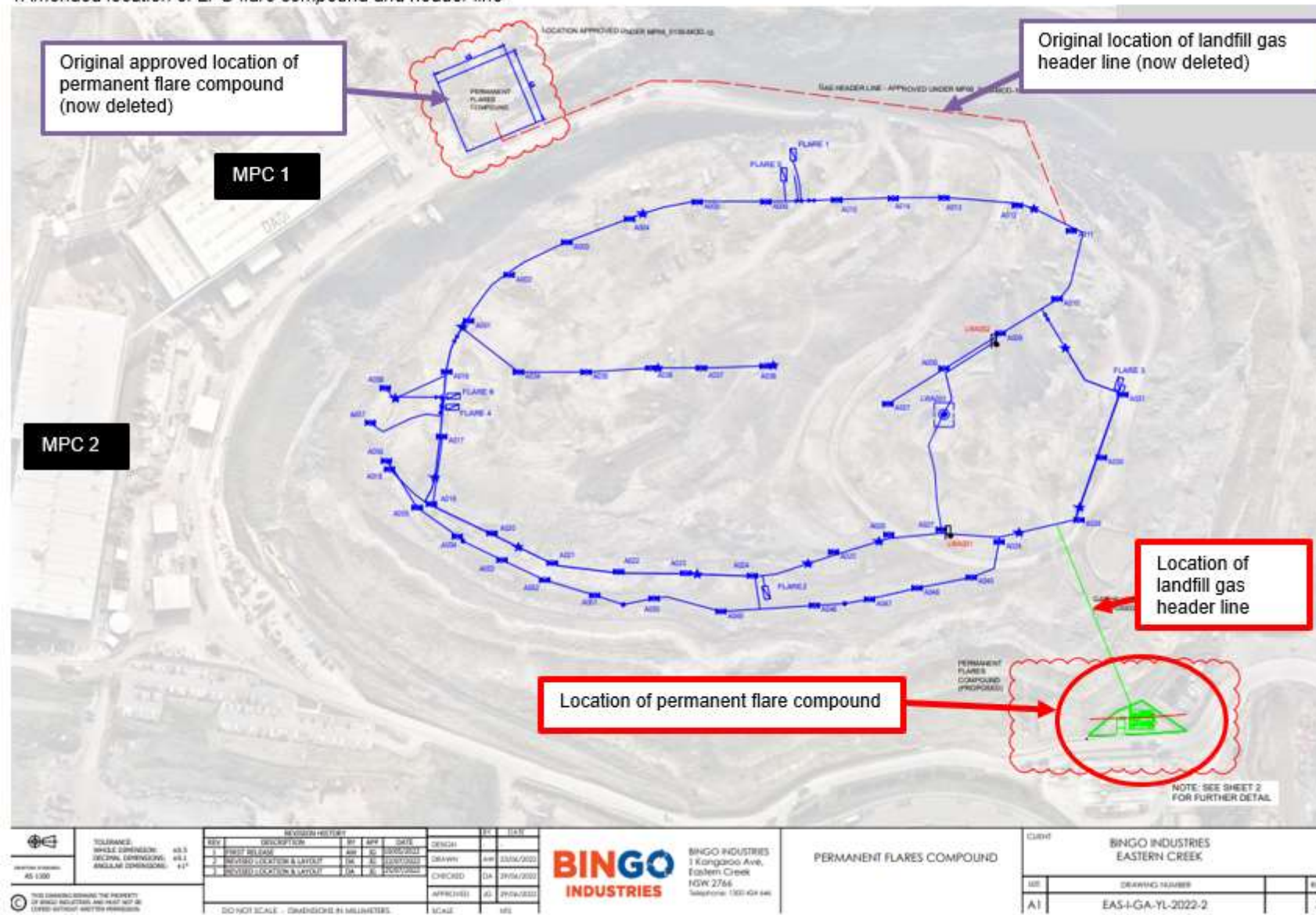
9. From the end of 2009, the [Applicant must](#) make the following information publicly available on its website:
- a) a copy of all current statutory approvals;
 - b) a copy of the current environmental management strategy and associated plans and programs;
 - c) a summary of the monitoring results of the project, which have been reported in accordance with the various plans and programs approved under the conditions of this approval;
 - d) a complaints register, which is to be updated on a monthly basis;
 - e) a copy of any Annual Reviews (over the last 5 years);
 - f) a copy of any Independent Environmental Audit, and the [Applicant's](#) response to the recommendations in any audit; and
 - g) any other matter required by the [Planning Secretary](#).

