Development Consent

Section 4.38 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 11 October 2017, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

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

Sydney	2018	File: DOC18/628572

SCHEDULE 1

Application No:	SSD 8200
Applicant:	Bingo Recycling Pty Ltd
Consent Authority:	Minister for Planning
Site:	Lot 9 in DP 31908 and Lot 143 in DP 1013185
	21 and 25 Dunheved Circuit, St Marys
Development:	Construction and operation of a resource recovery facility to process up to 350,000 tonnes per year of general solid waste (non-putrescible)

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DEFINITIONS

Applicant	Bingo Recycling Pty Ltd, or any person carrying out any development to which this consent applies
AS 2890	Australian Standard AS/NZS 2890: Parking Facilities Set
BCA	Building Code of Australia
BC Act	*Biodiversity Conservation Act 2016*
Calendar year	A period of 12 consecutive months commencing on 1 January
Certifying Authority	A person who is authorised by or under section 6.17 of the EP&A Act to issue Part 4A certificates
CEMP	Construction Environmental Management Plan
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent
Council	Penrith City Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning and Environment
Development	The development described in the EIS and Response to Submissions, including the works and activities comprising resource recovery of waste, as modified by the conditions of this consent
Development layout	The plans at Appendix A of this consent
DPI	NSW Department of Primary Industries
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
EIS	The Environmental Impact Statement titled, *Environmental Impact Statement - Bingo Recycling Pty Ltd St Marys Resource Recovery Facility, State Significant Development* prepared by Arcadis Australia Pacific Pty Limited dated 29 August 2017, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
ENM	Excavated Natural Material
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	*Environmental Planning and Assessment Regulation 2000*
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6 pm to 10 pm
General solid waste (non-putrescible)	As defined in Schedule 1 of *the Protection of the Environment Operations Act 1997*, but excluding Biosolids
Heavy vehicle	Any vehicle with a gross vehicle mass of 4.5 tonnes or more
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the *Heritage Act 1977,* and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the *National Parks and Wildlife Act 1974'*, the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), or anything identified as a heritage item under the conditions of this consent
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance Note: "material harm" is defined in this consent
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Management & Mitigation Measures	The management and mitigation measures set out in Appendix B
Material harm	Is harm that: • involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or • results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding $10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all

	reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	NSW Minister for Planning (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
OEH	NSW Office of Environment and Heritage
OEMP	Operational Environmental Management Plan
Operation	The receipt, removal or processing of waste upon completion of construction
PCA	Principal Certifying Authority in accordance with the EP&A Act
Planning Secretary	The Secretary of the Department of Planning and Environment, or nominee
POEO Act	*Protection of the Environment Operations Act 1997*
Processed waste	Means general solid waste (non-putrescible) which has passed through the waste processing plant and separated into segregated waste streams
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled "*Aboriginal cultural heritage consultation requirements for proponents 2010*" (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting
Residual waste	Means general solid waste (non-putrescible) which has passed through the waste processing plant and cannot be separated into segregated waste streams
Response to submissions	The Applicant's response to issues raised in submissions, *St Marys Resource Recovery Facility Response to Submissions*, prepared by Arcadis, dated 23 April 2018, received in relation to the application for consent for the development under the EP&A Act
RMS	NSW Roads and Maritime Services
RSA	Road Safety Audit
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
Site	The land defined in Schedule 1
TfNSW	Transport for New South Wales
Unprocessed waste	Means general solid waste (non-putrescible) which has not passed through the waste processing plant or been separated into segregated waste streams
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
WSUD Guideline	*Water Sensitive Urban Design Guideline*
Year	A period of 12 consecutive months

SCHEDULE 2

PART A: ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

TERMS OF CONSENT

A2. The development may only be carried out:

(a) in compliance with the conditions of this consent;

(b) in accordance with all written directions of the Planning Secretary;

(c) in accordance with the EIS and Response to Submissions;

(d) in accordance with the development layout plans in Appendix A; and

(e) in accordance with the management and mitigation measures in Appendix B.

A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:

(a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and

(b) the implementation of any actions or measures contained in any such document referred to in (a) above.

A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Note: *For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Planning Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.*

LIMITS OF CONSENT

A5. This consent lapses five years after the date from which it operates, unless the development has physically commenced on the land to which the consent applies before that date.

A6. The Applicant must not:

(a) receive or process more than 350,000 tonnes of waste per year; and

(b) store more than 20,000 tonnes of waste at any one time.

A7. The only type of waste permitted to be received or processed on the premises is waste classified as general solid waste (non-putrescible).

A8. All asbestos, gas bottles, fire extinguishers, batteries and other non-conforming wastes not permitted to be received on site must be placed in a designated quarantine area, as described in the EIS and RTS, and removed from site to a waste management facility or premises lawfully permitted to accept the materials.

NOTIFICATION OF COMMENCEMENT

A9. The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least one month before that date:

(a) construction;

(b) operation;

(c) cessation of operations; and

(d) decommissioning.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

A10. With the approval of the Planning Secretary, the Applicant may:

(a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development 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);

(b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and

(c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).

A11. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.

A12. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

REQUEST FOR INFORMATION

A13. The Applicant must retain all weighbridge records as required by the POEO (Waste) Regulation and for the life of the development. The weighbridge records must be made immediately available on request by the Planning Secretary and/or the EPA.

A14. The Applicant must retain waste classification records for all wastes received on the site and waste disposed from the site for the life of the development. The waste classification records must be made immediately available on request by the EPA and/or the Planning Secretary.

EVIDENCE OF CONSULTATION

A15. Where conditions of this consent require consultation with an identified party, the Applicant must:

(a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and

(b) provide details of the consultation undertaken including:

(i) description of how matters raised by those consulted have been resolved to the satisfaction of both the Applicant and the party consulted; and

(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

PROTECTION OF PUBLIC INFRASTRUCTURE

A16. Before the commencement of construction, the Applicant must:

(a) consult with the relevant owner and/or provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure;

(b) engage with Sydney Water to finalise the extinguishment of the easement for a redundant water main under the existing facility at 25 Dunheved Circuit;

(c) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and

(d) submit a copy of this report to the Planning Secretary and Council.

A17. Unless the Applicant and Council agree otherwise, the Applicant must:

(a) lodge an Infrastructure Restoration Bond with Council prior to commencement of any works onsite or on the public road;

(b) repair, or pay the full costs associated with repairing any public infrastructure that is damaged by the development; and

(c) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.

DEMOLITION

A18. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The demolition of structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY AND CERTIFICATION

A19. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Note:
- *Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.*
- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.*

EXTERNAL WALLS AND CLADDING FLAMMABILITY

A20. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A21. Before the issue of a Construction Certificate and an Occupation Certificate, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the requirements of the BCA.

A22. The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.

UTILITIES AND SERVICES

A23. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

A24. Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

COMPLIANCE

A25. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

WORKS-AS-EXECUTED PLANS

A26. Prior to the issue of a Construction Certificate, the Certifying Authority must ensure that the commercial office floor levels are 500 mm and the processing and storage buildings are 100 mm above the 1% AEP floor levels adjacent to the site.

A27. Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the PCA.

OPERATION OF PLANT AND EQUIPMENT

A28. All plant and equipment used on site or to monitor the performance of the development must be:

(a) maintained in a proper and efficient condition; and

(b) operated in a proper and efficient manner.

APPLICABILITY OF GUIDELINES

A29. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the

Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

MONITORING AND ENVIRONMENTAL AUDITS

A30. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, Annual Review and independent environmental auditing.

