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Greenwich NSW 2065  
ABN 81614383952

## Memorandum

To: Department of Planning, Housing and Infrastructure	Date: 24 April 2025
Cc: Cleanaway Pty Ltd	
From: Brian Cullinane, Director EME Advisory	Ref: 202324_008
Subject: Erskine Park Storage – Pre-Lodgement Briefing Note	

### 1 Introduction

Cleanaway Pty Ltd (Cleanaway) is seeking a Modification to Development Consent SSD-7075 to permit the storage of skip bins (the Project) at 85 Quarry Road, Erskine Park on Lot 1 on Plan DP1140063 (the Site; refer **Figure 1**). EME Advisory has prepared this Briefing Note to request pre-lodgement advice from the New South Wales (NSW) Department of Planning, Housing and Infrastructure (DPHI) prior to submitting a Modification Application (the Application) for SSD-7075.

#### 1.1 Application Particulars

Details of particulars that are the subject of the Application are provided in **Table 1**.

**Table 1: Application Particulars**

Particular	Details
Applicant	Cleanaway Pty Ltd Postal Address: PO Box 1824, Milton, QLD 4064 ABN: 79 000 164 938
Nominated Contact	Orhan Cambaz
Lot/Plan	Lot 1 on Plan DP1140063
Original Consent	SSD-7075 (refer <b>Appendix A</b> )

Particular	Details
Relevant Environment Protection Licence (EPL)	EPL 20986, issued to Cleanaway Pty Ltd (refer <b>Appendix A</b> )
Land Ownership	The registered owner of the Site is Cleanaway Pty Ltd.
Land Use Zonings	Zoning for the Site is administered under the Industry and Employment SEPP. The Site is zoned as IN1 General Industrial (refer <b>Figure 2</b> )

## 1.2 Background

The Planning Assessment Commission (PAC), acting as delegate of the Minister for Planning, approved an application for the Erskine Park Waste and Resource Management Facility (WRMF) Staged Development Application (SSD 7075) on 5 October 2016, comprising:

- A concept plan for a WRMF with a maximum processing capacity of 300,000 tonnes per annum (tpa). All waste received at the WRMF shall enter the Waste Transfer Station (Stage 1); up to 150,000 tpa of this waste may be recycled at the Resource Recovery Facility (Stage 2)
- Construction and operation of the Stage 1 Waste Transfer Station with a maximum processing capacity of 300,000 tpa.

The Stage 1 Waste Transfer Station has been in operation since 2019 and receives commercial and household waste from the Western Sydney region. Basic resource recovery is undertaken with residual waste transported to a licensed waste management facility off-site.

An application for the Stage 2 Resource Recovery Facility (RRF) has not yet been made. Development Consent SSD 7075 requires the undeveloped Stage 2 RRF area to be grassed until such time as construction can commence. Cleanaway is seeking to modify Development Consent SSD 7075 to allow the Stage 2 RRF area (Project Area) to be used for skip bin storage. Cleanaway has communicated previously with DPHI regarding the future of the Stage 2 RRF (refer **Appendix B**).

## 1.3 Development Consent History

If approved, the Application would be the 6<sup>th</sup> modification to SSD-7075. **Table 2** lists the history of consents and modifications applicable to the Site.

**Table 2: Development Consent History**

Application Number	Determination Date	Decider	Modification Description
SSD-7075-Mod-1	25 August 2017	A/Director, Industry Assessments	Modifications to the development staging, car and truck parking, the office, the load-out bays, the stormwater management system, site levels, and landfill ramps.
SSD-7075-Mod-2	26 February 2018	Director, Industry Assessments	Modifications to the site levels, access ramp, and car parking.

Application Number	Determination Date	Decider	Modification Description
SSD-7075-Mod-3	24 October 2018	Director, Industry Assessments	Modifications to Stage 1 Waste Transfer Station operation, including the installation of a manual sort line, minor site layout alterations, and minor building design alterations.
SSD-7075-Mod-4	25 October 2018	Director, Industry Assessments	Extension to construction hours.
SSD-7075-Mod-5	7 July 2023	Team Leader, Industry Assessments	Upgrade waste stored at any given time from 1,040 tonnes to 3,000 tonnes, processing up to 35,000 tpa of glass, and update site layout by removing manual sort line and replacing with glass breaking line.

## 1.4 Site Context

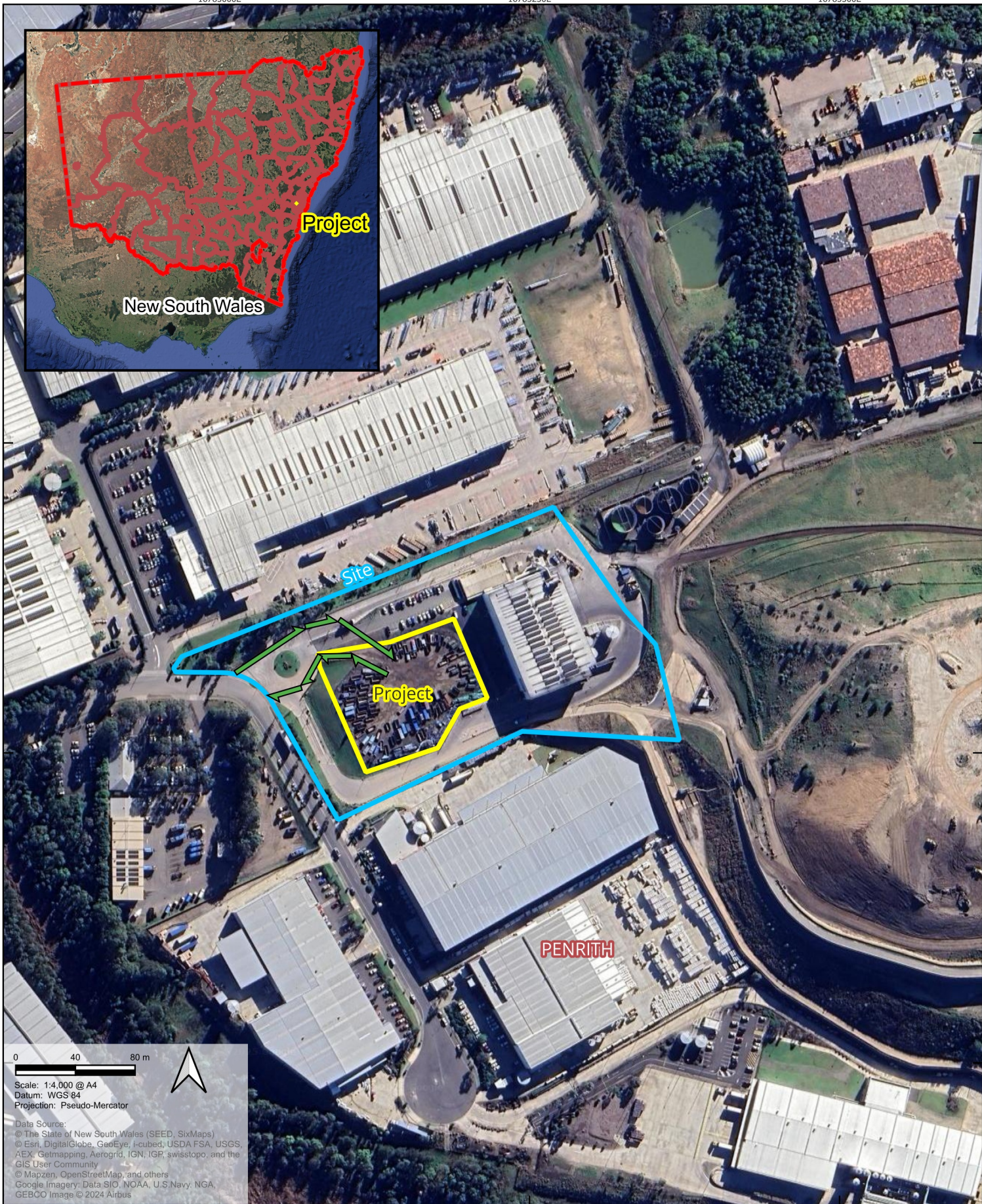
### 1.4.1 Regional Context

The Site is located at 85 Quarry Road, Erskine Park NSW 2759 in the Penrith Local Government Area (LGA) in western Sydney, NSW. The Project is located approximately 42 kilometres (km) from the Sydney central business district; and sits within an area of longstanding industrial and employment uses under the Western Sydney Employment Area (WSEA) (Precinct 7 Erskine Park Lands), which is administered under the *State Environmental Planning Policy (Industry and Employment) 2021* (Industry SEPP). The WSEA was established by the NSW government to provide businesses in the region with new land for industry and employment, including transport and logistics, warehousing and office space (Department of Planning and Environment 2014). The WSEA is now the largest employment area in NSW, covering approximately 2,450 hectares (ha) across four LGAs, these being Penrith, Penrith, Fairfield and Holroyd.

### 1.4.2 The Site

The Site area is approximately 3.5 hectares (ha), with the Project occupying approximately 0.85 ha. The Erskine Park landfill, owned and operated by Enviroguard (a subsidiary of Cleanaway), is located to the east of the site, with a Cleanaway depot located to the west of the site at 80 Quarry Road. Existing industrial facilities are located to the north and south.

The nearest residential dwellings are located over 600 m to the north, with developed industrial land parcels and a transmission line corridor occurring between these residences and the Site. Further residential dwellings and a childcare centre occur approximately 620 m to the west of the Site, to the west of Mamre Road.



Filepath: ~GIS\202324\_014\_Cleanaway Erskine Park Landfill Extension\202324\_014\_Cleanaway Erskine Park Landfill Extension\_14.10.24.qgz

0 40 80 m

Scale: 1:4,000 @ A4  
 Datum: WGS 84  
 Projection: Pseudo-Mercator

Data Source:  
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- Legend**
- Project Area
  - Site
  - Truck Movements
  - NSW Inset**
  - NSW State Border
  - Cadastre**
  - NSW LGA

**Cleanaway Pty Ltd**  
**Erskine Park SSD 7075 Modification Application**



Figure 1:  
 Project Location Erskine Park Bin Storage



Filepath: ~GIS\202324\_014 Cleanaway Erskine Park Landfill Extension\202324\_014 Cleanaway Erskine Park Landfill Extension\_14.10.24.qgz

0 100 200 m

Scale: 1:10,000 @ A4  
 Datum: WGS 84  
 Projection: Pseudo-Mercator

Data Source:  
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**Legend**

- Project Area
- Site
- NSW Inset**
- NSW State Border
- Cadastre**
- NSW LGA

**SEPP Industry Land Zoning**

- C2
- IN1
- SP2

**Cleanaway Pty Ltd**  
**Erskine Park SSD 7075 Modification Application**



Figure 2:  
 Industry and Employment SEPP Land Zoning Map

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## 2 Project Overview

The Project will involve the following:

- Construction of a new hardstand area using road base to provide a stable surface that would minimize dust generation
- Use of the new hardstand area for the storage of skip bins
- The skip bin storage area will be appropriately fenced to ensure safety and visual screening

Key considerations include:

- **No Change to Waste Capacity or Waste Types:** The Project does not propose any modifications to the approved waste capacity of 300,000 tonnes per annum (tpa) for the WRMF. It also does not involve changes to the types of waste handled, which remain general solid waste (non-putrescible)
- **Utilisation of Unused Land:** The Project repurposes vacant land for bin storage without increasing operational waste processing activities
- **Bin Storage and Cleaning Measures:**
  - Skip bins will be sourced from other Cleanaway-operated sites to support operational flexibility
  - Storage is not intended for skip bins operated by third-party or non-Cleanaway providers
  - All bins will be emptied before being placed in storage
  - Any residues will be cleaned at an existing washdown facility located at 48 Quarry Road, Erskine Park, prior to arrival on Site
  - The washdown facility has appropriate water management measures to ensure compliance with environmental standards
- **Temporary Nature of the Project:** The Project will only continue until the Stage 2 RRF is developed.

## 3 Project Need and Suitability

The Project addresses the pressing need for additional bin storage space and optimizes bin transportation logistics by consolidating storage at a single location adjacent to the 80 Quarry Road truck depot. Cleanaway's commercial business at 48 Quarry Road, Erskine Park intends to use the space for empty bins to reduce kilometres travelled to collect equipment and control equipment assets. This streamlined operation enhances efficiency, reduces costs, and minimizes the environmental impact of bin transport.