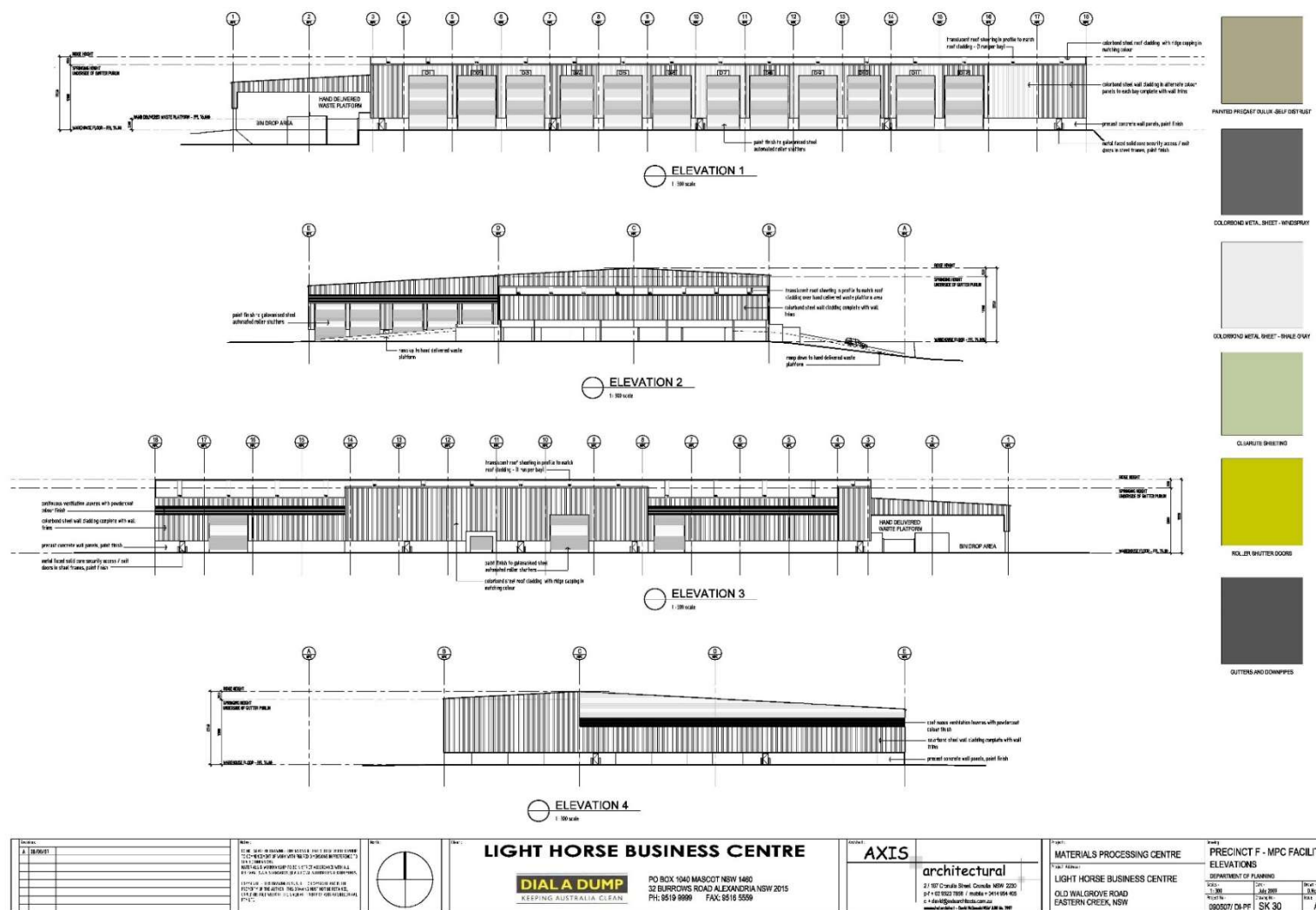
APPENDIX 1
SITE PLAN & BUILDING ELEVATIONS