Note: *For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.*

SURRENDER OF CONSENTS

A31. Within 12 months of the date of commencement of development to which this consent applies, or within another timeframe agreed by the Planning Secretary, the Applicant must surrender the existing development consents dated 22 May 2017, 24 July 2001 and 20 June 2016 for the site described in **Table 1** in accordance with the EP&A Regulation.

Table 1: Development Consents to be Surrendered

Determination Date	DA Number	Details
	21 Dunheved Circuit	
22 May 2017	CDP17/0572	Change of use from a warehouse to landscape material supplies
	25 Dunheved Circuit	
24 July 2001	DA01/1034	Waste management and recycling facility
20 June 2016	DA15/1042	Alterations and additions to an existing waste management and recycling facility including demolition works, construction of new buildings, weighbridges and vegetation removal

A32. Upon the commencement of development to which this consent applies, and before the surrender of existing development consents or project approvals required under condition A31 the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals.

Note: *This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 6 of the EP&A Act. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.*

ADVISORY NOTES

AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

PART B: ENVIRONMENTAL PERFORMANCE AND MANAGEMENT

TRAFFIC AND ACCESS

Construction Traffic Management Plan

B1. Prior to the commencement of construction, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the Development to the satisfaction of the Planning Secretary. The CTMP must form part of the CEMP required by Condition C1 and be prepared in accordance with Condition C6. The CTMP must:

(a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;

(b) be prepared in consultation with Council;

(c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;

(d) detail heavy vehicle routes to and from the site;

(e) detail the measures to be implemented to ensure all construction vehicles access the site via 21 Dunheved Circuit only;

(f) detail the parking arrangements, ensuring all construction related vehicles are parked within the site at 21 Dunheved Circuit and no construction staff park on the surrounding road network;

(g) include a Traffic Control Plan, including details for pedestrian management:

(h) prepared in accordance with *AS1742.3 Traffic Control Devices* and RMS' *Traffic Control at Worksites*; and

(i) certified by an appropriately accredited RMS traffic controller;

(j) include a Driver Code of Conduct to:

(k) minimise the impacts of earthworks and construction on the local and regional road network;

(l) minimise conflicts with other road users;

(m) minimise road traffic noise;

(n) ensure truck drivers use specified routes; and

(o) ensure truck drivers do not park on Dunheved Circuit or the surrounding road network;

(p) include a program to monitor the effectiveness of these measures; and

(q) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.

B2. The Applicant must:

(a) not commence construction until the CTMP required by Condition B1 is approved by the Planning Secretary; and

(b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of construction.

Operating Conditions

B3. The Applicant must ensure:

(a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of AS 2890;

(b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;

(c) the development does not result in any vehicles queuing on the public road network;

(d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;

(e) all vehicles enter and exit the site in a forward direction and are wholly contained on site before being required to stop;

(f) all loading and unloading of materials is carried out on site;

(g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network;

(h) vehicle manoeuvring areas must always be kept clear of any obstacles, including parked vehicles; and
(i) all vehicles associated with the development are prohibited from parking along Dunheved Circuit, Links Road and the surrounding road network.

Intersection Works

B4. Prior to the commencement of construction:
(a) all road upgrade works at Dunheved Circuit loop road must be designed in accordance with the intersection upgrade concept plans provided in the EIS and in accordance with Council's *Design Guidelines for Engineering Works for Subdivisions and Developments, Engineer Construction Specification for Civil Works*. Pavement design must be prepared and certified by a suitably qualified geotechnical engineer;
(b) a Section 138 Roads Act Application, including payment of the application and inspection fees, must be lodged with and approved by Council; and
(c) a Performance Bond must be lodged with Council for the intersection works. The value of the bond must be determined in accordance with Council's adopted fees and charges.

B5. Prior to the commencement of construction, a Stage 3 (detailed design) Road Safety Audit (RSA) must be undertaken in accordance with the Austroads *Guide to Safety part 6: Road Safety Audit* by an accredited auditor who is independent of the design consultant. A copy of the RSA must accompany the design plans submitted with the Construction Certificate or *Roads Act* application and the findings of the RSA must be incorporated in the final road upgrade design. A copy of the RSA must be submitted to Council for its records.

B6. Prior to the commencement of operations, all works associated with a S138 *Roads Act* approval and S68 Local Government Act approval, including the upgrade of the intersections at Dunheved Circuit Loop, must be completed to the satisfaction of Council.

B7. Upon completion of all works in the road reserve, all verge areas fronting and within the development must be turfed. The turf must extend from the back of the kerb to the property boundary, with the exception of concrete footpaths, service lids and other infrastructure that is not to be turfed over. Turf laid up to concrete footpaths, service lids and other infrastructure must finish flush with the edge.

Operational Traffic Management Plan

B8. Prior to the commencement of operation, the Applicant must prepare an Operational Traffic Management Plan (OTMP) for the Development to the satisfaction of the Planning Secretary. The plan must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C6. The OTMP must:
(a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;
(b) be prepared in consultation with Council;
(c) detail the measures that are to be implemented to ensure road safety and network efficiency including:
  (i) ensuring no queuing or parking of vehicles occur in Dunheved Circuit or the surrounding road network;
  (ii) redirecting incoming trucks to other facilities to prevent traffic build-up and queuing in Dunheved Circuit; and
  (iii) prioritising the removal of processed waste and residual waste outside of the road network and facility peak hours;
(d) detail heavy vehicle routes, access and parking arrangements;
(e) include a Driver Code of Conduct to:
  (i) minimise the impacts on the local and regional road network;
  (ii) minimise conflicts with other road users;
  (iii) minimise road traffic noise;
  (iv) ensure truck drivers use specified haul routes; and
  (v) include a program to monitor the effectiveness of these measures.
(f) include a Traffic Control Plan detailing:
  (i) the on-site measures to be implemented to control the manoeuvring of vehicles in designated areas, including font-end loaders within the waste storage building; and

    (ii) installation of way-finding signage and line marking;

(g) include an Employee Transport Plan that:

    (i) details a strategy for the utilisation of public transport or carpooling to ensure no staff parking occurs offsite; and

    (ii) includes a program to monitor the effectiveness of this strategy.

B9. The Applicant must:

(a) not commence operation until the OTMP required by Condition B8 is approved by the Planning Secretary; and

(b) implement the most recent version of the OTMP approved by the Planning Secretary for the operational life of the Development.

WASTE MANAGEMENT

B10. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.

B11. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal, except as expressly permitted by an EPL.

B12. The Applicant must record the amount of waste (in tonnes) received at the site on a daily basis and retain all sampling and waste classification data for the life of the Development in accordance with the requirements of the EPA.

B13. All waste processing, including truck loading and unloading, storage and materials handling activities must be undertaken in the enclosed processing and storage buildings and only within the areas designated for these activities, as described in the EIS and RTS.

Receipt, Storage & Handling of Waste

B14. The Applicant shall only receive waste on site that is authorised for receipt by an EPL. No putrescible waste may be received, stored or processed on site.

B15. The Applicant shall ensure any waste generated on the site during construction is classified in accordance with the EPA's Waste Classification Guidelines, 2014 or its latest version, and disposed of to a facility that may lawfully accept the waste.

B16. Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan (WMP) for the Development to the satisfaction of the Planning Secretary. The WMP must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C6. The WMP must:

(a) be prepared by a suitably qualified and experienced person(s);

(b) detail the type and quantity of waste to be received during operation of the Development;

(c) include details of stockpile limits in the incoming waste receival area and waste storage bunkers;

(d) include procedures for ensuring no build-up of waste will occur in the incoming waste receival area during unexpected machinery breakdown.