This indirectly supports broader waste management objectives by improving the efficiency of bin transportation. The Project aligns with the NSW Waste and Sustainable Materials Strategy 2041, which predicts non-putrescible landfill capacity shortfalls by 2028. By facilitating enhanced operational efficiency, aiding in managing increasing waste volumes, and aligning with regional goals to improve recycling and waste diversion, the Project contributes to a more sustainable waste management system.

The Site's industrial zoning within the Western Sydney Employment Area, existing infrastructure supporting waste

operations, and proximity to major transport routes like the M4 and M7 motorways make it highly suitable. Utilizing an existing industrial site with advanced infrastructure minimizes environmental impacts and avoids the need for greenfield development. Significant buffer zones from residential areas further mitigate potential impacts.

The Project provides a practical solution to ensure the continuity of waste services for Sydney's growing population and supports economic activity within the Western Sydney Employment Area, aligning with key regional and state strategies.

## 4 Planning Approval Pathway

### 4.1 Modification

The proposed planning approval pathway for the Project is an application to DPHI under section 4.55(1A) of the EP&A Act to modify Development Consent SSD-7075, consistent with the approach taken for the previous modification (SSD-7075-Mod 5). A section 4.55(1A) pathway is available if the consent authority is satisfied that the proposed modification is of minimal environmental impact and the project, as modified, would be substantially the same as the development for which consent was originally granted.

As discussed in **Section 4.2**, the Project is substantially the same development as the development for which consent was originally granted, being a Waste Transfer Station (WTS) with basic resource recovery. The Project is likely to have negligible or minor environmental impacts, which can be managed within existing management and mitigation measures.

### 4.2 Environmental Assessment Matters

As summarised in **Table 3**, The Project is likely to have negligible or minor environmental impacts, which can be managed within existing management and mitigation measures. Any issues likely to cause impact will be assessed through the Application.

**Table 3: Environmental and Social Considerations**

Environmental Aspect	Anticipated Impact	Justification	Further Assessment Required?
Traffic	Negligible Impact	<p>Vehicles that drop off and pick up the bins are currently located across the road at 80 Quarry Road</p> <p>The Site will accommodate skip bin storage without introducing new permanent structures. Vehicle access and manoeuvring within the site will be planned to ensure safe and efficient movement of trucks.</p> <p>Key considerations include:</p> <ul style="list-style-type: none"> <li>Truck routes into and around the bin storage area will be designed to ensure smooth entry and exit</li> <li>As no structures are planned in the Stage 2 area, a swept path analysis is not considered to be required</li> <li>Safe and adequate turning space for vehicles will be provided to minimise potential traffic conflicts.</li> </ul>	<p>Yes</p> <p>A comparison of traffic generation with the SSD-7075 baseline will be undertaken as part of the modification report</p>

Environmental Aspect	Anticipated Impact	Justification	Further Assessment Required?
		<ul style="list-style-type: none"> <li>The Project will not introduce any significant changes to the overall traffic volume at the site. Skip bin-related truck movements are expected to remain at approximately 20 movements per day</li> <li>The proposed truck ingress/egress is shown in <b>Figure 1</b></li> </ul>	
Surface Water	Minor Impact	<p>The original EIS for SSD 7075 assessed surface water impacts across the full Site, and infrastructure was established to meet both water quantity and quality targets. This included the requirement for the Stage 2 area to be grassed until further development.</p> <p>While no additional water quantity impacts are expected, the modification report will include a brief assessment to confirm the existing water management system continues to meet approved water quality and quantity objectives, given the removal of landscaping.</p> <p>It is noted that water quality risks are considered low and will be effectively managed through the following controls:</p> <ul style="list-style-type: none"> <li>All bins will be emptied prior to storage</li> <li>Any residues will be removed offsite at a washdown facility at 48 Quarry Road, Erskine Park, which is equipped with compliant water management systems</li> </ul>	<p>Yes</p> <p>The modification report will assess Project compliance with water quantity and quality targets</p>
Erosion	Negligible Impact	<p>Road base and gravel will be used to stabilise the area and prevent erosion.</p> <p>Any unsealed areas will be managed with additional gravel or erosion control measures as needed. These may include:</p> <ul style="list-style-type: none"> <li>Regular surface compaction to keep unsealed surfaces firm</li> <li>Routine grading of gravel areas to prevent water pooling and erosion channels from forming</li> </ul>	No
Visual	Negligible Impact	<p>The site is not visible to residential receptors. Any impacts to industrial receptors would be mitigated by existing landscaping facing towards Quarry Road.</p>	No
Noise	Minor Impact	<p>The Site is located over 600 m from the nearest residential dwellings and will be operated within approved hours under SSD 7075 and EPL 20986.</p>	<p>Yes</p> <p>Anticipated to be low risk due to distance to residential receptors. However, a qualitative assessment of potential noise impacts will be considered during the Application.</p>
Air/Dust	Negligible Impact	<p>Creation of a new hardstand and regular cleaning of the hardstand with a road sweeper</p>	No

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### 4.3 Substantially the Same

The Project is substantially the same development within the meaning of Section 4.55 (1A) as:

- The underlying use of the Site, being a ‘waste disposal facility’ as defined in the Standard Instrument Local Environment Plan (LEP), will not change as a result of the Project
- The Site on which the Project occurs will remain the same
- Traffic generation from the Project will remain well within the rates permitted under the original consent
- There are no significant changes to Site infrastructure
- The change to environmental impact is negligible and can be managed within existing infrastructure and management controls.

### 4.4 Conditions to be Modified

To accommodate the Project, the following minor modifications to conditions of SSD-7075 are proposed:

- **Schedule B Condition A1(e)** – updated site layout plan for concept approval
- **Schedule C Condition A1(e)** – updated site layout plan for Stage 1 consent
- **Condition B32(e)** – remove reference to ‘grassed’ which retains the intent of the condition to provide a stabilised finish to prevent run-off and erosion.
- **Appendix 3 Mitigation Measures** – in the section on Visual amenity, remove reference to ‘grassed’ to make consistent with Condition B32(e).

## 5 Conclusion

Cleanaway is seeking a Modification to Development Consent SSD-7075 to permit the storage of skip bins (the Project) at 85 Quarry Road, Erskine Park, on Lot 1 on Plan DP1140063. This Briefing Note has been prepared by EME Advisory to request pre-lodgement advice from the DPHI prior to submitting a Modification Application under Section 4.55(1A) of the EP&A Act, demonstrating that the Project involves minimal environmental impact and is substantially the same as the originally approved development.

The Project addresses the pressing need for additional bin storage space and optimizes bin transportation logistics by consolidating storage at a single location adjacent to the 80 Quarry Road truck depot. This streamlined operation enhances efficiency, reduces costs, and minimizes the environmental impact of bin transport. By facilitating enhanced operational efficiency, aiding in managing increasing waste volumes, and aligning with goals under the *Waste and Sustainable Materials Strategy 2041* to improve recycling and waste diversion, the Project contributes to a more sustainable waste management system.

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# Appendix A      Relevant EPL and Consent

# Development Consent

## *Section 89E of the Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 14 September 2011, the Planning Assessment Commission (the Commission) of New South Wales, approve the Staged Development Application referred to in Schedule 1 subject to the concept proposal conditions in Schedule B and Stage 1 Waste Transfer Station conditions in Schedule C.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.

Member of the Commission

Member of the Commission

Member of the Commission

Sydney

4 October 2016

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***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.***

# CONSOLIDATED CONSENT

## SCHEDULE A

<b>Application Number:</b>	SSD-7075
<b>Applicant:</b>	Cleanaway Pty Ltd
<b>Consent Authority:</b>	Minister for Planning
<b>Site:</b>	85-87 Quarry Road, Erskine Park (Lot 1 DP 1140063)
<b>Development:</b>	<p>Erskine Park Waste and Resource Management Facility Staged Development Application, comprising:</p> <ul style="list-style-type: none"><li>- A concept proposal for a Waste and Resource Management Facility (WRMF) with a maximum processing capacity of 300,000 tpa. All waste received at the WRMF shall enter the Waste Transfer Station (Stage 1), up to 150,000 tpa of this waste may be recycled at the Resource Recovery Facility (Stage 2).</li><li>- Construction and operation of the Stage 1 Waste Transfer Station with a maximum processing capacity of 300,000 tpa.</li></ul>

FOR INFORMATION

# CONSOLIDATED CONSENT

## SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
SSD-7075-Mod-1	25 August 2017	A/Director, Industry Assessments	Modifications to the development staging, car and truck parking, the office, the load-out bays, the stormwater management system, site levels and landfill ramps.
SSD-7075-Mod-2	26 February 2018	Director, Industry Assessments	Modifications to the site levels, access ramp and car parking.
SSD-7075-Mod-3	24 October 2018	Director, Industry Assessments	Modifications to Stage 1 Waste Transfer Station operation including the installation of a manual sort line, minor site layout alterations and minor building design alterations.
SSD-7075-Mod-4	25 October 2018	Director, Industry Assessments	Extension to construction hours.
SSD-7075-Mod-5	7 July 2023	Team Leader, Industry Assessments	Upgrade waste stored at any given time from 1,040 tonnes to 3,000 tonnes, processing up to 35,000 tpa of glass, and update site layout by removing manual sort line and replacing with glass breaking line.

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## DEFINITIONS

Applicant	Cleanaway Pty Ltd, or anyone else entitled to act on this consent
Construction	The demolition of buildings or works, the carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure covered by this consent
Council	Penrith City Council
Department	Department of Planning and Environment
Development	The development that is approved by this development consent and as generally described in Schedule A
DPI	Department of Primary Industries
EIS	Staged Development Application, Environmental Impact Statement, Erskine Park Resource Management Facility prepared by SLR Consulting Australia Pty Ltd dated October 2015
EP&A	<i>Environmental Planning and Assessment Act 1979</i>
EPA	Environment Protection Authority
EPL	Environment Protection Licence under the <i>Protection of the Environment Operations Act 1997</i>
Feasible	Feasible relates to engineering considerations and what is practical to build
General solid waste (non-putrescible)	As defined in Schedule 1 of POEO Act, but excludes Biosolids
Heavy vehicle	Any vehicle with a gross vehicle mass of 5 tonnes or more
Heritage Item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> .
Incident	A set of circumstances that: <ul style="list-style-type: none"><li>• causes or threatens to cause material harm to the environment; and/or</li><li>• breaches or exceeds the limits or performance measures/criteria in this consent</li></ul>
Material harm to the environment	Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
Mitigation	Activities associated with reducing the impacts of the development prior to orduring those impacts occurring
MOD 1	SSD 7075 MOD 1 and supporting documentation titled <i>Environmental Assessment Proposed minor changes to approved Erskine Park Resource Management Facility (SSD 7075) Stage 1 Waste Transfer Station</i> , prepared by SLR and dated 10 July 2017
MOD 2	SSD 7075 MOD 2 and supporting documentation titled <i>Erskine Park Waste and Resource Management Facility Modification to approved SSD 7075 Environmental Assessment Report</i> , prepared by EME Advisory and dated January 2018
MOD 3	SSD 7075 MOD 3 and supporting documentation titled <i>Erskine Park Waste and Resource Management Facility Modification to approved SSD 7075 Environmental Assessment Report</i> , prepared by EME Advisory and dated May 2018
MOD 4	SSD 7075 MOD 4 and supporting documentation titled <i>Erskine Park Waste and Resource Management Facility Modification to approved SSD 7075 (Modification 4) Environmental Assessment Report</i> , prepared by EME Advisory and dated 16 August 2018
MOD 5	SSD 7075 MOD 5 and supporting documentation titled <i>Erskine Park Waste and Resource Management Facility Modification to approved SSD 7075 (Modification 5) Environmental Assessment Report</i> , prepared by EME Advisory and dated 11 October 2022.
OEH	Office of Environment and Heritage
Operation	The receipt or processing of waste
PCA	Principal Certifying Authority
Planning Secretary	Secretary of the Department of Planning and Environment, or nominee

POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Response to Submissions (RTS)	Erskine Park Resource Management Facility, Response to Submissions prepared by SLR Consulting Australia Pty Ltd dated 24 February 2016
RMS	Roads and Maritime Services
Site	Land referred to in Schedule A
Stage 1	Stage 1 includes: <ul style="list-style-type: none"><li>i. demolition of existing structures;</li><li>ii. bulk earthworks;</li><li>iii. construction of infrastructure including hardstand areas, stormwater, carparks, weighbridges and sealed roads;</li><li>iv. operation of a Waste Transfer Station with a processing capacity of upto 300,000 tpa including an air pollution control system;</li><li>v. a two storey office building and amenities to service the Waste Transfer Station;</li><li>vi. construction of ancillary components including security fencing, security gates, rain water harvesting, fire suppression system, signage, landscaping and services.</li></ul>
Stage 2	Resource Recovery Facility designed to process 150,000 tpa of recyclable material from the Waste Transfer Station (Stage 1)
tpa	Tonnes per annum
Waste	As defined under the POEO Act
WMP	Waste Management Plan
WTS	<a href="#">Waste Transfer Station</a>

FOR INFORMATION

## SCHEDULE B

### PART A CONDITIONS OF CONSENT FOR CONCEPT PROPOSAL (STAGES 1 AND 2)

#### STAGED DEVELOPMENT DESCRIPTION

A1. Consent is granted to the Concept Proposal as described in:

- a) Schedule A;
- b) Staged Development Application (SSD 7075);
- c) EIS;
- d) RTS;
- e) Site layout plan as identified in Appendix 1A;
- f) MOD 1;
- g) MOD 2;
- h) MOD 3;
- i) MOD 4;
- j) MOD 5; and
- k) conditions contained in this development consent.