Site Plan

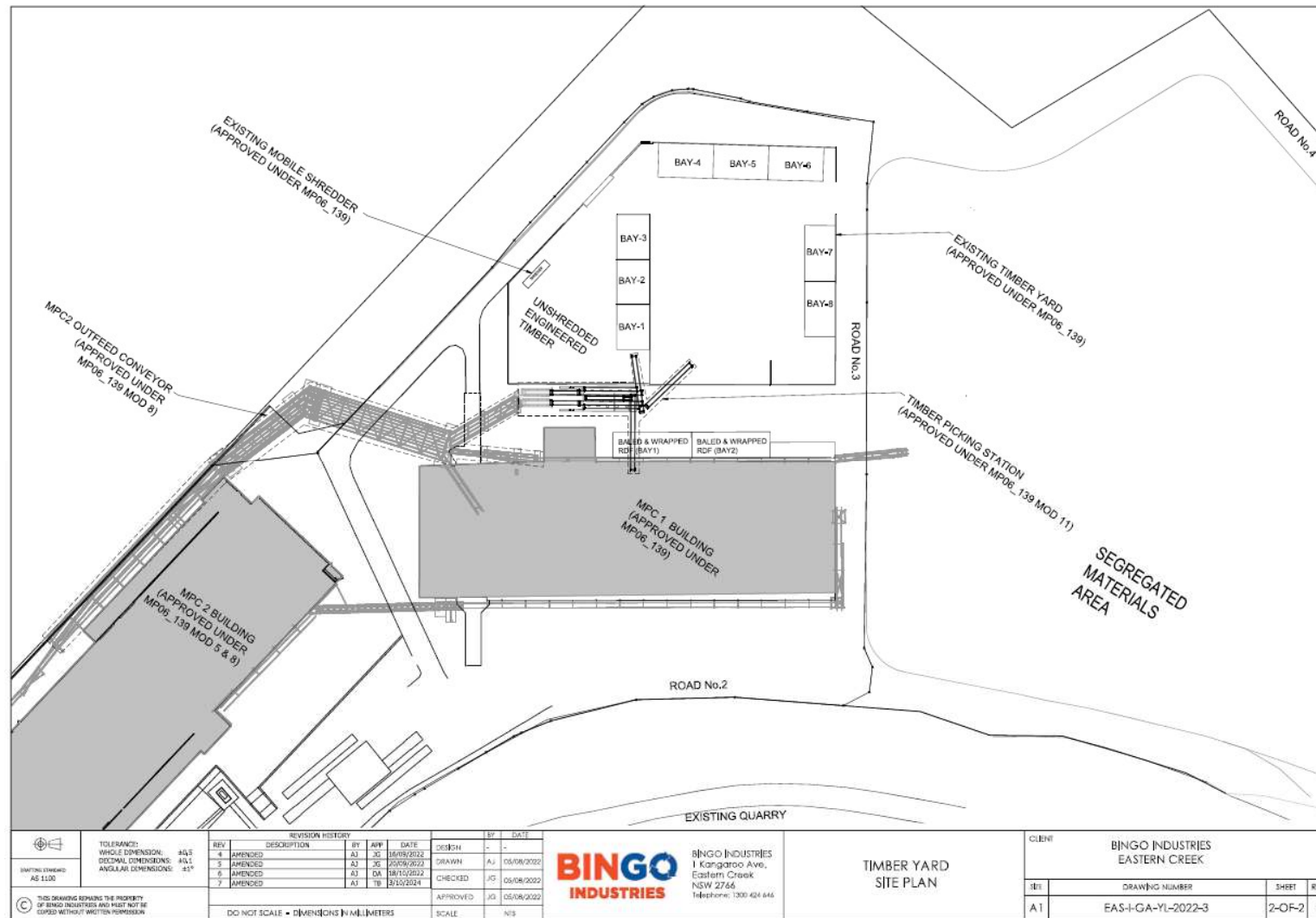
1Amended location of LFG flare compound and header line