B17. The Applicant must:

(a) not commence operation until the WMP required by Condition B16 is approved by the Planning Secretary; and

(b) implement the most recent version of the WMP approved by the Planning Secretary for the operational life of the Development.

B18. The Applicant must provide details of the allocated truck type and source of wastes received on the site to the EPA and the Planning Secretary when requested.

B19. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the EPA's *Waste Classification Guidelines Part 1: Classifying Waste, November 2014*, or its latest version and dispose of all wastes to a facility that may lawfully accept the waste.

B20. No crushing, shredding or grinding works are permitted on site at any time.

B21. Garden waste may only be stored in one sealed and covered 35 m^3 skip bin and must be removed from site within 72 hours of receipt.

B22. No materials bins may be placed within the waste receival/tipping area within the processing building.

Pests, Vermin and Noxious Weed Management

B23. The Applicant must:

(a) implement suitable measures to manage pests, vermin and declared noxious weeds on the 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 the surrounding area.

Note: *For the purposes of this condition, noxious weeds are those species subject to an order declared under the Noxious Weed Act 1993.*

AIR QUALITY

Dust Minimisation

B24. Prior to the commencement of operation, the Applicant must install a fast-closing roller door at Door C of the extension to the processing building, being the truck exit door closest to the industrial receiver at 19 Dunheved Circuit.

B25. The Applicant must implement all reasonable and feasible measures to minimise dust generated during demolition, earthworks, construction and operation of the development.

B26. During construction, the Applicant must ensure that:

(a) exposed surfaces and stockpiles are suppressed by regular watering;

(b) all trucks entering or leaving the site with loads have their loads covered;

(c) trucks associated with the development do not track dirt from the site onto the public road network; and

(d) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

B27. Prior to the commencement of operation, the processing and waste storage buildings must be fitted with a dust suppression system, as described in the EIS.

B28. The inground wheel washes at the vehicle egress points must be operational at all times.

Air Quality Control

B29. The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria and air quality monitoring requirements as specified in the EPL for the site.

Air Quality Management Plan

B30. Prior to the commencement of operation, the Applicant must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The AQMP must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C6. The AQMP must:

(a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;

(b) detail and rank all emissions from all sources of the development, including particulate emissions;

(c) describe a program that is capable of evaluating the performance of the operation and determining compliance with key performance indicators;

(d) identify the control measures that that will be implemented for each emission source;

(e) include a procedure detailing the use of a fast-closing roller door at Door C to control dust emissions; and

(f) describe proactive and reactive management strategies.

B31. The Applicant must:

(a) not commence operation until the AQMP required by Condition B30 is approved by the Planning Secretary; and

(b) implement the most recent version of the AQMP approved by the Planning Secretary for the operational life of the Development.

Feasibility Study

B32. Prior to the commencement of operations, the Applicant must undertake a feasibility study to investigate options to reduce particulate emissions from diesel powered machinery to the satisfaction of the EPA. The study must be prepared in consultation with the EPA and, at a minimum, evaluate the feasibility of:

(a) adopting lower emission diesel plant and equipment and alternate fuel and power options, including natural gas and electrification; and

(b) additional management controls, including idling reduction.

Odour Management

B33. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

NOISE

Hours of Work

B34. The hours of work detailed in **Table 2** must be complied with.

Table 2: Hours of work

Activity	Day	Time
Construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm
Operation	Monday – Saturday Sunday and Public Holidays	24 hours per day No operation permitted

B35. Works outside of the hours identified in Condition B34 may be undertaken in the following circumstances:

(a) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or

(b) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.

Construction Noise Limits

B36. The development must be constructed to achieve the construction noise management levels detailed in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the EIS.

Construction Noise Management Plan

B37. The Applicant must prepare a Construction Noise Management Plan (CNMP) for the development to the satisfaction of the Planning Secretary. The CNMP must form part of a CEMP required by Condition C1 and must:

(a) be prepared by a suitably qualified and experienced noise expert whose appointment has been endorsed by the Planning Secretary;

(b) be approved by the Planning Secretary prior to the commencement of construction of the development;

(c) describe procedures for achieving the noise management levels in EPA's *Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time);

(d) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;

(e) include strategies that have been developed with the adjoining businesses for managing high noise generating works; and

(f) include a complaints management system that would be implemented for the duration of the development.

B38. The Applicant must:

(a) not commence construction of any relevant stage until the CNMP required by condition B37 is approved by the Planning Secretary; and

(b) implement the most recent version of the CNMP approved by the Planning Secretary for the duration of construction.

Operational Noise Limits

B39. The Applicant must ensure noise generated by operation of the development does not exceed the noise limits in **Table 3**.

Table 3: Noise Limits dB(A)

Location	Day (7 am–6 pm) $L_{Aeq(15\ minute)}$	Evening (6 pm-10 pm) $L_{Aeq(15\ minute)}$	Night-time (10 pm-7 am) $L_{Aeq(15\ minute)}$	Night-time (Sleep Disturbance) $L_{A\ max}$
All residential receivers	35	35	35	52

Note: *Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry.*

Road Traffic Noise

B40. Before the commencement of construction, the Applicant must prepare a Driver Code of Conduct and induction training for the development to minimise road traffic noise. The Applicant must update the Driver Code of Conduct and induction training for construction and operation and must implement the Code of Conduct for the life of the development.

VIBRATION

Vibration Criteria

B41. Vibration caused by construction at any residence or structure outside the site must be limited to:

(a) for structural damage, German Standard *DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures*; and

(b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (Department of Environment and Conservation, 2006).

SOILS, WATER QUALITY AND HYDROLOGY

Erosion and Sediment Control

B42. Before the commencement of construction, the Applicant must install and maintain suitable erosion and sediment control measures on site, in accordance with the relevant requirements in the latest version of the *Managing Urban Stormwater: Soils and Construction Guideline.* The Erosion and Sediment Control Plan must be included in the CEMP required by Condition C1.

Construction Water Management Plan

B43. Prior to the commencement of construction, the Applicant must prepare a Construction Water Management Plan (CWMP) for the Development to the satisfaction of the Planning Secretary. The CWMP must form part of the CEMP required by Condition C1 and be prepared in accordance with Condition C6. The CWMP must:

(a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary; and

(b) be prepared in consultation with Department of Industry – Water.

B44. In the event that groundwater is intersected during construction, the Applicant must:

(a) obtain the necessary water licences and/or approvals from Department of Industry – Water, if required; and

(b) develop a Groundwater Management Plan for the testing, dewatering, storage, movement and treatment of any groundwater to the satisfaction of the Department of Industry – Water.

Discharge Limits

B45. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

Water Management System

B46. Prior to the commencement of construction, the Applicant must design a system to capture, contain and dispose of contaminated firewater, in consultation with and to the satisfaction of Fire and Rescue NSW (FRNSW).

B47. Prior to the commencement of operation, the Applicant must design and install a water management system for the development. The system must:

(a) be designed by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;

(b) include a system to capture leachate generated within the processing building for offsite disposal and treatment;

(c) be generally in accordance with the conceptual design in the EIS and Council's *Stormwater Drainage Specifications for Building Developments*;

(d) be in accordance with applicable Australian Standards;

(e) demonstrate that discharge limits can meet those in Landcom's *WSUD Guideline*;

(f) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines (as may be updated or replaced from time to time);

(g) divert existing clean surface water around operational areas of the site; and

(h) prevent cross-contamination of clean and sediment or leachate laden water including the provision of a 100-mm high trafficable bund at all entrances/ exits of the processing and storage buildings.