A2. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.

#### CONSENT LIMITS

A3. This consent does not permit the construction and operation of the Stage 2 Resource Recovery Facility.

A4. All waste received at the Site must enter at the Waste Transfer Station for initial processing. The Waste Transfer Station must not process more than 300,000 tpa of waste (as identified in the EPL), up to 150,000 tpa of this waste may be recycled at the Resource Recovery Facility (Stage2).

A5. The Applicant shall carry out the development of the Waste Transfer Station in accordance with the conditions outlined in Schedule C.

A5A. The Waste Transfer Station must not process more than 35,000 tpa of glass.

A5B. No more than 3,000 tonnes of waste must be stored within the Waste Transfer Station at any one time.

#### ADMINISTRATIVE CONDITIONS

##### Determination of Future Development Applications

A6. In accordance with section 83B(3) of the EP&A Act, Stage 2 is to be subject of a future development application.

A7. The determination of the future development application(s) are to be consistent with the terms of this development consent as described in Schedule A, and subject to the conditions in ScheduleB.

A8. As per Clause 2.11 of the *State Environmental Planning Policy (Planning Systems) 2021* any future development application(s) shall be classified State Significant Development.

##### Obligation to Minimise Harm to the Environment

A9. The Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction or operation of the development.

##### Statutory Requirements

A10. The Applicant shall ensure that all licences, permits, and approvals/consents are obtained as required by law and maintained as required throughout the life of the Development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals/consents.

##### Inconsistency between Documents

A11. If there is any inconsistency between the plans and documentation referred to above, the most recent document shall prevail to the extent of the inconsistency. However, conditions of this consent prevail to the

extent of any inconsistency.

## **Lapsing of Approval**

A12. This consent lapses five years after the date from which it operates, unless the Stage 1 works have physically commenced on the land to which the consent applies before the date on which the consent would otherwise lapse under Section 95 of the Act.

## **Dispute Resolution**

A13. In the event that a dispute arises between the Applicant, Council or a public authority, in relation to an applicable requirement in this consent or relevant matter relating to the development, either party may refer the matter to the **Planning** Secretary for resolution. The **Planning** Secretary's determination of any such dispute shall be final and binding on the parties.

## **Legal Notices**

A14. Any advice or notice to the consent authority shall be served on the **Planning** Secretary.

FOR INFORMATION

## SCHEDULE C

### CONDITIONS OF CONSENT FOR STAGE 1 - WASTE TRANSFER STATION

#### PART A ADMINISTRATIVE CONDITIONS

##### DEVELOPMENT IN ACCORDANCE WITH PLANS AND DOCUMENTS

A1. The Applicant shall carry out the Development in accordance with the:

- a) Staged Development Application (SSD 7075);
- b) EIS;
- c) RTS;
- d) Conditions in Schedule B;
- e) Site and elevation plans as identified in Appendix 1B and 2;
- f) MOD 1;
- g) MOD 2;
- h) MOD 3;
- i) MOD 4;
- j) MOD 5; and
- k) management and mitigation measures as identified in Appendix 3.

A2. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.

A3. The Applicant shall 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 consent; and
- b) the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.

##### LIMITS OF CONSENT

###### Waste Limits

A4. The Applicant shall not receive or process on the Site more than 300,000 tonnes of waste per calendar year.

A5. The Applicant must record the amount of waste (in tonnes) received at the Site on a daily basis.

A5A. The glass breaking line approved as part of MOD 5 must only be used to separate glass waste permitted to be received within the WTS.

##### STAGED SUBMISSION OF PLANS OR PROGRAMS

A6. With the approval of the Planning Secretary, the Applicant may:

- a) submit any strategy, plan or program required by this consent on a progressive basis; and/or
- b) combine any strategy, plan or program required by this consent.

A7. If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program shall clearly describe the specific stage to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program. A clear relationship between the strategy, plan or program that is to be combined shall be demonstrated.

##### EVIDENCE OF CONSULTATION

A8. Where consultation with any public authority is required by the conditions of this consent, the Applicant shall:

- a) consult with the relevant public authority prior to submitting the required documentation to the Secretary or the PCA for approval, where required;
- b) submit evidence of this consultation as part of the relevant documentation required by the conditions of this consent; and
- c) include the details of any outstanding issues raised by the relevant public authority and an explanation of disagreement between any public authority and the Applicant or any person acting on this development consent.

## **METEOROLOGICAL MONITORING**

A9. Prior to commencement of operations, the Applicant shall ensure that there is a suitable meteorological station on the Site that complies with the requirements in the latest version of the *Approved Methods for Sampling of Air Pollutants in New South Wales*. The Applicant shall operate the meteorological station, and maintain continuous, auditable records of meteorological data, for the life of the Development.

## **DEMOLITION**

A10. The Applicant shall ensure that all demolition work is carried out in accordance with *Australian Standard AS 2601:2001: The Demolition of Structures*, or its latest version.

## **BUILDING CODE OF AUSTRALIA**

A11. The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the *Building Code of Australia*.

## **OPERATION OF PLANT AND EQUIPMENT**

A12. The Applicant shall ensure that all plant and equipment used for the Development is:

- a) maintained in a proper and efficient condition; and
- b) operated in a proper and efficient manner.

## **PROTECTION OF PUBLIC INFRASTRUCTURE**

A13. The Applicant shall:

- a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the Development; and
- b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the Development.

FOR INFORMATION

**PART B ENVIRONMENTAL PERFORMANCE****WASTE MANAGEMENT**

- B1. The Applicant shall not cause, permit or allow any materials or waste (as defined by the POEO Act) generated outside the Site to be received at the Site for storage, treatment, processing, reprocessing, or disposal on the Site, except as expressly permitted by an EPL.
- B2. From the commencement of operation, the Applicant shall implement a Waste Monitoring Program for the Development. The program must:
- a) be prepared by a suitably qualified and experienced person(s) prior to the commencement of operation;
  - b) include suitable provision to monitor the:
    - (i) quantity, type and source of waste received on-site; and
    - (ii) quantity, type and quality of the outputs produced on-site.
  - c) ensure that:
    - (i) all waste that is controlled under a tracking system has the appropriate documentation prior to acceptance at the Site; and
    - (ii) staff receive adequate training in order to be able to recognise, handle and report any hazardous or other prohibited waste, including asbestos.

**AIR QUALITY****Construction Mitigation**

- B3. During construction, the Applicant shall ensure that:
- a) all vehicles on-site do not exceed a speed of 30 kilometres per hour;
  - b) all loaded construction vehicles entering or leaving the Site have their loads covered; and
  - c) all construction vehicles leaving the Site are cleaned of dirt, sand and other materials before they leave the Site, to avoid tracking the materials on public roads.

**Dust Management**

- B4. The premises shall be maintained in a condition that minimises or prevents the emission of dust from the premises.
- B5. Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading within the Waste Transfer Station.

**Odour**

- B6. The Applicant shall ensure the Development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).
- B7. The Applicant shall ensure that any waste vehicles parked on the Site do not emit offensive odours.

**Air and Odour Emissions Mitigation**

- B8. The Applicant shall:
- a) operate the Development so that air and odour emissions are minimised during all meteorological conditions;
  - b) implement best management practice, including all reasonable and feasible air and odour emission mitigation measures to minimise emissions from the Development, including but not limited to an Air Pollution Control System comprising of:
    - (i) a wet scrubber, or an alternative air filtration system, approved by the Secretary, that can achieve an equivalent or better level of odour control to a wet scrubber;
    - (ii) dilution stacks;
    - (iii) fast acting roller doors;
    - (iv) dust suppression through the use of water sprays/misters;
  - c) seal on-site surfaces and regularly maintaining them to prevent dust re-entrainment from vehicle movements and other equipment use; and
  - d) ensure regular maintenance of the air pollution control system.

B9. Prior to acceptance of any waste at the Waste Transfer Station, the Air Pollution Control System identified in condition B8b) must be installed and operational. The wet scrubber technology or similar must be sized with an appropriate level of contingency to enable the level of control to be able to be scaled up if necessary.

**Odour Management Plan**

- B10. Prior to commencement of construction, the Applicant shall prepare an Odour Management Plan to the

satisfaction of the Secretary. The Plan must:

- a) be prepared by a suitable qualified and experienced person(s) in consultation with the EPA;
- b) describe the measures that would be implemented on-site to ensure:
  - (i) all reasonable and feasible measures are employed to minimise odour emissions, including details of the air pollution control device(s) and all other operational odour mitigation measures;
  - (ii) compliance with the relevant conditions of this consent;
  - (iii) contingency measures are deployed to minimise impacts should adverse odour emissions occur or appear likely to occur;
- c) include an ongoing monitoring program;
- d) include well defined triggers for the deployment of odour mitigation and contingency measures;
- e) include a protocol to determine the occurrence of an exceedance of any criteria in the EPL should an exceedance occur; and
- f) include contingency measures for design or system failure.

B11. The Applicant shall carry out the Development in accordance with the Odour 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.

#### **Odour Audit**

B12. Within 6 months of operation or as otherwise directed by the **Planning** Secretary, the Applicant shall carry out an Odour Audit of the Development. The timing of the audit shall coincide with the receipt of putrescible waste at the Waste Transfer Station. The audit must:

- a) be carried out by a suitably qualified and experienced expert whose appointment has been endorsed by the **Planning** Secretary;
- b) audit the Development whilst it is in full operation;
- c) include a summary of air and odour emission related complaints and any actions that were carried out to address the complaints;
- d) validate the Development against the odour predictions in the RTS;
- e) if, as part of the Odour Audit, or as the result of any other odour monitoring, the odour predictions are demonstrated to be inaccurate, initiate an action plan as per B12 (h).
- f) if odour complaints are received, the Applicant must review the meteorological data for the Site and the region to establish the likelihood that the source of the odour originated from the Site. If it is likely that the odour originated from the site it must be reported in accordance with condition C6.
- g) review design and management practices of the Development against industry best practice for air emissions and odour management; and
- h) include an action plan that identifies and prioritises additional air and odour emission mitigation measures that may be necessary to reduce air and odour emissions.

*Note: the aim of the odour audit is to validate the odour predictions in the RTS and therefore the audit should be conducted when large amounts of putrescible waste are present on the Site.*

B13. Within two months of commissioning this audit, the Applicant shall submit a copy of the audit report to the **Planning** Secretary, EPA and Penrith City Council, together with its response to any recommendations contained in the audit report.

B14. The Applicant shall comply with any requirement(s) of the **Planning** Secretary arising from the Odour Audit.

**SOIL AND WATER****Pollution of Waters**

B15. The Development shall comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided in an EPL.

**Stormwater**

B16. A stormwater management scheme must be prepared for the development and must be implemented in consultation with the EPA. Implementation of the scheme must mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities. The scheme should be consistent with the Stormwater Management Plan for the catchment.

**Leachate Management System**

B17. Prior to operation, the Applicant shall prepare a Leachate Management System for the Site, the system must:

- a) be designed by a suitably qualified and experienced person(s) in consultation with the EPA;
- b) provide a management protocol for leachate (including firewater);
- c) control leachate (including firewater) so that it does not mix with any stormwater on the Site; and
- d) include water quality monitoring to determine the performance of the leachate management system.

B18. The Applicant shall carry out the Development in accordance with the Leachate Management System approved by the Planning Secretary (as revised and approved by the Planning Secretary from time to time), unless otherwise agreed by the Planning Secretary.

B19. Should the Waste Transfer Station no longer be able to utilise the adjacent Landfill Leachate Treatment System, no further waste shall be received at the Site until an alternative strategy for leachate management is provided in accordance with Condition B17. The system shall be designed and installed in consultation with the EPA and subject to the Planning Secretary's approval prior to the facility receiving or processing any further waste.