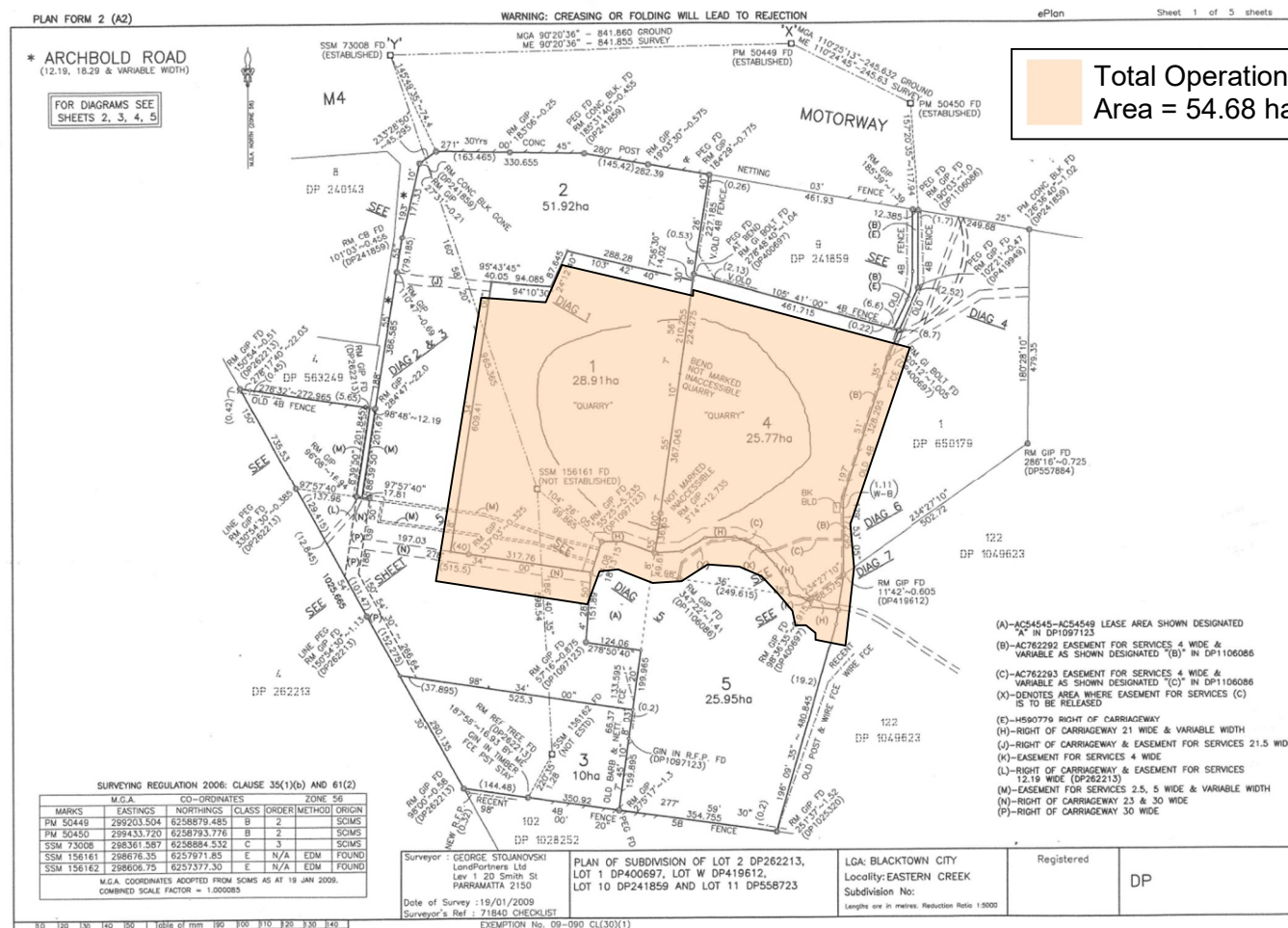


Materials Processing Centre 1 – Elevations

APPENDIX 2