B48. Prior to the commencement of operation, the Applicant must:

(a) provide a Compliance Certificate to the Planning Secretary which confirms the Water Management System has been designed and installed as per the requirements of Condition B47 and the proposed development will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties; and

(b) register on the title of the property a restriction as to user and positive covenant relating to the stormwater management systems, including onsite detention, Bio-retention and water sensitive urban design. The restriction as to user and positive covenant must be in Council's standard wording as detailed in Penrith City Council's *Stormwater and Drainage for Building Developments* policy.

B49. The water management system must be operated and maintained for the duration of the development.

Water Management Plan

B50. Prior to the commencement of operation, the Applicant must prepare a Water Management Plan (Water MP) to the satisfaction of the Planning Secretary. The Water MP must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C6. The Water MP must:

(a) detail water use, metering, disposal and management on-site;

(b) detail the management of wastewater streams on-site, including leachate;

(c) contain a Surface Water Management Plan, including;

(i) a program to monitor:

a. surface water flows and quality;

b. surface water storage and use; and

c. sediment basin operation;

(ii) sediment and erosion control plans;

(iii) surface water impact assessment criteria, including trigger levels for investigating and potential adverse surface water impacts; and

(iv) a protocol for the investigation and mitigation of identified exceedances of the surface water impact assessment criteria.

B51. The Applicant must:

(a) not commence operation until the Water MP required by Condition B50 is approved by the Planning Secretary; and

(b) implement the most recent version of the Water MP approved by the Planning Secretary for the duration of the development.

Drainage

B52. Prior to the commencement of operation:

(a) the lots on the site (Lot 9 in DP 31908 and Lot 143 in DP 1013185) must be consolidated; or

(b) an inter-allotment drainage easement must be created in favour of the development site (Lot 9 DP31908) 21 Dunheved Circuit – over the downstream properties to the point of connection to Council's stormwater system. The width of the easement shall be in accordance with Council's *Stormwater Drainage Specification for Building Developments*.

HAZARDS AND RISK

Hazardous Waste

B53. The Applicant must implement auditable procedures to handle and dispose of hazardous waste materials such as asbestos, sharps and chemical/biological materials that have been unintentionally received on site.

Dangerous Goods

B54. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.

B55. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:

(a) all relevant Australian Standards; and

(b) the *Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin* (EPA,1997).

In the event of an inconsistency between the requirements listed in a) and b) above, the most stringent requirement must prevail to the extent of the inconsistency.

Bunding

B56. The Applicant must store all chemicals, fuels and oils used on site in appropriately bunded areas and/or cages in accordance with the requirements of all relevant Australian Standards, and/or the EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Handbook.*

FIRE SAFETY

Fire Safety System

B57. Prior to the commencement of construction, the final fire and life safety design of the development, including firewater containment, must be finalised in consultation with FRNSW to the satisfaction of the Planning Secretary and include suitable additional provisions for special hazards by specifically addressing Clauses E1.10 and E2.3 of Volume One of the National Construction Code (NCC) Series.

CONTAMINATION

B58. Prior to the commencement of earthworks, the Applicant must prepare an unexpected contamination protocol to ensure that potentially contaminated material is appropriately managed. The protocol must form part of the CEMP in accordance with Condition C2 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.

VISUAL AMENITY

Landscaping

B59. Before the commencement of operation, the Applicant must prepare a Landscape Management Plan (LMP), based on the Landscape Plan prepared by True Form Landscape Architects, job number 2017-017, Issue D, to manage the revegetation and landscaping works on site. The LMP must:

(a) detail the species to be planted on site; and

(b) describe the monitoring and maintenance measures to manage revegetation and landscaping works.

B60. The Applicant must:

(a) implement the most recent version of the LMP; and

(b) maintain the landscaping and vegetation on the site in accordance with the LMP for the duration of the development.

Lighting

B61. The Applicant must ensure the lighting associated with the development:

(a) complies with the latest version of *AS 4282 (INT) - Control of Obtrusive Effects of Outdoor Lighting*; and

(b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

Signage and Fencing

B62. All signage and fencing must be erected in accordance with the development plans provided by the Applicant on 12 September 2018 and attached to this consent.

Note: *This condition does not apply to temporary construction and safety related signage and fencing.*

PART C: ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

C1. The Applicant must prepare a Construction Environmental Management Plan (CEMP) to the satisfaction of the Planning Secretary. The CEMP must:

(a) identify the statutory approvals that apply to the development;

(b) outline all environmental management practices and procedures to be followed during construction works associated with the development;

(c) describe all activities to be undertaken on the site during construction of the development, including a clear indication of construction stages and construction commencement date;

(d) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;

(e) describe the roles and responsibilities for all relevant employees involved in construction works associated with the development; and

(f) include the management plans required under Condition C2 of this consent.

C2. As part of the CEMP required under Condition C1 of this consent, the Applicant must include the following:

(a) Construction Traffic Management Plan (see Condition B1);

(b) Erosion and Sediment Control Plan (see Condition B42);

(c) Construction Noise Management Plan (see Condition B37);

(d) Construction Water Management Plan (see Condition B43);

(e) Unexpected Finds Protocol; (see Condition B58); and

(f) Community Consultation and Complaints Handling Procedures.

C3. The Applicant must:

(a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and

(b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

C4. The Applicant must prepare an Operational Environmental Management Plan (OEMP) to the satisfaction of the Planning Secretary. The OEMP must:

(a) be submitted to the Planning Secretary for approval prior to the commencement of operation;

(b) be prepared by a suitably qualified and experienced expert;

(c) provide the strategic framework for environmental management of the development;

(d) identify the statutory approvals that apply to the development;

(e) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;

(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;
- (v) respond to emergencies; and

(g) include the following environmental management plans:

- (i) Operational Traffic Management Plan (see Condition B8);
- (ii) Waste Management Plan (see Condition B16);
- (iii) Air Quality Management Plan (see Condition B30); and
- (iv) Water Management Plan (see Condition B50).

C5. The Applicant must:

(a) not commence operation until the OEMP is approved by the Planning Secretary; and

(b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

MANAGEMENT PLAN REQUIREMENTS

C6. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:

(a) detailed baseline data;

(b) details of:

(i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);

(ii) any relevant limits or performance measures and criteria; and

(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;

(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;

(d) a program to monitor and report on the:

(i) impacts and environmental performance of the development; and

(ii) effectiveness of the management measures set out pursuant to paragraph (c) above;

(e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;

(f) a program to investigate and implement ways to improve the environmental performance of the development over time;

(g) a protocol for managing and reporting any:

(i) incident and non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);

(ii) complaint;

(iii) failure to comply with statutory requirements; and

(h) a protocol for periodic review of the plan.

Note: *The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.*

REVISION OF STRATEGIES, PLANS AND PROGRAMS

C7. Within three months of:

(a) the submission of an incident report under Condition C11;

(b) the approval of any modification of the conditions of this consent; or

(c) the issue of a direction of the Planning Secretary under Condition A3.

the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.

If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

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

ANNUAL REVIEW

C8. No later than 6 weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department.

C9. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).

C10. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least 7 days before this is done.

REPORTING

Incident Reporting

C11. The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.

Subsequent notification must be given, and reports submitted in accordance with the requirements set out in Appendix C.

Non-Compliance Notification

C12. The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.

The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

Regular Reporting

C13. The Applicant must 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.

AUDITING

Independent Environmental Audit

C14. No later than 4 weeks before the date notified for the commencement of operation, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department.

