

Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate for the Minister for Planning and Public Spaces, under delegation executed on 11 October 2017, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions outlined in Schedule 2.



Chris Ritchie
Director
Industry Assessments

Sydney *11 DECEMBER* 2019

File: EF19/25190

SCHEDULE 1

Development consent:	08_0079 granted by the then Minister for Planning on 27 September 2011
For the following:	Capping and containing of soil contamination, construction of a resource recovery facility including associated infrastructure and access driveway to
Applicant:	Teralba Recycling Facility Pty Ltd
Consent Authority:	Minister for Planning
The Land:	Lots 42, 43, 53 and 54 DP 16062, The Weir Road, Teralba
Modification:	Alterations to approved site layout and changes to intersection design and access

SCHEDULE 2

This consent is modified as follows:

1. Delete references to Director-General and replace with Planning Secretary.
2. Delete references to Applicant and replace with Applicant.

In Schedule 2:

3. Insert the following definitions in alphabetical order:

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: a) Modification application 08_0079 Mod 1 prepared by KDC Pty Ltd dated 23 August 2019;
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Planning Secretary	Planning Secretary of the Department (or delegate)
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4. Delete the definition for "Department" and insert the following definition:

Department	Department of Planning, Industry and Environment
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5. Delete the definition for "Minister" and insert the following definition:

Minister	Minister for Planning and Public Spaces
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6. Delete the definition for "Applicant" and insert the following definition:

Applicant	Teralba Recycling Facility Pty Ltd
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In Schedule 3:

7. Delete Condition 2 and replace with the following:

2. The Applicant shall carry out the project generally in accordance with the:
 - (a) EA;
 - (b) Statement of Commitments (see Appendix 1);
 - (c) Site layout plans and drawings in the EA
 - (d) Modification Assessments; and
 - (e) Conditions of this approval.

In Schedule 5:

8. Delete Condition 1 and replace with the following:

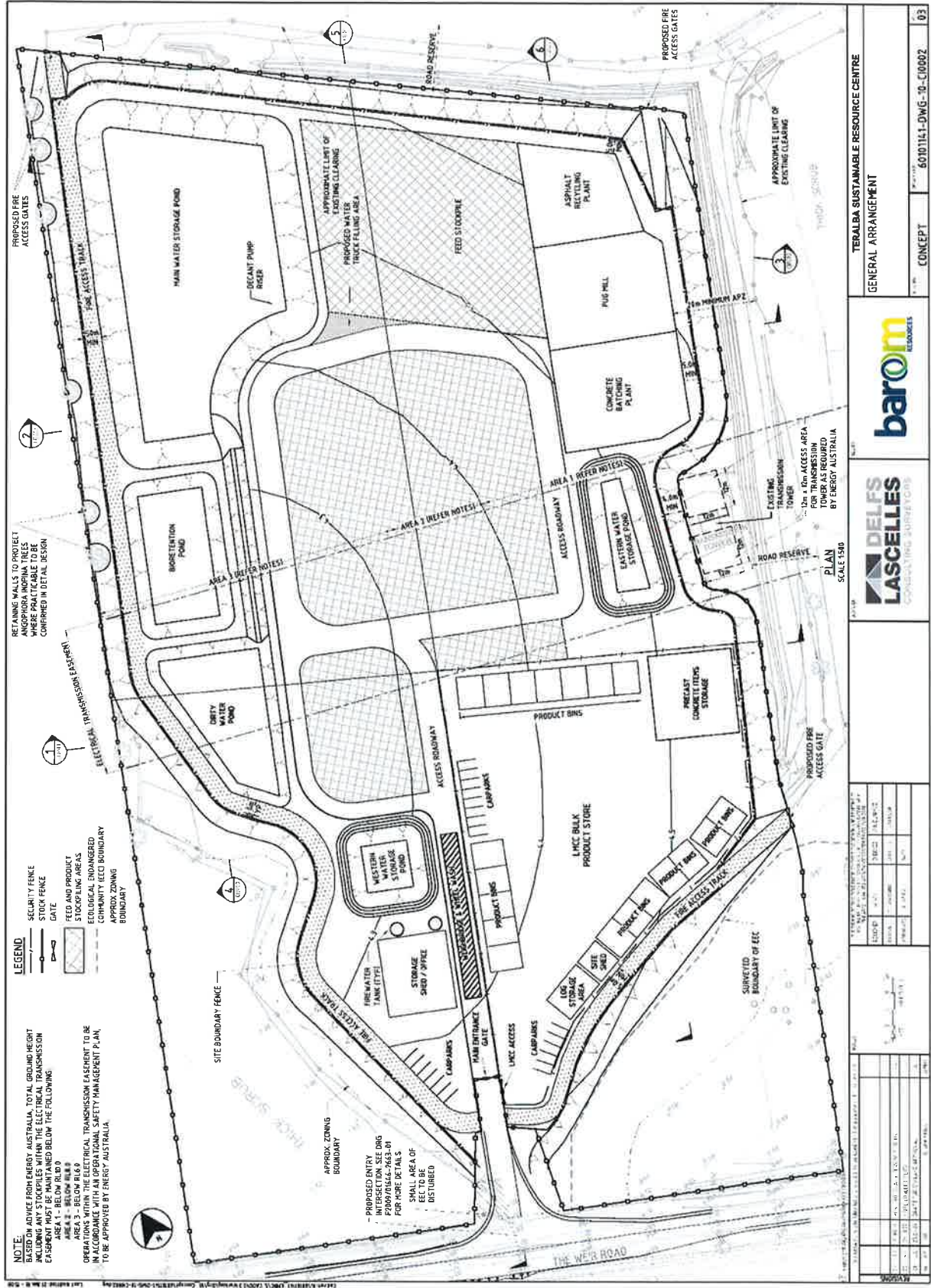
1. Prior to the commencement of operation, the Applicant shall:
 - (a) construct a Channelised Right Turn (CHR) type intersection at the site entrance, generally in accordance with the plan in Appendix 3; and
 - (b) install truck turning signs on both approaches to the site entrance; to the satisfaction of Council.