TIMBER YARD LAYOUT



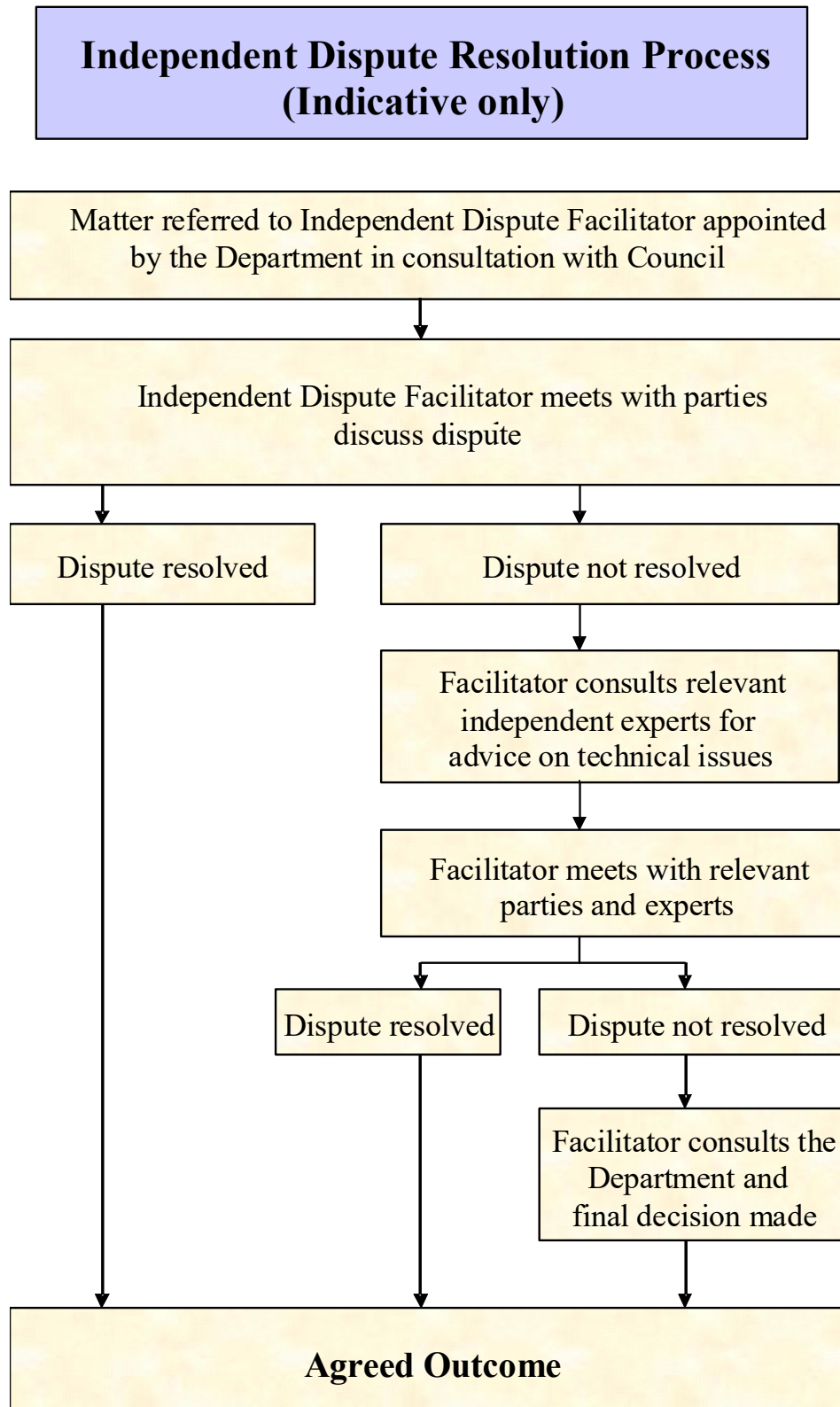
Timber Yard Site Plan (approved under 06_0139-Mod-15)