C15. Independent Audits of the development must be carried out in accordance with:

(a) the Independent Audit Program submitted to the Department under condition C14 of this consent; and

(b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).

C16. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:

(a) review and respond to each Independent Audit Report prepared under condition C15 of this consent;

(b) submit the response to the Department; and

(c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done.

ACCESS TO INFORMATION

C17. At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must:

(a) make the following information and documents (as they are prepared, obtained or approved) publicly available on its website:

(i) the documents referred to in Condition A2 of this consent;

(ii) all current statutory approvals for the development;

(iii) all approved strategies, plans and programs required under the conditions of this consent;

(iv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;

(v) 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;

(vi) a summary of the current stage and progress of the development;

(vii) contact details to enquire about the development or to make a complaint;

(viii) a complaints register, updated monthly;

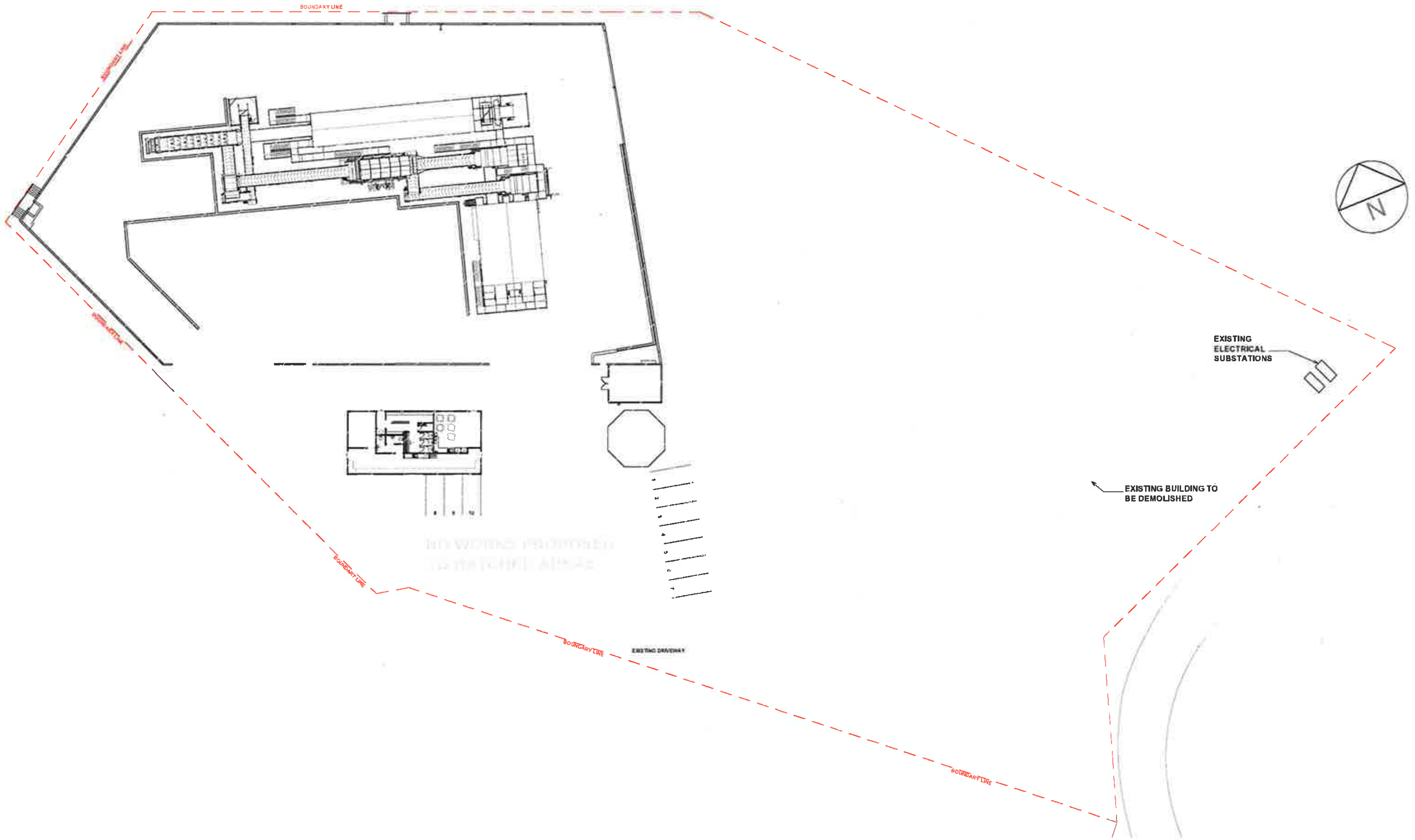
(ix) the Annual Reviews of the development;

(x) audit reports prepared as part of any independent environmental audit of the development and the Applicant's response to the recommendations in any audit report;

(xi) any other matter required by the Planning Secretary; and

(b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX A
DEVELOPMENT LAYOUT PLANS



