

Our reference : DOC10/6395

Mr Chris Ritchie  
Manager Major Industry  
Department of Planning  
GPO BOX 39  
SYDNEY NSW 2001

Attention: Ms Georgia Ivancevic

**ELECTRONIC MAIL & REGISTERED POST**

11 February 2010

Dear Mr Ritchie

**Recommended Conditions of Approval – Revised Environmental Assessment – Expansion of Waste Management Facility – Enviroking Pty Ltd - 843 John Renshaw Drive, Black Hill**

I refer to an environmental assessment titled "*Environmental Assessment Hunter Valley Liquid Waste prepared for Enviroking Project 5989*" dated December 2009. The assessment is located at 843 John Renshaw Drive, Black Hill NSW ("the Premises"). The assessment is prepared by Don Fox on behalf of Enviroking Pty Ltd ("the Proponent"). The assessment is for a proposed expansion of existing structures, for onsite irrigation of liquid waste and to increase waste processing to a maximum of 20 000 tonnes per annum ("the Proposal").

Please note that, although the Environment Protection Authority ("the EPA") is now a part of the Department of Environment, Climate Change and Water ("the DECCW"), certain statutory functions and powers continue to be exercised in the name of the EPA.

I note Environment Protection Licence No. 11180 is issued to the Proponent by the EPA for the scheduled activity of waste processing non (thermal treatment) of liquid wastes at the Premises ("the Licence").

**Background**

On 2 September 2009 the DECCW received a request from the NSW Department of Planning to review the adequacy of an environmental assessment titled "*Environmental Assessment Hunter Valley Liquid Waste prepared for Enviroking Project 5989*" dated July 2009 for the Proposal ("the draft EA").

On 15 September 2009 the DECCW provided comments to the Department of Planning regarding the draft EA in correspondence dated 15 September 2009, advising that the draft EA was not adequate and required further information to adequately be assessed.

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Department of **Environment and Climate Change** NSW



On 21 December 2009 the DECCW received a revised EA for the Proposal dated 16 December 2009 from the Department of Planning.

### **Adequacy of the EA**

The DECCW has assessed the revised EA and considers it now contains adequate information, and provides its recommended conditions of approval should the Department of Planning decide to give development consent to the Proposal. The recommended conditions are enclosed as Attachment A.

For clarity the DECCW advises its recommended conditions of approval are based solely on the Proposal within the Premises. Should the Proponent wish to seek approval for land application of liquid waste and associated activities outside the Premises, then an environmental assessment of the likely impacts of activities occurring at each of those premises must also be undertaken separately, in accordance with the appropriate planning and environmental legislative requirements.

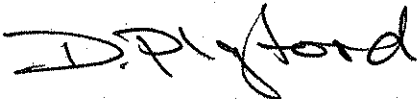
### **Environment Protection Licence**

The DECCW advises that should the Department of Planning decide to grant development consent for the Proposal, a completed and signed licence variation application must be submitted by the Proponent to the EPA prior to the Proposal commencing at the Premises.

The DECCW also advises the Proponent that it may impose a financial assurance in respect of the Premises pursuant to part 9.4 *Protection of the Environment Operations Act 1997*.

For any queries you have regarding the above matter please contact myself on (02) 4908 6890 or Rebecca Small on (02) 4908 6892.

Yours sincerely



**DANIELLE PLAYFORD**  
**Unit Head Waste Operations**  
**Environment Protection and Regulation Division**  
**The Department of Environment, Climate Change and Water**

Enclosed: Attachment A – DECCW's Recommended Conditions of Approval

## ATTACHMENT A

### **Recommended Conditions of Approval for Enviroking Pty Ltd - 843 John Renshaw Drive, Black Hill**

#### **THE PROPOSAL**

I refer to an environmental assessment titled "*Environmental Assessment Hunter Valley Liquid Waste prepared for Enviroking Project 5989*" dated December 2009 at 843 John Renshaw Drive, Black Hill NSW ("the Premises"). The assessment is prepared by Don Fox on behalf of Enviroking Pty Ltd ("the Proponent"). The assessment is for a proposed expansion of existing structures, for onsite irrigation of liquid waste and to increase waste processing to a maximum of 20 000 tonnes per annum ("the Proposal").