Final Landform

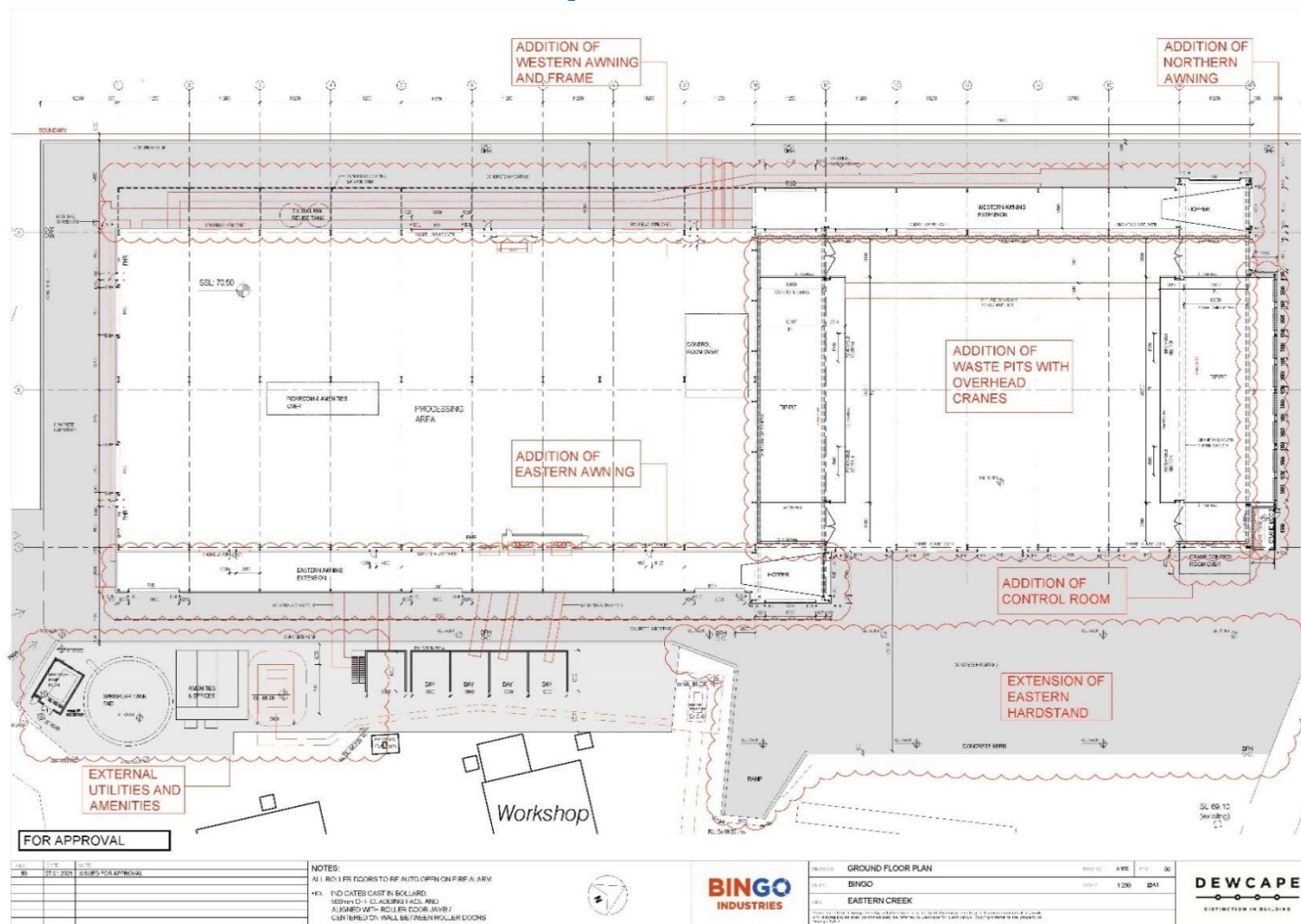


APPENDIX 5
Independent Dispute Resolution Process



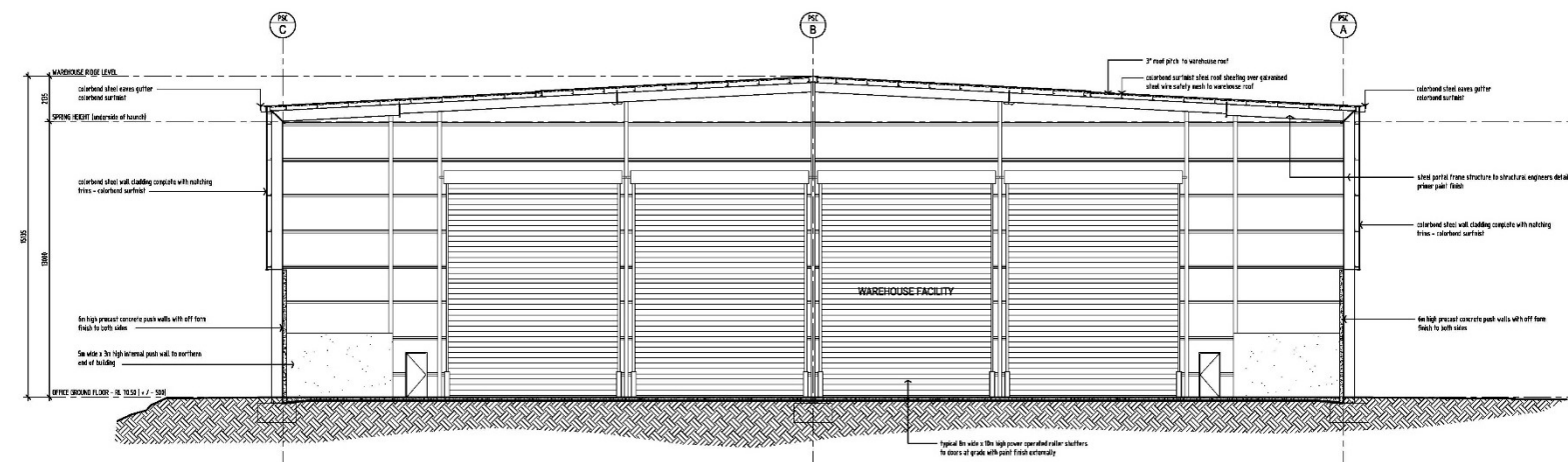
APPENDIX 6

Materials Processing Centre 2 and Future Stormwater Plan



Materials Processing Centre 2 – Ground Floor Plan





 TYPICAL CROSS SECTION
1:100 scale



Issue:	Date:	Accession:
A	31/03/96	Issued for authority approval

10



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PRE SORT CENTRE BUILDING
HONEYCOMB DRIVE, EASTERN CREEK, NSW

GENESIS XERO WASTE

TYPICAL CROSS SECTION

Drawn: AA	Project No:	Drawing No:	Issued:
Date: October 2004	141002	DA - A 401	A
Scale: 1:100 @ A3			