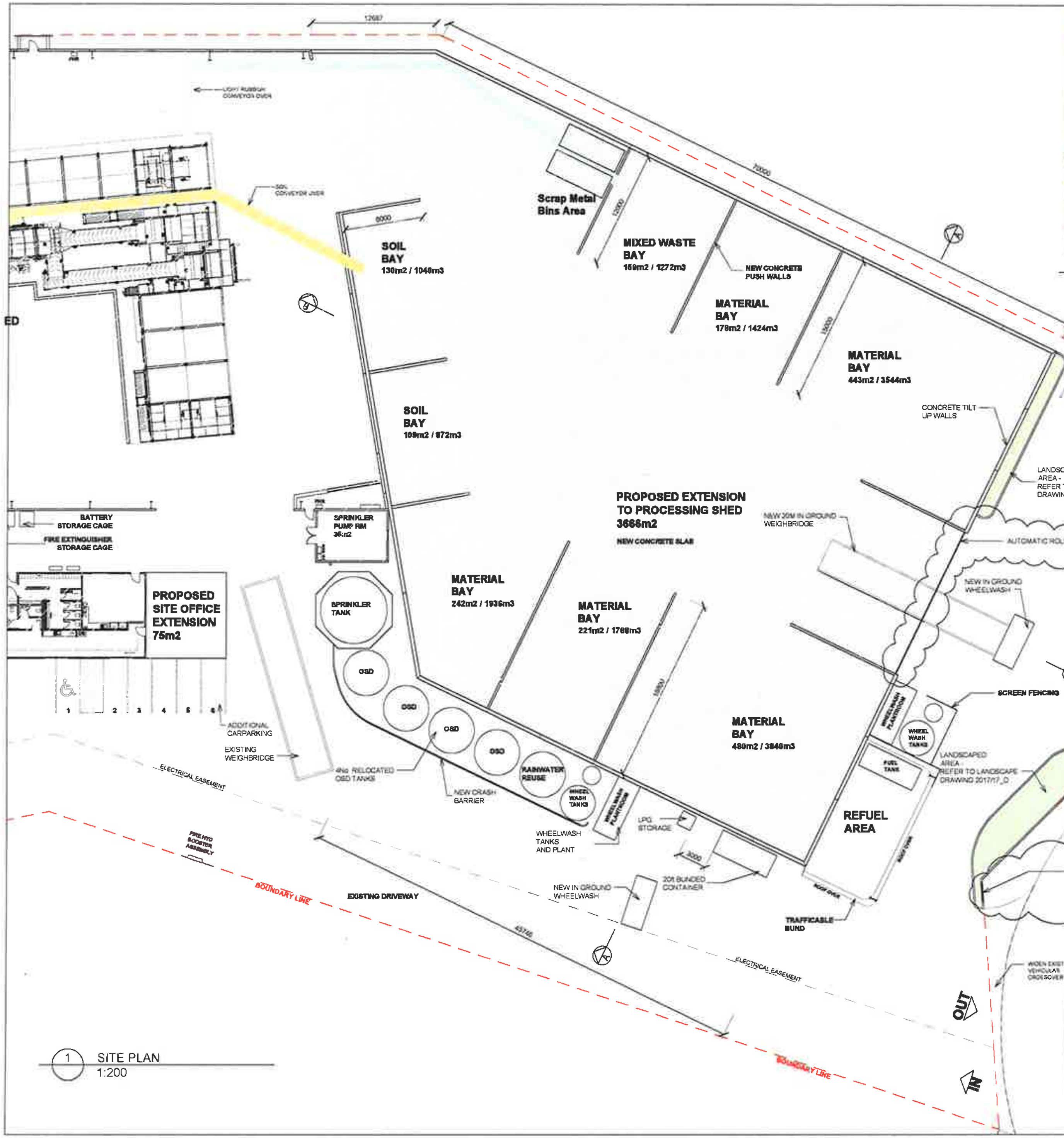
SITE - EXISTING

21 Dunheved St, ST MARYS

1:250 @ A1 | SSD01 | 03

BINGO INDUSTRIES CLEANING UP

DEWCAPE
DISTINCTION IN BUILDING



1 SITE PLAN 1:200

2 SITE LOCATION N T S

01	27.09.16	ISSUED FOR INFORMATION
02	12.10.16	ISSUED FOR INFORMATION
03	[illegible]	ISSUED FOR INFORMATION
04	[illegible]	ISSUED FOR INFORMATION
05	[illegible]	ISSUED FOR INFORMATION
06	[illegible]	SECTION TAGS ADDED
07	14.03.17	CONVEYORS, STORAGE BAY AREAS AND DESIGNATIONS ADDED
08	[illegible]	ISSUED FOR INFORMATION
09	[illegible]	ISSUED FOR SSD
10	07.04.17	WHEELWASH PLANT MOVED, BUND ADDED CHEMICAL STORE ADDED ACCESSIBLE PARKING SPACE CORRECTED
11	[illegible]	LPG STORAGE ADDED
12	[illegible]	ISSUED FOR SSD
13	[illegible]	ISSUED FOR SSD LANDSCAPE AREA & BAY VOLUMES ADDED
14	[illegible]	ISSUED FOR SSD
15	[illegible]	SIGNAGE INDICATED, ROLLER DOOR ADDED

N

INDICATES EXISTING FLOOR AREA

INDICATES PROPOSED FLOOR AREA

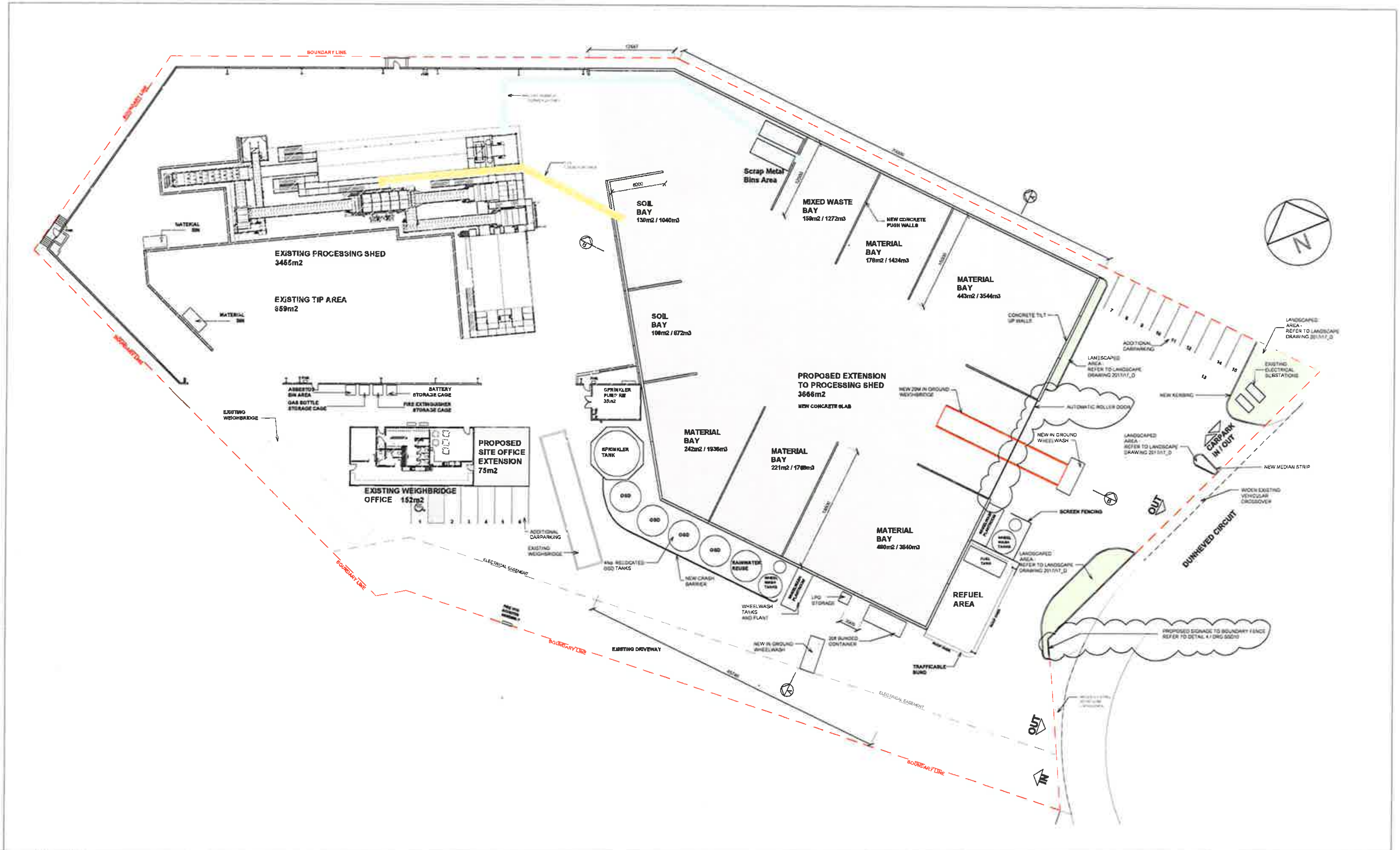
INDICATES PROPOSED LANDSCAPING TOTAL AREA 168m2

Do not scale from drawings. Use figured dimensions only. Verify all dimensions on site prior to commencement of any work. Any discrepancies shall be immediately be referred to Dewcape for clarification. Copyright remains the property of Dewcape Pty Ltd

CLIENT
BINGO INDUSTRIES CLEANING UP

DRAWING SITEPLAN
SITE 21 Dunheved Ct, ST MARYS
SCALE 1:200 @ A1 DWG NO SSD02 REV 15

DEWCAPE
DISTINCTION IN BUILDING



REV	DATE	NOTE
17		... ROLLER DOOR ADDED

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INDICATES EXISTING FLOOR AREA