I note that Environment Protection Licence No. 11180 is issued to the Proponent for the scheduled activity of waste processing non (thermal treatment) of liquid wastes at the Premises.

For clarity the DECCW advises that it has assessed the draft EA, and provides comments for activities proposed within the Premises only. Should the Proponent wish to seek approval for land application of liquid waste and associated activities outside the Premises, then an environmental assessment of the likely impacts of activities occurring at each of those premises must also be undertaken, in accordance with the appropriate state or local government planning and environmental legislative requirements.

#### **DECCW RECOMMENDED CONDITIONS OF APPROVAL**

##### **Waste Outputs**

1. The Proponent must not cause, permit or allow any waste generated outside the Premises to be received at the Premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the Premises to be disposed of at the Premises, except as expressly permitted under the *Protection of the Environment Operations Act 1997* and Environment Protection Licence.
2. Except as provided by a condition of an Environment Protection Licence issued by the EPA, the only wastes that may be received at the Premises is up to 20 000 tonnes per year in total of liquid grease trap waste and liquid food waste classified as liquid waste in accordance with Schedule 1 of the *Protection of the Environment (Operations) Act 1997*.

##### **Water Management**

3. Except as otherwise expressly provided in any Environment Protection licence condition, the Proponent must comply with section 120 of the *Protection of the Environment Operations Act 1997*.

Note: Section 120 of the *Protection of the Environment Operations Act 1997* prohibits the pollution of waters.

4. Stormwater from all areas of the Premises which has the potential to mobilise sediments and other material, must be controlled and diverted through appropriate erosion and sediment control/pollution control measures or structures.

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## **Waste Handling**

5. The Proponent must ensure the surfaces of all areas used to receive, store, treat and process waste are comprised of hardstand surfaces.
6. All containers used to store, treat or processed waste must be;
  - a) Contained within an impervious bunded area that contains 110 percent of the largest container contained within the bund; and
  - b) Maintained in a manner which prevents rainwater ingress and precipitation entering into any container.

## **Storage & Handling – Chemicals, Fuels and Oils**

7. The Proponent shall store all chemicals, fuels and oils used at the Premises in an appropriately designed impervious bunded area that contains 110 percent volume capacity of the largest container contained within the bund.

## **Noise & Hours of Operation**

8. Hours of operation should be limited to between the hours of 7:00am to 5:00pm Monday to Friday, and 7:00am to 12:00pm on Saturdays.
9. Noise from the Premises must comply with the relevant criteria of the DECCW's *NSW Industrial Noise Policy, 2000*.

## **Air Quality**

10. Except as otherwise expressly provided in any Environment Protection Licence condition for the Proposal, the Proponent must comply with section 129 of the *Protection of the Environment Operations Act 1997*.

Note: Section 129 of the *Protection of the Environment Operations Act 1997* provides that the Licensee must not cause or permit the emission of any offensive odour from the Premises.

11. The Proponent must maintain the Premises in a condition which prevents the emission of dust.

## **Activities must be carried out in a competent manner**

12. Activities must be carried out in a competent manner. This includes:
  - a) The processing, handling, movement and storage of materials and substances used to carry out the activity; and
  - b) The treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

## **Maintenance of plant and equipment**

13. All plant and equipment installed at the Premises or used in connection with the Licensed activity:
  - a) Must be maintained in a proper and efficient condition; and
  - b) Must be operated in a proper and efficient manner.

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### **Community Complaints Line**

14. The proponent must operate and maintain a community complaints line.

### **Emergency Response Plan**

15. Within three months of the date of the issue of the consent, the Proponent must develop, or update, an emergency response plan which documents the procedures to deal with all types of incidents (e.g. spill, explosions or fire) that may occur at the premises or outside of the premises (e.g. during transfer) which are likely to cause harm to the environment.
16. The licensee must keep and update an emergency response plan which documents the procedures to deal with all types of incidents (e.g. spills, explosion or fire) that may occur at the Premises, and outside of the Premises (e.g. during transfer) which are likely to cause harm to the environment.

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