Materials Processing Centre 2 – Typical Cross Section

PRE SORT CENTRE PROPOSED CIVIL WORKS FOR S75W APPROVAL

DRAWING LIST

DRAWING
GENERAL

GENERAL
DAC001 COVER SHEET AND LOCALITY PLAN
DAC002 NOTES AND LEGENDS

BULK EARTHWORKS

DAC003 BULK EARTHWORKS CUT AND FILL PLAN

TYPICAL SECTIONS

DAC004 TYPICAL SECTIONS SHEET 1
DAC005 TYPICAL SECTIONS SHEET 2

SITWORKS AND STORMWATER DRAINAGE PLAN

DAC010 GENERAL ARRANGEMENT PLAN
DAC011 SITEMWORKS AND STORMWATER DRAINAGE PLAN SHEET 1
DAC012 SITEMWORKS AND STORMWATER DRAINAGE PLAN SHEET 2
DAC013 SITEMWORKS AND STORMWATER DRAINAGE PLAN SHEET 3

PAVEMENT PLANS

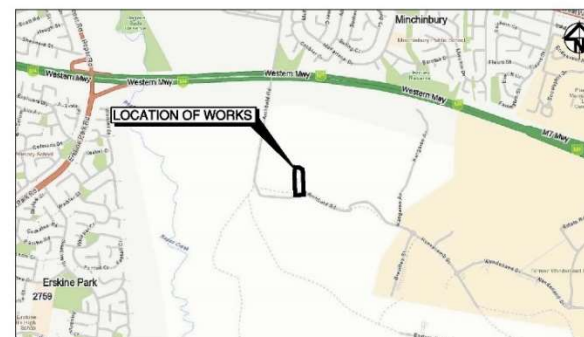
DAC020 PAVEMENT PLAN

EROSION AND SEDIMENTATION CONTROL


DAC021 EROSION AND SEDIMENTATION CONTROL PLAN

SITeworks DETAILS

SITWORKS DETAILS
DAC030 SITWORKS DETAILS
DAC031 DRAINAGE DETAILS



LOCALITY PLAN
N.T.S.

<div>Bar Scales</div>		<div>THIS DRAWING CANNOT BE COPIED OR REPRODUCED IN ANY FORM OR USED FOR ANY OTHER PURPOSE OTHER THAN THAT ORIGINALLY INTENDED WITHOUT THE WRITTEN PERMISSION OF AT&I.</div>	<div>Client</div> <div>DIAL A DUMP</div>	<div>Scales</div> <div>NTS</div>	<div>Drawn</div> <div>EK</div>	<div>Project</div> <div>PRE SORT CENTRE EASTERN CREEK</div> <div><div>Suite 712, 154 Pacific Hwy St Leonards, NSW 1580 ABN 19 132 487 472 Tel: 02 9438 1777 Fax: 02 9430 5413 www.atandi.net.au info@atandi.net.au</div></div>	
<div>B ISSUED FOR APPROVAL 03-03-13</div> <div>A ISSUED FOR APPROVAL 15-12-13</div>				<div>Designed</div> <div>EK</div>	<div>Checked</div> <div>AM</div>		<div>Title</div> <div>COVER SHEET AND LOCALITY PLAN</div>
<div>Drawn</div>	<div>Description</div>			<div>Date</div>	<div>Status</div> <div>FOR APPROVAL</div>		<div>Issue</div> <div>A1</div>
					<div>Drawing No.</div> <div>DAC001</div>		<div>Project No.</div> <div>14-232</div>

[illegible]