INDICATES PROPOSED FLOOR AREA

INDICATES PROPOSED LANDSCAPING TOTAL AREA 168m2

CLIENT

BINGO INDUSTRIES CLEANING UP

DRAWING SITE - COMBINED

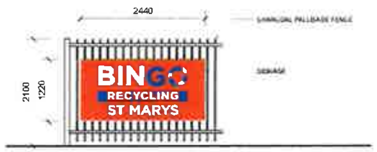
SITE 21 & 25 Dunheved St, ST MARYS

SCALE 1:250 @ A1 | DWG No SSD03 | REV 17

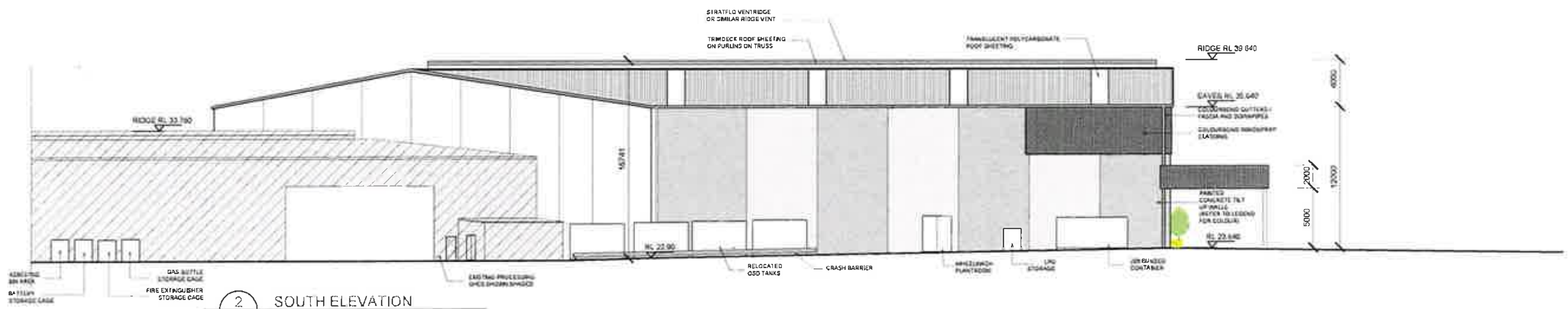
DEWCAPE

DISTINCTION IN BUILDING

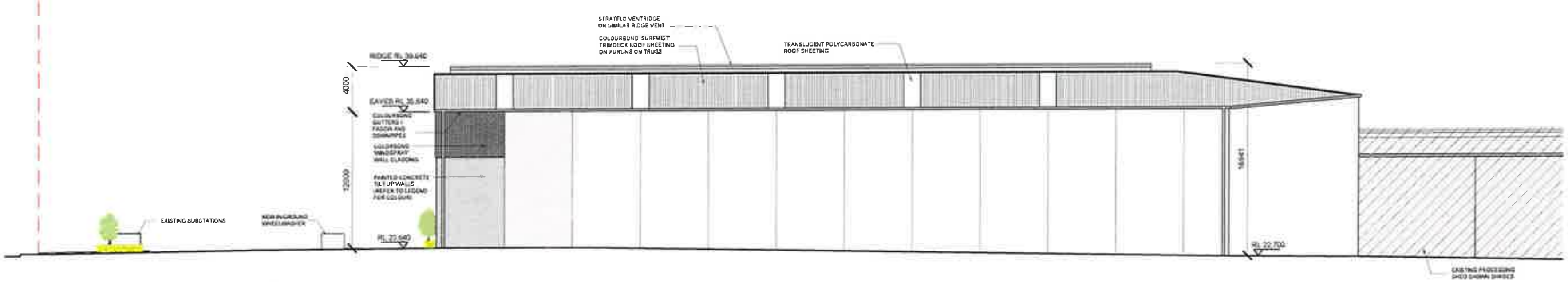
1 EAST ELEVATION
1:200



4 FENCE & SIGN
1:50



2 SOUTH ELEVATION
1:200



3 NORTH ELEVATION
1:200

	COLORBOND CLADDING COLOUR - "WINDSPRAY"
	PAINTED CONCRETE WALL COLOUR - "DULUX COLORBOND SURFMIST"
	PAINTED CONCRETE WALL COLOUR "DULUX COLORBOND SHALE GREY"
	INDICATES EXISTING BUILDING

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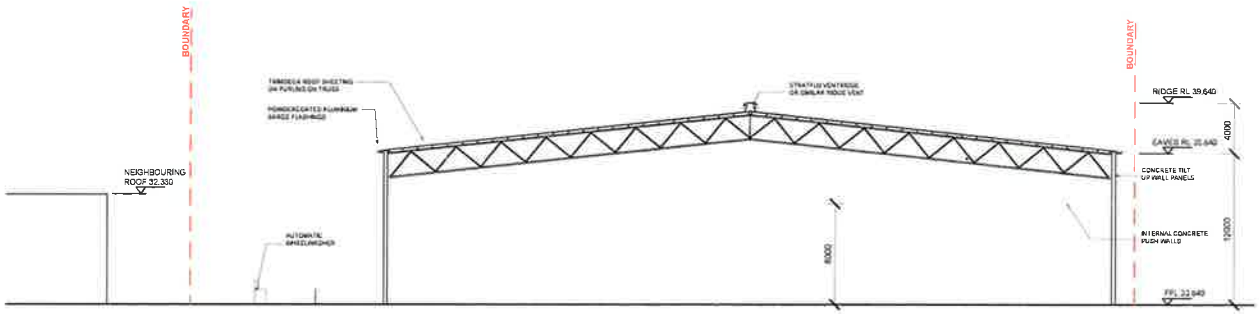
BINGO INDUSTRIES
CLEANING UP

ELEVATIONS

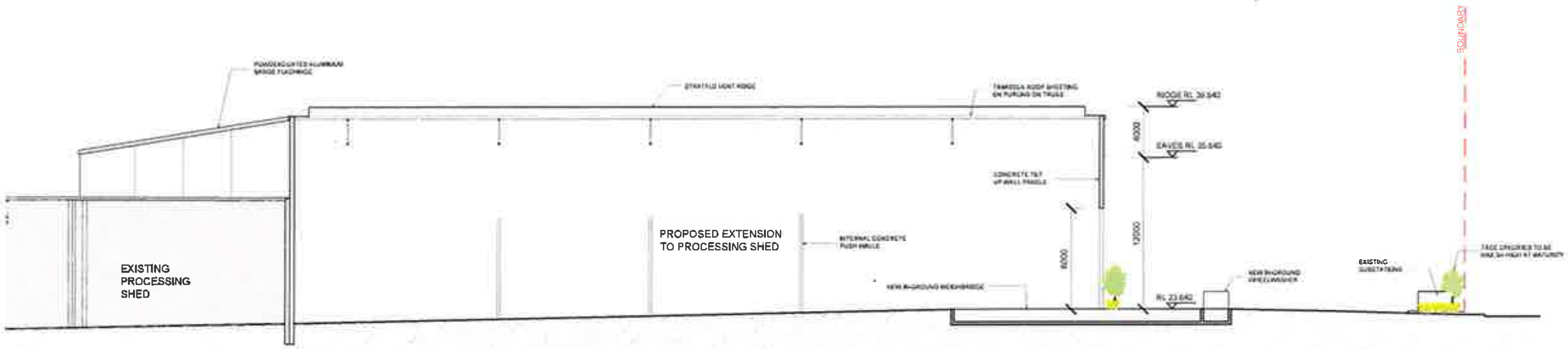
21 Dunheved Cl, ST MARYS

1:200 @ A1 | SSD10 | 08

DEWCAPE
DISTINCTION IN BUILDING



SECTION A
1:200



SECTION B
1:200

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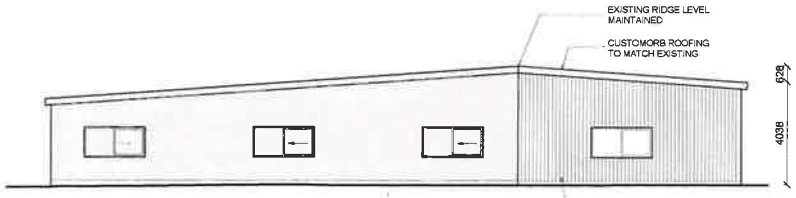
BINGO INDUSTRIES CLEANING UP