9. Delete Condition 3 and replace with the following:

3. Within 12 months of the date of the approval of MP08_0079-MOD-1 the Applicant must prepare a Transport Code of Conduct to the satisfaction of the Secretary. This code of conduct must:
 - (a) be prepared in consultation with Council, Barnsley Public School and Teralba Public School and be submitted to the Planning Secretary for approval prior to commencement of operation;
 - (b) describe the measures to be implemented to minimise the impacts of the Project on the local and regional road network, including traffic noise, road safety and schools;
 - (c) include requirements for trucks under the control of the Applicant to be regularly inspected and assessed for adequate maintenance conditions;
 - (d) be consistent with MP08_0079-MOD-1; and
 - (e) be communicated to all drivers and contractors using the facility.

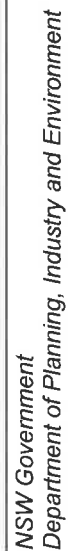
In Appendix 2:

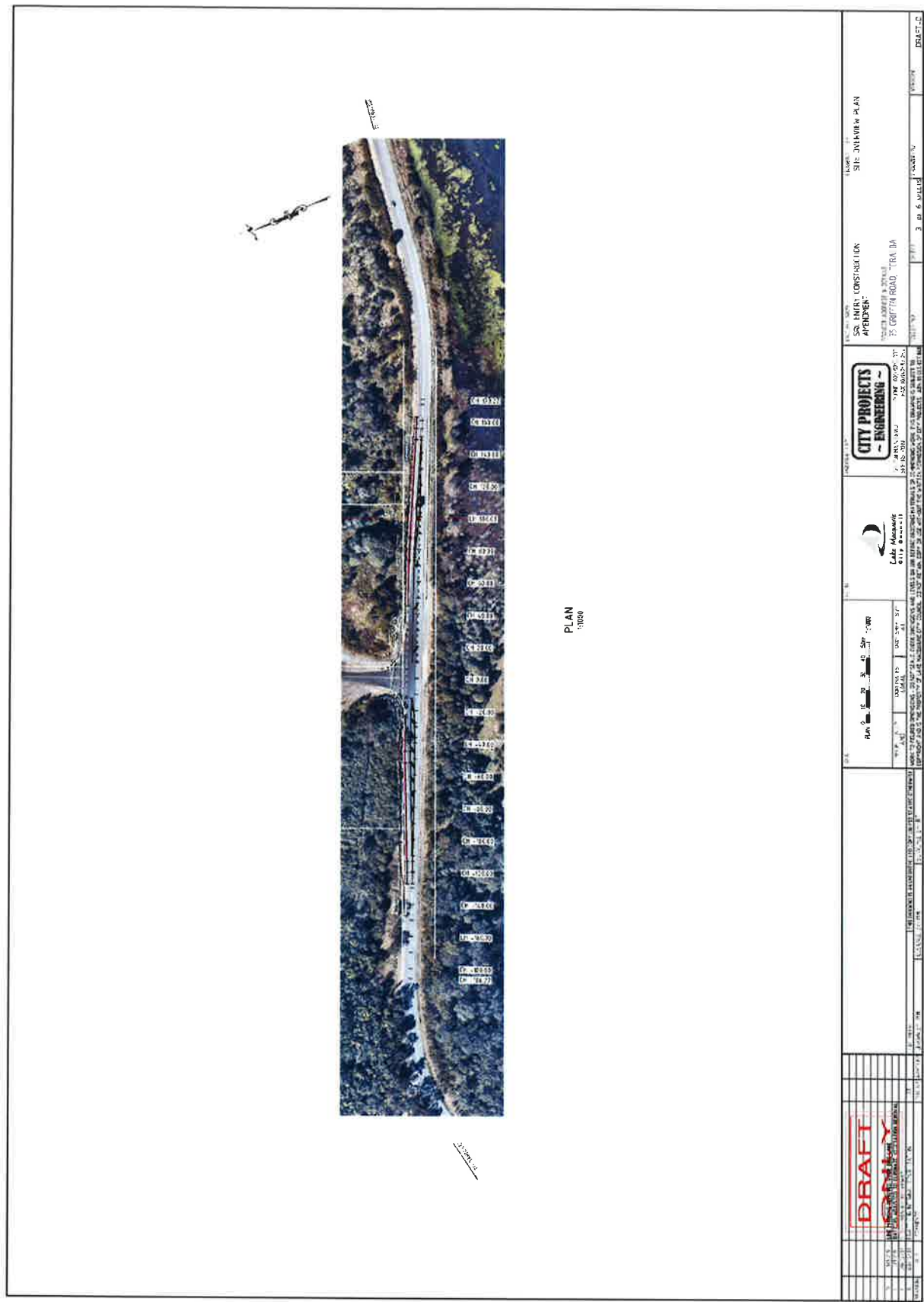
10. Delete plans for Indicative Road works and replace with the following:



In Appendix 3:

11. Delete plans for Indicative Road works and replace with the following:





**End of modification
(MP08_0079-MOD-1)**