**Erosion and Sediment Control**

B20. The Applicant shall implement erosion and sediment control measures on-site in accordance with *Managing Urban Stormwater: Soils and Construction Vol. 1* (Landcom, 2004).

**Bunding**

B21. The Applicant shall store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling Liquids: Environmental Protection – Participant's Manual 2007*.

**Imported Soil**

B22. The Applicant shall:

- a) ensure that only VENM, or ENM, or other material approved in writing by the EPA is used as fill on the Site;
- b) keep accurate records of the volume and type of fill to be used; and
- c) make these records available to the Department upon request.

**Compliance Certificate**

B23. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water prior to the commencement of construction.

**Groundwater Interception and Extraction**

B24. The Applicant shall obtain any necessary water related approvals from DPI in the event that groundwater is likely to be intercepted or extracted during construction.

**CONTAMINATION**

B25. Prior to commencing any excavation works, the Applicant shall prepare a protocol for the management of unexpected contamination finds which details the procedures for testing, classifying, handling, storing and disposing of contaminated water, soils and/or groundwater if encountered in excavations, in particular during excavation of the stormwater detention basin.

B26. The Applicant shall notify the Department detailing any contamination investigation carried out. This report shall be provided to the Department on completion of construction earthworks.

**NOISE AND VIBRATION**

**Vibration Criteria**

B27. The Applicant shall ensure that vibration resulting from the Development does not exceed the continuous or impulsive vibration criteria in EPA's *Assessing Vibration: A Technical Guideline* (February 2006) at residential receivers.

**Construction and Operation Hours**

B28. The Applicant shall comply with the construction and operation hours in Table 3 unless otherwise agreed to in writing by the Planning Secretary.

Table 3: Hours of Construction and Operation

Activity	Day	Hours
Construction	Monday – Friday	5 am to 6 pm
	Saturday	5 am to 5 pm
	Sunday & Public Holidays	Nil
Operation	24 hours a day, seven days a week	

**Noise Mitigation**

B29. The Applicant shall:

- a) implement best practice, including all reasonable and feasible noise management and mitigation measures to prevent and minimise operational, low frequency and traffic noise generated by the Development;
- b) minimise the noise impacts of the Development during adverse meteorological conditions;
- c) install and implement broadband squawker reversing alarms for all construction vehicles;
- d) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and
- e) regularly assess noise emissions and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this consent.

**TRAFFIC AND ACCESS**

B30. The Applicant shall ensure that:

- a) a total of 37 car parking spaces, including one disabled car parking space are provided;
- b) trucks shall only be parked in the designated truck park areas as identified in Appendix 1B;
- c) at least one load compliance inspection parking area is provided;
- d) Site access, driveways and parking areas are constructed and maintained in accordance with the latest versions of Australian Standards AS 2890.1, AS 2890.2, AS 2890.6 and AS 1428.1;
- e) the swept path of the longest vehicle entering and exiting the Site, as well as manoeuvrability through the Site, is in accordance with *AUSTROADS Guide to Road Design*;
- f) unless such deliveries are via Erskine Park Road, truck deliveries and pickups are scheduled to avoid busy morning and afternoon peak hours;
- g) the egress of B-double waste transportation trucks from the Erskine Park Industrial Estate is confined to Lenore Drive/Erskine Park Link Road;
- h) the Development does not result in any vehicles parking or queuing on the public roadnetwork;
- i) all vehicles are wholly contained on-site before being required to stop;
- j) all loading and unloading of heavy vehicles occurs inside the Waste Transfer Station;

- k) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times; and
- l) all vehicles enter and leave the Site in a forward direction; and
- m) signage is installed to ensure traffic from the adjacent landfill provides right-of-way to the Development traffic; and
- n) right-of-way signage is installed at accessway road junctions from the adjacent landfill.

**FIRE MANAGEMENT**

B31. The Applicant shall:

- a) implement suitable measures to minimise the risk of fire on-site including but not limited to the recommendations in the EIS;
- b) extinguish any fires on-site promptly; and
- c) maintain adequate fire-fighting capacity on-site.

**VISUAL AMENITY****Building Materials and Landscaping**

B32. Prior to the commencement of construction, the Applicant shall prepare a Building and Material Schedule and a Landscape Plan for the development to the satisfaction of the **Planning** Secretary. The Schedule and Plan must:

- a) be prepared in consultation with Council;
- b) be consistent with the Penrith City Council Development Control Plan 2014;
- c) include a building materials list for the Waste Transfer Station;
- d) provide details on boundary fences which shall generally have a maximum height of 2.1m and have an "open" nature, e.g. decorative metal and coloured dark grey or black, or complement the adjacent fencing type, other than the southern boundary fence which may be higher than 2.1m and impermeable, as agreed with the adjacent property owner; and
- e) include details on landscaping, in particular how the area allocated for the Resource Recovery Facility will be grassed and stabilised prior to commencement of operation of the Waste Transfer Station to prevent any run-off and erosion.

B33. The Applicant shall carry out the Development in accordance with the approved Building and Material Schedule and Landscape Plan (as revised and approved by the **Planning** Secretary from time to time), unless otherwise agreed by the **Planning** Secretary.

**Lighting**

B34. All external lighting associated with the Development shall be mounted, screened, and directed in such a manner so as not to create a nuisance to the surrounding environment, properties and roadways. The lighting shall be the minimum level of illumination necessary and shall comply with *Australian Standard AS 4282 1997*.

**Signage**

B35. The Applicant shall install any new signage in consultation with Council and shall comply with the

*State Environmental Planning Policy 64 – Advertising and Signage*, as relevant.

*Note: This condition does not apply to signage identified as exempt or complying development in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

**HERITAGE**

B36. The Applicant shall cease all works on-site in the event that any Aboriginal cultural object(s) or human remains are uncovered. If human remains are uncovered, you must immediately stop work, not further disturb the remains and notify NSW Police. OEHL and the Aboriginal community must be contacted if the remains are suspected to be of Aboriginal origin. If other Aboriginal objects are discovered, you must immediately stop work, not further disturb the objects and notify OEHL by calling Environment Line on 131 555. Works must not resume in the designated area until the relevant written consent is received from NSW Police and/or OEHL. Any Aboriginal objects discovered must be registered on the Aboriginal Heritage Management Information System (AHIMS), in accordance with section 89A of the *National Parks and Wildlife Act 1974*.

**SECURITY**

B37. The Applicant shall:

- a) install and maintain a perimeter fence and security gates on the Site; and
- b) ensure that the security gates on-site are locked whenever the Site is unattended.

**PEST, VERMIN & NOXIOUS WEED MANAGEMENT**

B38. The Applicant shall:

- a) implement suitable measures to manage pests, vermin and declared noxious weeds on-site; and
- b) inspect the Site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on-site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in surrounding areas.

FOR INFORMATION

**PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING****ENVIRONMENTAL MANAGEMENT****Construction Environmental Management Plan**

C1. Prior to the commencement of construction of the Development, the Applicant shall prepare a Construction Environmental Management Plan to the satisfaction of the **Planning** Secretary. The Plan must:

- a) be prepared by a suitably qualified and experienced person(s);
- b) describe all activities to be undertaken on the Site during construction, including a clear indication of construction stages;
- c) identify the statutory approvals that apply to the Development;
- d) outline all environmental management practices and procedures to be followed during construction (e.g. construction traffic management, dust management and construction noise and vibration management), including all reasonable and feasible mitigation measures to protect the amenity of the surrounding environment;
- e) detail how the environmental performance of construction will be monitored, and what actions will be taken to address identified adverse environmental impacts;
- f) describe the roles and responsibilities for all relevant employees involved in construction;
- g) include arrangements for community consultation and complaints handling procedures during construction; and
- h) consolidate the construction related parts of any management plans and monitoring programs required in the conditions of this consent.

C1A. Prior to commencement of extended construction hours approved as part of MOD 4, the Applicant must submit a revised Construction Environmental Management Plan to the satisfaction of the **Planning** Secretary. The plan must be prepared in consultation with the EPA and detail the environmental management practices and procedures to mitigate construction noise impacts during the out of hours construction periods.

C2. The Applicant shall carry out the development in accordance with the Construction Environmental Management Plan approved by the **Planning** Secretary (as revised approved by the **Planning** Secretary from time to time), unless otherwise agreed by the **Planning** Secretary.

**Operational Environmental Management Plan**

C3. The Applicant shall prepare an Operational Environmental Management Plan for the Development to the satisfaction of the **Planning** Secretary. This strategy must:

- a) be prepared by a suitably qualified and experienced person(s);
- b) provide a strategic framework for environmental management of the Development;
- c) identify the statutory approvals that apply to the Development;
- d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Development;
- e) describe in detail how the environmental performance of the Development would be monitored and managed; and
- f) describe the procedures that would be implemented to:
  - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the Development;
  - (ii) receive, handle, respond to, and record complaints;
  - (iii) resolve any disputes that may arise;
  - (iv) respond to any non-compliance; and
  - (v) respond to emergencies.

The Applicant shall carry out the Development in accordance with the Operational Environmental Management Plan approved by the **Planning** Secretary (as revised approved by the **Planning** Secretary from time to time), unless otherwise agreed by the **Planning** Secretary

**Management Plan Requirements**

C4. The Applicant shall ensure that the environmental management plans/strategies required under this consent are prepared in accordance with any relevant guidelines and include:

- a) detailed baseline data;
- b) a description of:
  - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
  - (ii) any relevant limits or performance measures/criteria;

- (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the Development or any management measures;
- (iv) the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
- c) a program to monitor and report on the:
  - (i) impacts and environmental performance of the Development;
  - (ii) effectiveness of any management measures;
  - (iii) a contingency plan to manage any unpredicted impacts and their consequences;
  - (iv) a program to investigate and implement ways to improve the environmental performance of the Development over time;
- d) a protocol for managing and reporting any:
  - (i) incidents;
  - (ii) complaints;
  - (iii) non-compliances with statutory requirements;
  - (iv) exceedances of the impact assessment criteria and/or performance criteria; and
  - (v) a protocol for periodic review of the plan.

C5. The **Planning** Secretary may waive some of the requirements in Condition C4 if they are unnecessary or unwarranted for particular management plans/strategies.

## **REPORTING AND AUDIT**

### **Incident Reporting**

C6. The Applicant shall notify, at the earliest opportunity, the **Planning** Secretary and any other relevant agencies including EPA and Penrith City Council of any incident that has caused, or threatens to cause, material harm to the environment or result in offensive odour at sensitive receivers. For any other incident (including complaints) associated with the Development, the Applicant shall notify the **Planning** Secretary and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the **Planning** Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

### **Regular Reporting**

C7. The Applicant shall provide regular reporting on the environmental performance of the Development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.

### **Independent Environmental Audit**

C8. Within 1 year of the date of the commencement of operation, and every 3 years thereafter, unless the **Planning** Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit of the Development. This audit must:

- a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the **Planning** Secretary;
- b) led by a suitably qualified auditor, and include experts in fields specified by the **Planning** Secretary;
- c) include consultation with the relevant agencies;
- d) assess the environmental performance of the Development and assess whether it is complying with the requirements in this consent, and any other relevant approvals and relevant EPL/s (including any assessment, plan or program required under the approvals);
- e) review the adequacy of any approved strategy, plan or program required under the abovementioned consents; and
- f) recommend measures or actions to improve the environmental performance of the Development, and/or any strategy, plan or program required under the consents.

C9. Within three months of commissioning this audit, or as otherwise agreed by the **Planning** Secretary, the Applicant shall submit a copy of the audit report to the **Planning** Secretary, together with its response to any recommendations contained in the audit report.

### **Annual Review**

C10. Within 1 year of the date of the commencement of construction, and every year thereafter, the Applicant shall review the environmental performance of the Development. This review must:

- a) describe the activities associated with the Development that were carried out in the previous calendar year, and the activities proposed to be carried out over the next year;
- b) include a comprehensive review of the monitoring results and complaints records of the Development over the previous calendar year, which includes a comparison of the results against the:
  - (i) the relevant statutory requirements, limits or performance measures/criteria;

- (ii) requirements of any plan or program required under this consent;
  - (iii) the monitoring results of previous years; and
  - (iv) the relevant predictions in the EIS;
- c) identify any non-compliance over the previous year, and describe what actions were (or are being) taken to ensure compliance in the upcoming year;
  - d) identify any trends in the monitoring data over the life of the Development;
  - e) identify any discrepancies between the predicted and actual impacts of the Development, and analyse the potential cause of any significant discrepancies; and
  - f) describe what measures will be implemented over the next year to improve the environmental performance of the Development.

**Revision of Strategies, Plans and Programs**

C11. Within 3 months of the submission of an:

- a) annual review under Condition C10 above;
- b) incident report under Condition C6 above;
- c) audit under Condition C8 above; or
- d) any modification to this consent,

the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent.

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

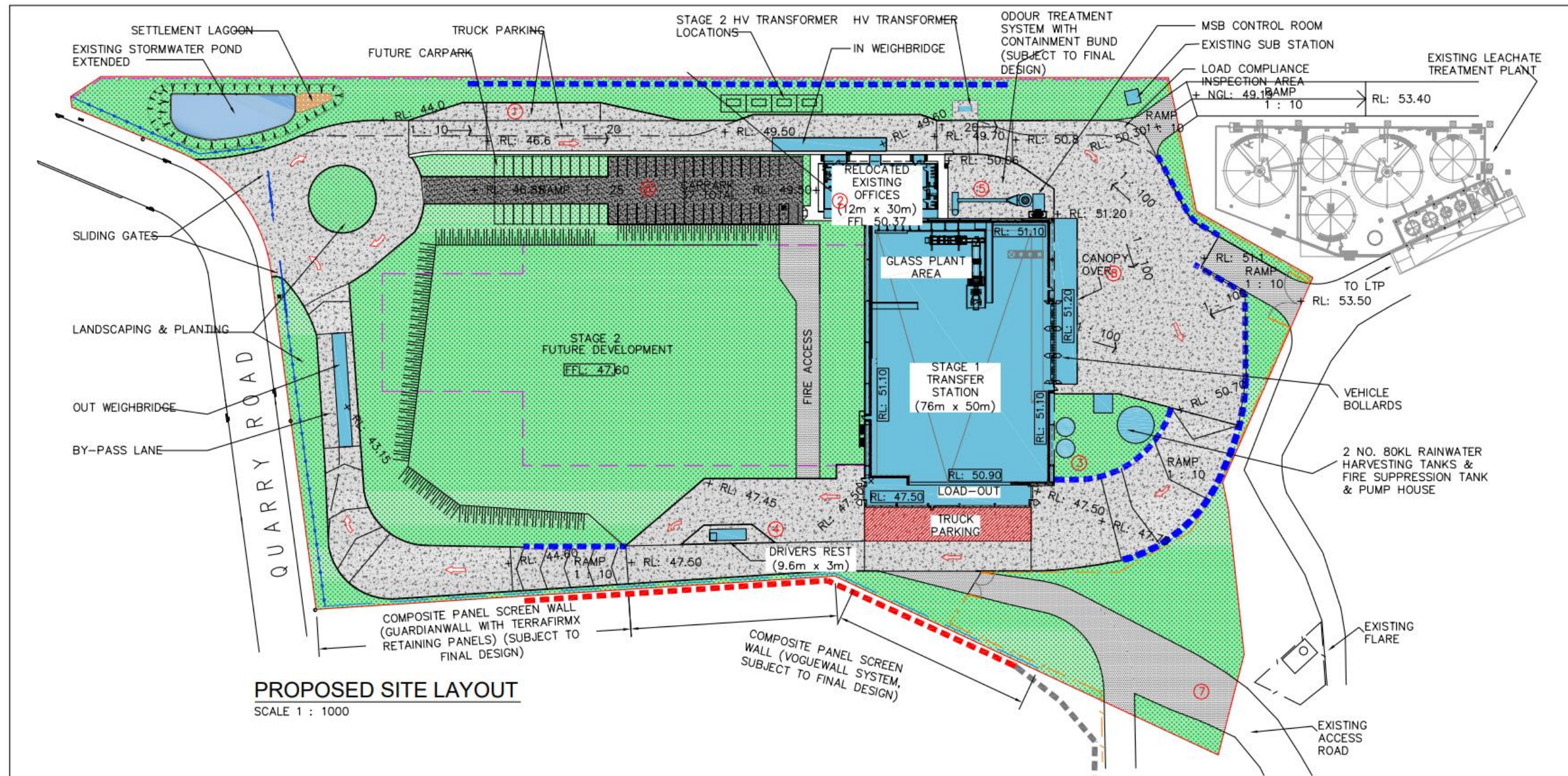
C12. The Applicant shall ensure that the operation of the Development is undertaken in accordance with all relevant updated and/or amended strategies, management plans and programs approved by the **Planning** Secretary (or as revised and approved by the **Planning** Secretary), unless otherwise agreed by the **Planning** Secretary.

**Access to Information**

C13. The Applicant shall:

- a) make copies of the following publicly available on its website:
  - (i) the documents referred to in Condition A1;
  - (ii) all current statutory approvals for the Development;
  - (iii) all approved strategies, plans and programs required under the conditions of this consent;
  - (iv) a comprehensive summary of the monitoring results of the Development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
  - (v) a complaints register, updated on a monthly basis;
  - (vi) the annual reviews of the Development;
  - (vii) any independent environmental audit of the Development, and the Applicant's response to the recommendations in any audit;
  - (viii) any other matter required by the **Planning** Secretary; and
- b) keep this information up to date

**APPENDIX 1A and 1B – SITE LAYOUT PLAN – CONCEPT PROPOSAL WASTE AND RESOURCE MANAGEMENT FACILITY**



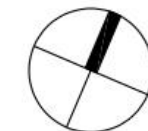
**PROPOSED SITE LAYOUT**  
SCALE 1 : 1000

**LEGEND**

- |                      |                    |                                    |   |
|----------------------|--------------------|------------------------------------|---|
| DEVELOPMENT BOUNDARY | GRVEL HARDSTAND    | EXISTING FENCELINE                 | 2.4M HIGH NEW COMPOSITE PANEL SCREEN WALL |
| ASPHALT HARDSTAND    | LANDSCAPED AREAS   | 1.5M HIGH NEW BLACK PALISADE FENCE | EXISTING RETAINING WALL                   |
| CONCRETE HARDSTAND   | TRAFFIC DIRECTIONS | CHAIN LINK FENCE                   | REMOVED/MODIFIED PROPOSED RETAINING WA    |

**SCHEDULE OF CHANGES – MOD 3 – MOD 4**

1. REPLACE MANUAL SORT LINE WITH NEW GLASS PLANT



PROJECT :  
**ERSKINE PARK RMF - STAGE 1  
WASTE TRANSFER STATION  
FOR  
CLEANAWAY WASTE  
MANAGEMENT LTD**



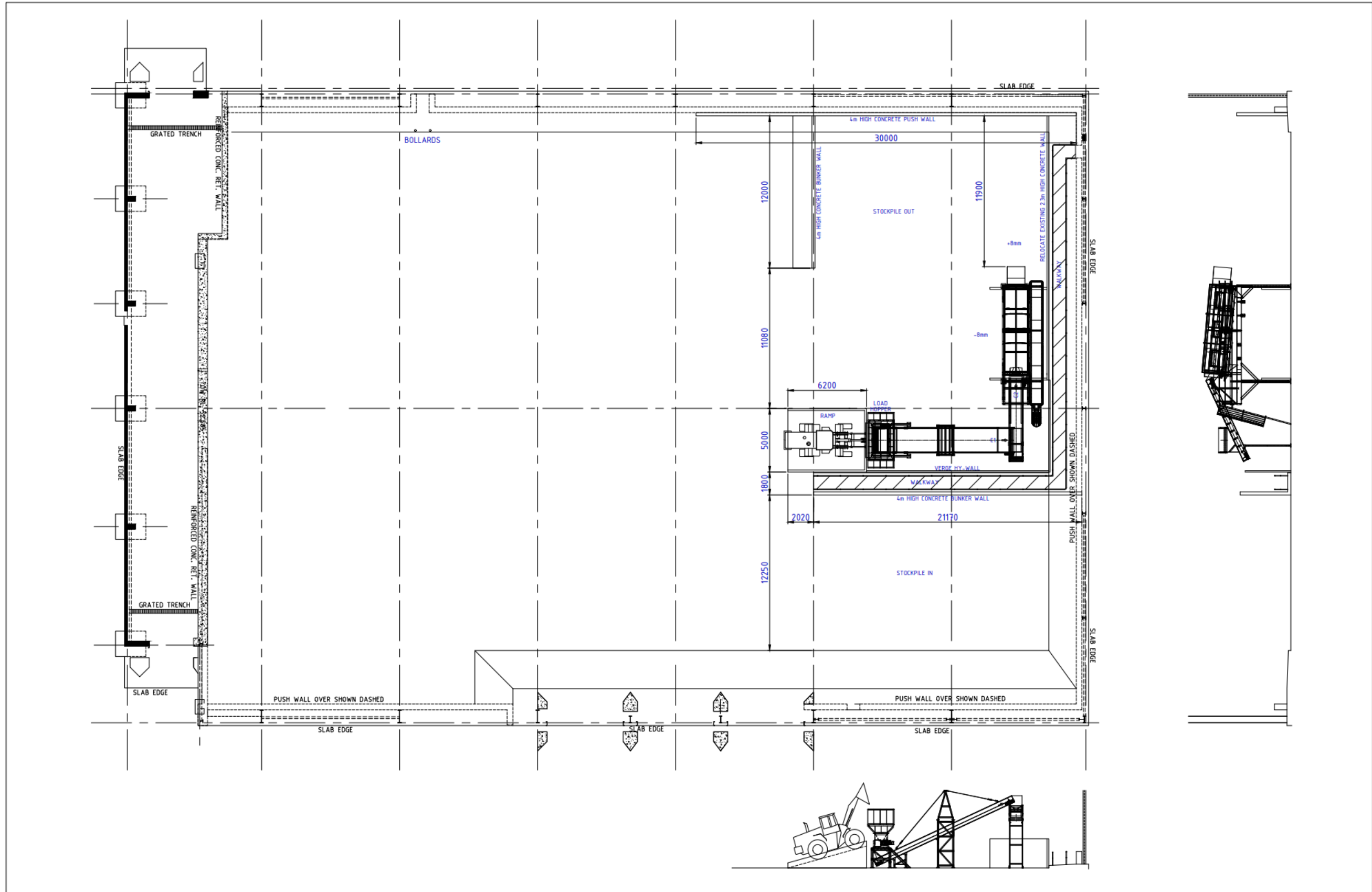
ARCHITECTS DOCUMENTATION:



**NICHOLAS & ALEXANDER ARCHITECTS**  
37 Bevan Street, Albert Park, 3206  
Tel: 9696 5822  
Email: naarch@bigpond.net.au  
A.C.N. 070 432 932

<b>PROPOSED SITE LAYOUT - STAGE 1 - MOD 4</b>		DATE SEPTEMBER 2022	
<b>DEVELOPMENT CONSENT</b>		SCALE AS SHOWN @ A3	
DRWG. No. 17567	DOCUMENTATION JH	PLOT SCALE 1 : 1	SHEET. No. 003
	DRAWN JH		REV. 19
	CHECKED ND		





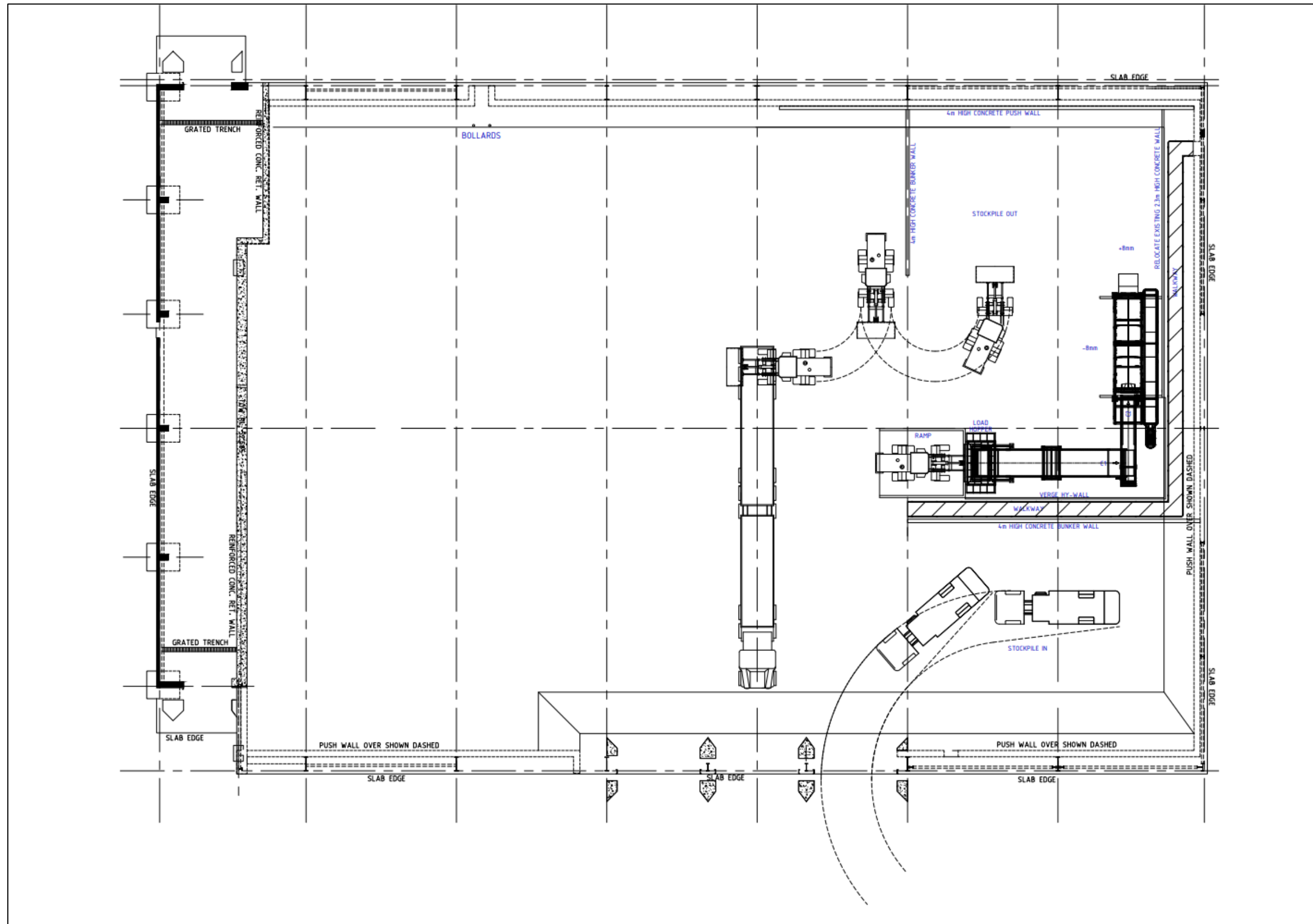
NO.	ISSUE DESCRIPTION	DATE	BY
D	RETAINING WALLS REVISED	2/12/21	S.M.
C	WALLS REVISED, WALKWAY ADDED	30/11/21	S.M.
B	LAYOUT REVISED	13/09/21	S.M.
A	TENDER ISSUE	08/21	S.M.

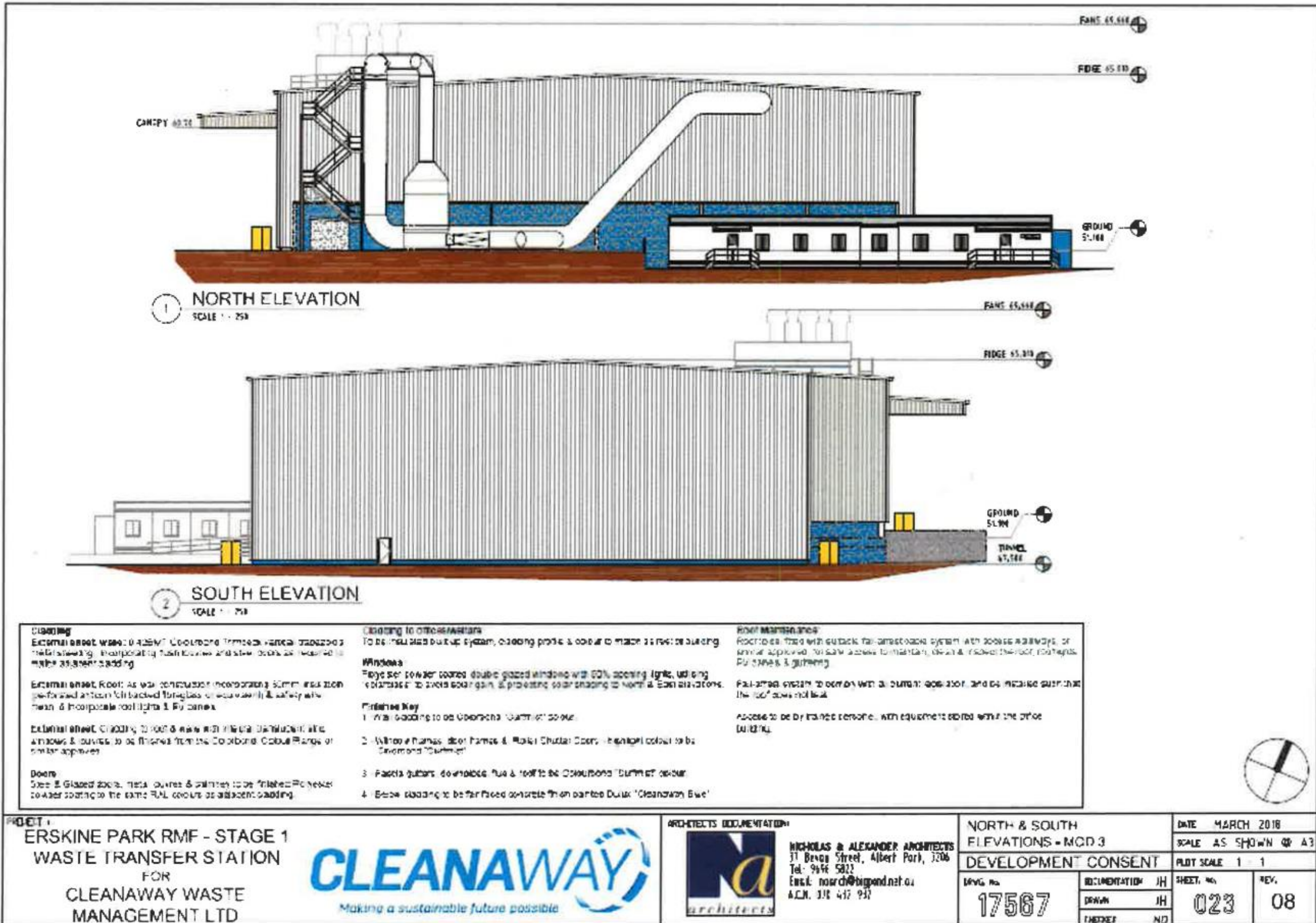
GENERAL NOTES	
<ul style="list-style-type: none"> <li>• ALL DIMENSIONS ARE IN MILLIMETRES U.N.D.</li> <li>• ALL WORKMANSHIP &amp; MATERIALS TO BE IN ACCORDANCE WITH AS/NZS 1013.</li> <li>• UNLESS NOTED OTHERWISE ALL STEEL SHALL BE IN ACCORDANCE WITH:                             <ul style="list-style-type: none"> <li>-AS/NZS GRADE 250 FOR ALL PLATE</li> <li>-GRADE BHP-300PLUS FOR STRUCTURAL SECTIONS</li> <li>-AS/NZS GRADE C350 FOR RHS SECTIONS</li> <li>-AS/NZS GRADE C350 FOR CHS SECTIONS - #76 &amp; GRADE C350 - #76</li> <li>-OTHER STANDARDS LISTED IN THE SPECIFICATION</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• ALL HOLES TO BE #22 MM U.N.D.</li> <li>• ALL NOTCHES IN MEMBERS TO HAVE 10mm RADIUS IN CORNERS.</li> <li>• ALL WELDING &amp; WELD PREPARATION TO BE TO AS/NZS 1554-1:2004.</li> <li>• ALL JOINTS TO BE FULLY WELDED USING 6mm CONTINUOUS FILLET WELDS U.N.D.</li> <li>• ALL WELDING TO BE CATEGORY S.P. U.N.D.</li> <li>• ALL BUTT WELDING TO BE FULL PENETRATION U.N.D.</li> <li>• WELDING SYMBOLS SHOWN ARE TO AS/NZS 1851:2005</li> </ul>
<ul style="list-style-type: none"> <li>• FLAME CUT SURFACES TO BE UNIFORM &amp; CLEAN BEFORE WELDING.</li> <li>• ALL DIMENSIONS GIVEN FOR MATERIAL ARE GROSS DIMENSIONS WITH NO REDUCTION FOR WELD PREPARATION.</li> <li>• SURFACE TREATMENT TO BE AS PER SPECIFICATION</li> <li>• ITEM MARKS ARE TO BE PREFIXED BY DRAWING NO. FOR IDENTIFICATION</li> </ul>	<p>   <b>RESOURCE RECOVERY DESIGN (AUST) PTY LTD.</b> </p> <p> <small>                     ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED TO THE DRAWING IS THE PROPERTY OF RESOURCE RECOVERY DESIGN (AUST) PTY LTD AND SHALL NOT BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF RESOURCE RECOVERY DESIGN (AUST) PTY LTD. THIS DOCUMENT IS TO BE DESTROYED UPON REQUEST.                 </small> </p>

CLIENT	CLEANAWAY
PROJECT	ERSKINE PARK
DRAWN	S.M.
DATE	24/08/21
CHECKED	D.W.
DATE	24/08/21
SHEET SIZE	B1
SCALE	1:100
DRAWING TITLE	PROPOSAL
ARRANGEMENT	ARRANGEMENT
DRAWING NO.	11144-GA-01
DATE	24/08/21
SCALE	1:100
PROJECT NO.	11144
DESIGNER	S.M.
CHECKER	D.W.
DATE	24/08/21
SCALE	1:100
PROJECT NO.	11144
DESIGNER	S.M.
CHECKER	D.W.
DATE	24/08/21
SCALE	1:100
PROJECT NO.	11144
DESIGNER	S.M.
CHECKER	D.W.
DATE	24/08/21
SCALE	1:100
PROJECT NO.	11144



APPENDIX 2 – ELEVATION PLANS - WASTE TRANSFER STATION



**Cladding**  
 External sheet, wall: 0.425m Coolbond Trimble vertical ribbed stainless steel cladding, incorporating flash boards and steel doors as required to make as best cladding.  
 External sheet, Roof: As per construction incorporating 30mm insulation perforated zinc or hot dipped galvanized or equivalent & safety wire mesh & incorporate roof lights & fly boxes.  
 External sheet, Cladding to roof & walls with integral panels and windows & doors to be finished from the Coolbond Colour Range or similar approved.  
 Doors  
 Steel & Glazed doors, metal covers & painted to be finished Polyester powder coating to the same RAL colour as adjacent cladding.

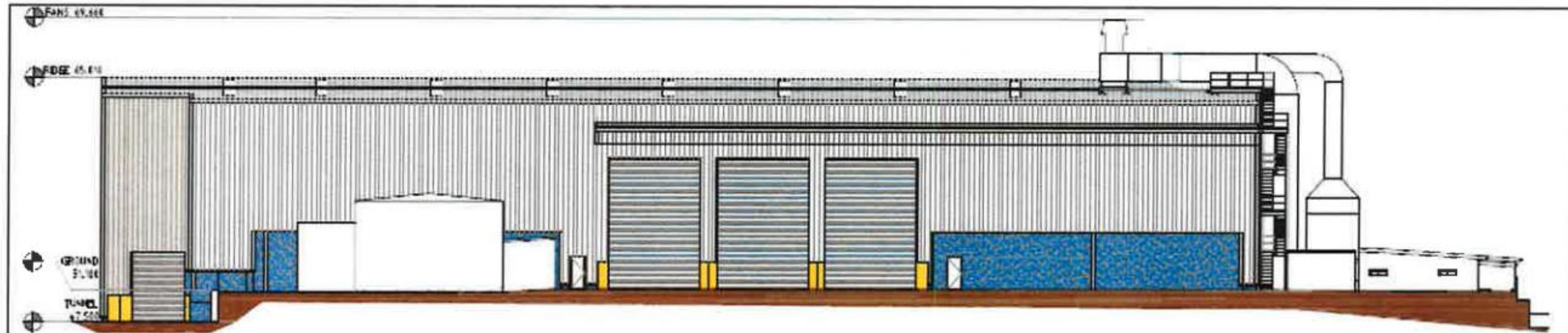
**Cladding to office building**  
 To be insulated bulk up system, cladding profile & colour to match as rest of building.

**Windows**  
 Edge per sealer coated double glazed windows with 60% opening light, utilising solar glass to avoid solar gain, & projecting solar shading to North & East elevations.

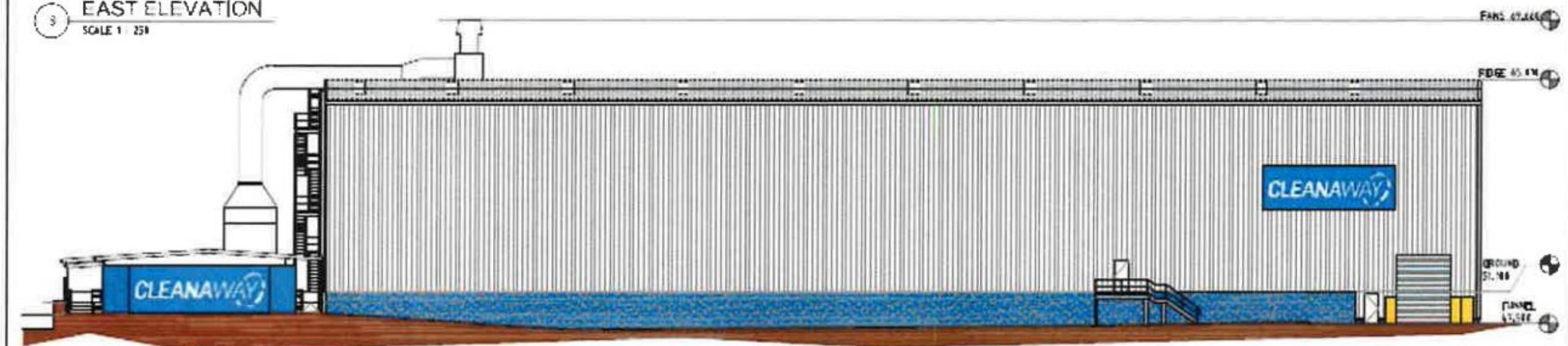
**Finishes Key**  
 1. Wall cladding to be Coolbond 'Dummet' colour.  
 2. Window frames, door frames & Metal Shutters Doors to match colour to be 'Dummet' 'Dummet'.  
 3. Facets gutters, downpipes, flue & roof to be Coolbond 'Dummet' colour.  
 4. Base cladding to be fair faced concrete then painted Dulux 'Cleanaway Blue'.

**Roof maintenance**  
 Roof to be fitted with outside fall-arrest rack system with access runways, or similar approved. No safe access to internal, down & in-roof, roof tops, fly boxes & gutters.  
 Fall arrest system to comply with all current legislation, and be installed such that the roof does not leak.  
 Access to be by trained persons, with equipment stored within the office building.

<b>PROJECT</b> ERSKINE PARK RMF - STAGE 1 WASTE TRANSFER STATION FOR CLEANAWAY WASTE MANAGEMENT LTD	 Making a sustainable future possible	<b>ARCHITECTS DOCUMENTATION</b>  NICHOLAS & ALEXANDER ARCHITECTS 31 Bevan Street, Albert Park, 3206 Tel: 9496 5822 Email: narch@bigpond.net.au A.C.N. 318 417 937	NORTH & SOUTH ELEVATIONS - MCD 3		DATE MARCH 2018
			DEVELOPMENT CONSENT		SCALE AS SHOWN @ A3
			DRWG No <b>17567</b>	DOCUMENTATION JH DRAW JH CHECKED ND	SHEET No <b>023</b>



3 EAST ELEVATION  
SCALE 1:250




4 WEST ELEVATION  
SCALE 1:250

<p><b>Cladding</b> External aspect walls: 0.45M<sup>2</sup> Colubond<sup>®</sup> firmlock vertical ribbed 3 metal sheeting. Incorporating flash courses and steel doors as required to meet as stated cladding.</p> <p>External aspect Roof: As wall construction incorporating 50mm insulation perforated antism<sup>®</sup> All Barbed<sup>®</sup> Fibreglass or wearware<sup>®</sup> &amp; safety wire mesh &amp; incorporate roof lights &amp; PV panels.</p> <p>External aspect Cladding: 0.100<sup>2</sup> walls with All Barbed<sup>®</sup> Fibreglass or metal approved.</p> <p><b>Doors</b> Steel &amp; Glazed doors, metal covers &amp; frames to be finished to meet the water coating to the same RAL colour as adjacent cladding.</p>	<p><b>Cladding to office/warehse</b> To be insulated built up system, cladding profile &amp; colour to match as rest of building.</p> <p><b>Windows</b> Finger joint powder coated double glazed windows with EDG opening lights, using polycarbonate to avoid solar gain &amp; protecting solar shading to North &amp; East elevations.</p> <p><b>Finish Key</b> 1 - Wall cladding to be Colubond<sup>®</sup> 'Gummat' colour. 2 - Window frames, door frames &amp; roller shutter doors - highlight colour to be 'Colubond<sup>®</sup> 'Gummat'.' 3 - Facia gutters, downpipes, pipe &amp; roof to be Colubond<sup>®</sup> 'Gummat' colour. 4 - Base cladding to be fair faced concrete finish paintbe Dulux 'Cleanaway Blue'.</p>	<p><b>Roof maintenance</b> Roof to be made with suitable fall-antistatic system with access all ways, or similar approved for safe access to maintain, clean &amp; inspect the roof, rooflights, gutters &amp; guttering.</p> <p>Fall arrest system to comply with all current legislation, and be installed such that the roof does not leak.</p> <p>Access to be by trained persons, with equipment stored within the office building.</p>
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PROJECT  
ERSKINE PARK RMF - STAGE 1  
WASTE TRANSFER STATION  
FOR  
CLEANAWAY WASTE  
MANAGEMENT LTD



ARCHITECTS DOCUMENTATION  
  
 NICHOLAS & ALEXANDER ARCHITECTS  
 37 Devon Street, Albert Park, 3206  
 Tel: 9546 5822  
 Email: nra@naarchitects.com.au  
 A.C.N. 318 417 937

EAST & WEST ELEVATIONS - MOD 3		DATE MARCH 2018	
DEVELOPMENT CONSENT		SCALE AS SHOWN ON A3	
Draw No <b>17567</b>	DOCUMENTATION DRAWN JH CHECKED ND	SHEET No <b>024</b>	REV. <b>08</b>
PLOT SCALE 1:1			

**APPENDIX 3 – MANAGEMENT AND MITIGATION MEASURES**

Cleanaway commits to the implementation of the operational mitigation measures, monitoring activities and management strategies outlined in **Section 7** of the EIS for all activities associated with the Development (SSD 7075). The table below presents the key commitments proposed in this EIS, in order to effectively mitigate and/or manage the potential environmental and socio-economic impacts of the Development. Additional commitments identified in the Response to Submissions are also included (highlighted in italics).

Statement of Commitments

Aspect/Commitment	Section
<b>General</b>	
A Construction Environmental Management Plan (CEMP) will be prepared for the Development, with sub-plans for specific environmental risk areas, including but not limited to noise, dust and traffic issues.	Section 7.11.5
A site-specific Operational Environmental Management Plan (OEMP) will be developed and submitted to DP&E for approval. The OEMP will ensure that the commitments made within the EIS, along with the conditions imposed by the development consent and EPL, are fully implemented and complied with. The OEMP will establish the framework for managing and mitigating the potential environmental impacts of the Development over the life of the operation.	Section 7.11.5
<b>Air Quality and Odour</b>	
A program of construction air quality monitoring will be implemented.	Section 7.1.5
<p>An air pollution control system will be implemented to provide multiple levels of control and an integrated solution for emission control. The system will include:</p> <ul style="list-style-type: none"> <li>• Containment: containment of dust and odour within the building using fast acting doors and an air extraction system;</li> <li>• Internal air management: the installation of a dust suppression system to control internal dust concentrations;</li> <li>• Air pollution control: the operation of a wet scrubber, required to achieve the ‘design standard’ with the plant operating at full capacity in the ‘normal operations’ scenario, or during the ‘emergency operations’ scenario; and</li> <li>• Emission control: the use of dilution fans to maximise the dispersion and dilution of the extracted, and scrubbed, air.</li> </ul>	Section 7.1.5
<p>Within the first 12 months of operations, monitoring of odour will be undertaken to perform efficiency trials on the scrubber system to demonstrate optimal performance. Cleanaway will also undertake follow-up monitoring during the operational lifetime of the WTS, on a basis to be agreed with the relevant authorities.</p>	Section 7.1.5
<b>Noise and Vibration</b>	
Other than the noise mitigation achieved by the enclosed nature of the building design, no additional noise mitigation measures are warranted.	n/a

<b>Aspect/Commitment</b>	<b>Section</b>
<i>Cleanaway owned vehicles operating on the site will be fitted with the High and Low Buzzer system, designed to minimise noise associated with reversing alarms in accordance with the Australian Vehicle Standard (Australian Design Rule 42/04) and Heavy Vehicle National Law Act 2012.</i>	RTS <sup>1</sup> Section 3.4
<i>All mobile plant operation will occur inside the WTS building and will be fitted with low frequency white noise reversing alarms.</i>	RTS Section 3.4
<b>Traffic and Transport</b>	
The Construction Traffic Management Plan will be updated in response to pre-construction approvals required as part of the Conditions of Approval. This will be implemented for the duration of construction activities.	Section 7.3.5
Cleanaway will schedule its delivery and transfer trucks to avoid the busy morning and afternoon peak hours.	Section 7.3.5
Transfer trucks departing the site will use the Erskine Park Link Road connection to the M7 rather than the Mamre Road or Erskine Park Road routes to the M4.	Section 7.3.5
<i>Designated pedestrian access will be provided from Quarry Road to the offices.</i>	RTS Section 3.4
<i>Any existing unnecessary property access will be removed, the kerb reinstated to suit the existing kerb, and the verge area reinstated with grass seeded topsoil or turf, which will be addressed in further designed stages.</i>	RTS Section 3.4
<b>Visual Amenity</b>	
Lighting will be designed and installed in accordance with AS 4282-1997 to avoid obtrusive effects to surrounding residents.	Section 7.4.5
Disturbed areas will be rehabilitated on completion of construction.	Section 7.4.5
Mature trees will be fenced and protected for the duration of construction.	Section 7.4.5
Landscape works will be implemented as part of the Development.	Section 7.4.5
<i>Further detail on the architectural treatment of the facility will be provided as the detailed design progresses.</i>	RTS Section 3.4
<i>Black palisade fencing located behind landscaping fronting on to Quarry Road will be provided.</i>	RTS Section 3.4
<i>Upon completion of the WTS, the undeveloped RRF area will be grassed until such time as construction can commence on the second stage.</i>	RTS Section 3.4
<b>Indigenous Heritage</b>	
Should any Aboriginal artefact be uncovered during construction or operation all works will cease in that locale and the OEH will be notified. Works will only recommence when an appropriate and approved management strategy has been agreed to by all of the relevant stakeholders.	Section 7.5.3
<b>Soils and Geology</b>	
Cut and fill slopes will be battered or retained for stability and to reduce the risk of erosion.	Section 7.6.4

<sup>1</sup> RTS - Response to Submissions

<b>Aspect/Commitment</b>	<b>Section</b>
An Erosion and Sediment Control Plan (ESCP) will be prepared as part of the CEMP setting out detailed measures for the management of erosion and sediment.	Section 7.6.4
A program of groundwater monitoring would be undertaken, building on the ongoing groundwater monitoring program undertaken for the landfill.	Section 7.6.4
In the event that unexpected contaminated material is encountered during construction excavations: <ul style="list-style-type: none"> <li>• An environmental management plan will be developed and implemented; and</li> <li>• A suitably qualified environmental consultant will be consulted to assess any unexpected conditions or subsurface facilities discovered during the proposed earthworks.</li> </ul>	Section 7.6.4
In the event that salinity is identified during construction the following measures will be considered: <ul style="list-style-type: none"> <li>• minimisation of exposure of saline and sodic soils in temporary faces or stockpiles during site preparation works; and</li> <li>• the collection and controlled discharge of stormwater from hard surfaces such that the potential for localised ponding or waterlogging is minimised.</li> </ul>	Section 7.6.4
<b>Surface Water</b>	
An Erosion and Sediment Control Plan (ESCP) will be prepared as part of the CEMP setting out detailed measures for the management of erosion and sediment.	Section 7.7.5
Storage of hazardous materials during construction such as oils, chemicals and refuelling activities will occur in bunded areas.	Section 7.7.5
Water quality monitoring of water within the sediment basins will be carried out during the construction phase in accordance with the CEMP.	Section 7.7.5
A minimum of 740 m <sup>3</sup> of OSD will be provided within an underground tank and above ground storage within the detention basin.	Section 7.7.5
Rainwater harvesting tanks will be implemented, which will provide a minimum of 56 KL of water storage for supplying greywater for toilet flushing in the buildings.	Section 7.7.5
Cleanaway will develop a detailed maintenance and operations plan for the entire stormwater system in accordance with Penrith Councils WSUD Policy (PCC, 2013) and will be included within the OEMP.	Section 7.7.5
<b>Flora and Fauna</b>	
Given the highly disturbed and artificial nature of the subject site at Erskine Park, there is no requirement for the implementation of any species specific impact amelioration or environment management measures with respect to threatened or other native biota.	n/a
<b>Greenhouse Gas</b>	
The building will be designed to comply with all National Construction Code and Council requirements and a Section J Energy Efficiency Assessment will be performed prior to construction.	Section 7.9.4
The following points would be considered to reduce the emissions caused from on-site electricity usage:	Section 7.9.4

Aspect/Commitment	Section
<ul style="list-style-type: none"> <li>• A percentage of electricity could be generated on-site through the use of photovoltaic cells, for example;</li> <li>• Use of light sensors minimise lighting related electricity usage; and</li> <li>• Where possible, high efficiency lighting should be used.</li> </ul>	
<p>The following points should be considered to reduce the overall energy use from vehicles and stationary equipment:</p> <ul style="list-style-type: none"> <li>• Variable frequency drive motor controls will be used on stationary equipment to minimise electricity consumption;</li> <li>• Waste transfer vehicles should leave the site with full loads to reduce the number of traffic movements required;</li> <li>• Waste transfer vehicle configuration should be designed to maximise waste transport efficiency;</li> <li>• All vehicles/plant and machinery should be turned off when not in use and regularly serviced to ensure efficient operation; and</li> <li>• Truck routes and loading capacity should be designed and optimised to reduce the distance and effort required by the vehicles.</li> </ul>	Section 7.9.4
<b>Hazard and Risk</b>	
<p>The SEPP 33 screenings for storage and transportation of dangerous goods indicates that the development is below the SEPP thresholds and therefore is not considered a hazardous or offensive development in accordance with the guidelines. As such a Preliminary Hazard Assessment is not required.</p>	n/a
<b>Socio-Economic</b>	
<p>A Community Information Strategy will be implemented throughout construction.</p>	Section 7.11.5
<b>Waste Management</b>	
<p>All received waste will be transported off-site to an appropriately licensed waste management facility in accordance with relevant waste management regulations.</p>	Section 6.12
<p>A Construction Waste Management Plan will be prepared setting out specific measures for the management of waste during the construction period.</p>	Section 7.12.4
<p>An operation WMP will be implemented throughout the life of the operation and will be updated on a regular basis (e.g. annually) to ensure the Plan remains applicable.</p>	Section 7.12.4





# Environment Protection Licence

Licence - 20986

## Licence Details

Number:	20986
Anniversary Date:	18-September

## Licensee

CLEANAWAY PTY LTD  
 85-87 QUARRY RD  
 ERSKINE PARK NSW 2759

## Premises

ERSKINE PARK WASTE TRANSFER STATION  
 85-87 QUARRY ROAD  
 ERSKINE PARK NSW 2759

## Scheduled Activity

Chemical storage  
 Waste processing (non-thermal treatment)  
 Waste storage

## Fee Based Activity

## Scale

General chemicals storage	0-5000 kL storage capacity
Non-thermal treatment of general waste	Any annual processing capacity
Waste storage - other types of waste	Any other types of waste stored

## Contact Us

NSW EPA  
 4 Parramatta Square  
 12 Darcy Street  
 PARRAMATTA NSW 2150  
 Phone: 131 555  
 Email: [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)

Locked Bag 5022  
 PARRAMATTA NSW 2124



# Environment Protection Licence

Licence - 20986

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# Environment Protection Licence

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Licence - 20986

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# Environment Protection Licence

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Licence - 20986

## Information about this licence

### Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

### Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

### Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

### Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

### Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).



# Environment Protection Licence

Licence - 20986

The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

## Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

## Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

## This licence is issued to:

<b>CLEANAWAY PTY LTD</b>
<b>85-87 QUARRY RD</b>
<b>ERSKINE PARK NSW 2759</b>

subject to the conditions which follow.

# Environment Protection Licence

Licence - 20986

## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Chemical storage	General chemicals storage	0 - 5000 kL storage capacity
Waste processing (non-thermal treatment)	Non-thermal treatment of general waste	Any annual processing capacity
Waste storage	Waste storage - other types of waste	Any other types of waste stored

### A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
ERSKINE PARK WASTE TRANSFER STATION
85-87 QUARRY ROAD
ERSKINE PARK
NSW 2759
LOT 1 DP 1140063

### A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

# Environment Protection Licence

Licence - 20986

## 2 Discharges to Air and Water and Applications to Land

### P1 Location of monitoring/discharge points and areas

- P1.1 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

## 3 Limit Conditions

### L1 Pollution of waters

- L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

### L2 Waste

- L2.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	General solid waste (putrescible)	As defined in Schedule 1 of the POEO Act, as in force from time to time	Waste processing (non-thermal treatment) Waste storage	
NA	General solid waste (non-putrescible)	As defined in Schedule 1 of the POEO Act, as in force from time to time	Waste processing (non-thermal treatment) Waste storage	

- L2.2 No more than 300,000 tonnes of waste is to be received at the Premises per annum.

- L2.3 The amount of waste received at the Premises must be recorded (in tonnes) on a daily basis.

- L2.4 The authorised amount of waste permitted on the Premises must not exceed 1,040 tonnes at any one time.

### L3 Noise limits



# Environment Protection Licence

Licence - 20986

- L3.1 Noise emissions from the Premises must be in compliance with the requirements of the NSW EPA's Industrial Noise Policy.

## **L4 Hours of operation**

- L4.1 The hours of operation are 24 hours per day seven days a week.

## **L5 Potentially offensive odour**

- L5.1 No condition of this licence identifies a potentially offensive odour for the purposes of 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 but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

## **4 Operating Conditions**

### **O1 Activities must be carried out in a competent manner**

- O1.1 Licensed 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.

### **O2 Maintenance of plant and equipment**

- O2.1 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.

### **O3 Dust**

- O3.1 Trucks entering or leaving the Premises that are carrying loads must be covered, except during loading and unloading.
- O3.2 All vehicles leaving the Premises must not track dirt, sand or other materials onto public roads.
- O3.3 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

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## O4 Other operating conditions

- O4.1 The licensee must ensure that any waste received and/or stored at the Premises is assessed and classified in accordance with the EPA's *Waste Classification Guidelines* as in force from time to time.

## 5 Monitoring and Recording Conditions

### M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- in a legible form, or in a form that can readily be reduced to a legible form;
  - kept for at least 4 years after the monitoring or event to which they relate took place; and
  - produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- the date(s) on which the sample was taken;
  - the time(s) at which the sample was collected;
  - the point at which the sample was taken; and
  - the name of the person who collected the sample.

### M2 Weather monitoring

- M2.1 The Licensee must ensure that there is a suitable meteorological station on the Premises that complies with the requirements in the latest version of the *Approved Methods of Sampling of Air Pollutants in New South Wales*.
- M2.2 The Licensee must operate the meteorological station and maintain continuous, auditable records of meteorological data.

### M3 Recording of pollution complaints

- M3.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M3.2 The record must include details of the following:
- the date and time of the complaint;
  - the method by which the complaint was made;
  - any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
  - the nature of the complaint;
  - the action taken by the licensee in relation to the complaint, including any follow-up contact with the

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complainant; and

f) if no action was taken by the licensee, the reasons why no action was taken.

M3.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M3.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M4 Telephone complaints line

M4.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M4.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

M4.3 The preceding two conditions do not apply until one (1) month the date of the issue of this licence.

## 6 Reporting Conditions

### R1 Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

R1.3 Where this licence is transferred from the licensee to a new licensee:

- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b) the new licensee must prepare an Annual Return for the period commencing on the date the application for

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the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

## R2 Notification of environmental harm

R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.

## R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- a) where this licence applies to premises, an event has occurred at the premises; or
  - b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

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- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

## 7 General Conditions

### G1 Copy of licence kept at the premises or plant

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

## 8 Special Conditions

### E1 Financial Assurance

- E1.1 A financial assurance in the form of an unconditional and irrevocable and on demand guarantee from a bank, building society or credit union operating in Australia as "Authorised Deposit-taking Institutions" under the *Banking Act 1959* of the Commonwealth of Australia and supervised by the Australian Prudential Regulatory Authority (APRA) must be provided to the EPA by 30 January 2019.
- E1.2 The financial assurance must be in favour of the Environment Protection Authority in the amount of two hundred thousand dollars (\$200,000). The financial assurance is required to secure or guarantee funding for works or programs required by or under this licence. The financial assurance must contain a term that provides that any monies claimed can be paid to the EPA or, at the written direction of the EPA to any other person. The licensee must provide to the EPA, along with the original counterpart guarantees, confirmation in writing that the financial institution providing the guarantees is subject to supervision by APRA.
- E1.3 The financial assurance must be maintained during the operation of the facility and thereafter until such time as the EPA is satisfied the premises is environmentally secure.

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- E1.4 The EPA may require an increase in the amount of the financial assurance at any time as a result of reassessment of the total likely costs and expenses of rehabilitation of the premises.
- E1.5 The EPA may claim on a financial assurance under s303 of the POEO Act if a licensee fails to carry out any work or program required to comply with the conditions of this licence.
- E1.6 The financial assurance must be replenished by the full amount claimed or realised if the EPA has claimed on or realised the financial assurance or any part of it to undertake a work or program required to be carried out by the licence which has not been undertaken by the licence holder.

## E2 Environmental obligations of licensee

- E2.1 While the licensee's premises are being used for the purpose to which the licence relates, the licensee must:
- Clean up any spill, leak or other discharge of any waste(s) or other material(s) as soon as practicable after it becomes known to the licensee or to one of the licensee's employees or agents.
  - In the event(s) that any liquid and non-liquid waste(s) is unlawfully deposited on the premises, such waste(s) must be removed and lawfully disposed of as soon as practicable or in accordance with any direction given by the EPA.
  - Provide all monitoring data as required by the conditions of this licence or as directed by the EPA.
- E2.2 In the event of an earthquake, storm, fire, flood or any other event where it is reasonable to suspect that a pollution incident has occurred, is occurring or is likely to occur, the licensee must:
- Make all efforts to contain all fire water on the premises;
  - Make all efforts to control air pollution from the premises;
  - Make all efforts to contain any discharge, spill or run-off from the premises;
  - Make all efforts to prevent flood water entering the premises;
  - Remediate and rehabilitate any exposed areas of soil and/or waste;
  - Lawfully dispose of all liquid and solid waste(s) stored on the premises that is not already securely disposed of;
  - At the request of the EPA, monitor groundwater beneath the premises and its potential to migrate from the premises;
  - At the request of the EPA, monitor surface water leaving the premises; and
  - Ensure the premises is secure.
- E2.3 After the licensee's premises cease to be used for the purposes to which the licence relates or in the event that the licensee ceases to carry out the activity that is the subject of this licence, that licensee must:
- Remove and lawfully dispose of all liquid and non-liquid waste stored on the licensee's premises; and
  - Rehabilitate the premises, including conducting an assessment of the site and if required remediation of any site contamination.

## E3 Post-commissioning Odour Audit

- E3.1 The licensee must carry out an Odour Audit within six (6) months of commencement of operation of the Waste Transfer Station.
- E3.2 A copy of the audit report from the Odour Audit referred to in condition E3.1 must be submitted to the EPA within two (2) months of commissioning the Odour Audit and must include the Licensee's response to recommendations contained in the audit report

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## Dictionary

### General Dictionary

<b>3DGM [in relation to a concentration limit]</b>	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>AM</b>	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>BOD</b>	Means biochemical oxygen demand
<b>CEM</b>	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
<b>general solid waste (non-putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>general solid waste (putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>grab sample</b>	Means a single sample taken at a point at a single time
<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>restricted solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>special waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TM</b>	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

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<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids
<b>Type 1 substance</b>	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
<b>Type 2 substance</b>	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
<b>utilisation area</b>	Means any area shown as a utilisation area on a map submitted with the application for this licence
<b>waste</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>waste type</b>	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste

Ms Ruth Owler

Environment Protection Authority

(By Delegation)

Date of this edition: 18-September-2017

## End Notes

- |   |                          |                               |
|---|--------------------------|-------------------------------|
| 2 | Licence varied by notice | 1572918 issued on 30-Nov-2018 |
| 3 | Licence varied by notice | 1602571 issued on 18-Nov-2020 |
| 4 | Licence varied by notice | 1614895 issued on 11-Jan-2022 |