SECTIONS A & B

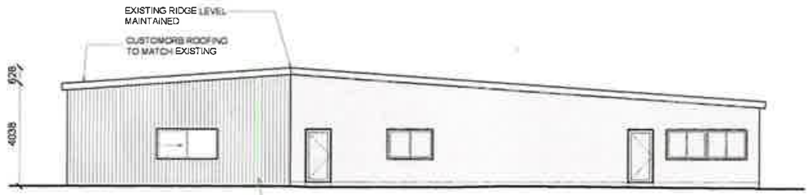
21 Dunheved Ct, ST MARYS

1:200 @ A1	SSD20	05

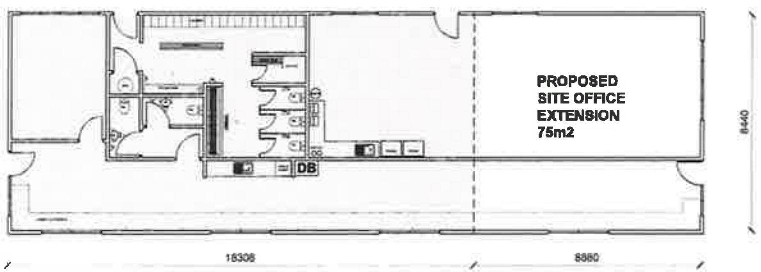
DEWCAPE
DISTINCTION IN BUILDING



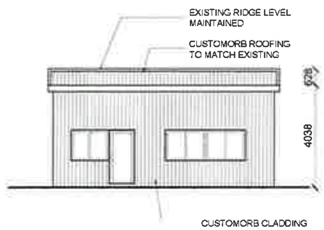
1 ELEVATION SOUTH



2 ELEVATION NORTH



4 PLAN



3 ELEVATION EAST

EXISTING BUILDING SHOWN SHADED

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BINGO INDUSTRIES CLEANING UP

DRAWING SITE OFFICE EXTENSION

SITE ST MARYS

SCALE 1:100 @ A1 | DWG NO SSD30 | REV 02

DEWCAPE

DISTINCTION IN BUILDING

APPENDIX B
APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Table 6-1 Revised compilation of mitigation measures

Issue	Mitigation Measure	Timing
Traffic and Transport		
Construction traffic management	A Construction Traffic Management Plan (CTMP) will be developed as part of the CEMP and this will include: • Signage that would be established within and surrounding the Proposal site • A 5 km/h speed limit that will be established for construction traffic within the Proposal site, and how that speed limit will be enforced • Pedestrian routes that will be established within the Proposal site to minimise interactions between pedestrians and vehicles • Details of site inductions for staff and site visitors • Any road closures and associated traffic detour routes.	Construction
Operations traffic management	An Operational Traffic Management Plan (OTMP) will be developed as part of the OEMP and this will include: • Signage that would be established within and surrounding the Proposal site • A 5 km/h speed limit that will be established for construction traffic within the Proposal site, and how that speed limit will be enforced • Pedestrian routes that will be established within the Proposal site to minimise interactions between pedestrians and vehicles • Details of site inductions for staff and site visitors • Restriction of the movement of loaders between the existing shed and the proposed extended processing shed during 11:00am to 2:00pm, except in cases of necessity. If necessary movements must occur during these times, they will be supervised by the traffic controller.	Operation
Noise and vibration		
Construction noise and vibration	A CNVMP will be developed as part of the CEMP and will contain the following measures: • Construction activities will be restricted to between the nominated construction hours, between 7:00am-6:00pm Monday to Friday, and 8:00am-1:00pm Saturday, with no work on Sundays or public holidays, with the exception of non-intrusive and non-audible activities which can be undertaken outside of these hours • Where practicable, particularly noisy construction works will be staged with consideration to the least sensitive time of day for the closest receivers, providing respite periods as necessary - particularly during works adjacent to surrounding receivers	Construction

Issue	Mitigation Measure	Timing
	• Where practicable, construction will be scheduled to minimise multiple use (within a day) of the noisiest equipment or plant items • Where practicable, equipment and work areas will be strategically positioned to reduce the noise emission to noise sensitive receivers • Construction machinery engine covers will be closed, equipment will be well maintained and silencers/mufflers will be used, including routine maintenance for major items of construction equipment that are significant construction noise contributors Should noise complaints be received, the Applicant will immediately investigate and, where appropriate, undertake noise monitoring at the locations concerned to determine compliance with the determined construction noise limits. Reasonable and feasible measures will be implemented to reduce any noise impacts.	
Operations noise and vibration management	A five km/hr on site speed limit will be maintained for all vehicles	Construction and operation
	Machinery engine covers will normally be kept closed, equipment will be well maintained and silencers/mufflers will be used as appropriate, including routine maintenance for major items of operational equipment that contribute to operational noise emissions from the Proposal site	Operation
	Implement requirements for on-going maintenance of fixed and mobile plant in accordance with manufactures specifications	Operation
	Awareness training will be provided for staff and contractors in environmental noise issues including: • Minimising the use of horn signals and maintaining to a low volume. Alternative methods of communication should be considered • Avoiding any unnecessary noise when carrying out manual operations and when operating plant Switching off any equipment not in use for extended periods	Operation
	A suitable complaints register will be maintained. Should noise complaints be received, they will be immediately investigated. Where substantiated, reasonable and feasible measures will be implemented to reduce noise impacts.	Operation
Surface Water and Hydrology		
Stormwater Management	A stormwater management system including a filtration device and rainwater tanks will be installed prior to the operation of the Proposal. The filtration device would be equivalent to a SPEL Bayfilter, and would be installed at the downstream end of the stormwater system. The design of the facility has incorporated a number of stormwater management measures including: • Sweeping of internal and external hardstand areas • Cleaning and removal of leachate from blind sumps	Detailed design

Issue	Mitigation Measure	Timing
	• Fogging system • Rainwater tanks • Bunding arrangements to fuel store in accordance with AS1940:2004 • Waste storage and processing within sheds • Grading and drainage (to blind sump) of internal hardstand areas within sheds to contain leachate Stormwater treatment devices including gross pollutant traps, pit inserts, bioretention systems and stormfilters.	
	The OEMP and the SEQ Management System will be updated to include a management, maintenance and cleaning schedule that ensures stormwater management system devices are regularly inspected and cleaned out to maintain performance and reduce pollutant loading to the stormwater network.	Operation
	The OEMP prepared for the Proposal will include: • A management, maintenance and cleaning schedule to ensure that stormwater management system devices are regularly inspected and cleaned Spill management actions to manage potential spillages of fuels, oils, lubricants and other chemicals stored on-site.	Operation
Water quality	The CEMP prepared for the Proposal will include measures to mitigate impacts associated with construction water quality, including: • Regular checking and maintenance of soil erosion and sediment control measures • Procedures for monitoring water quality during the construction phase • Procedures for managing groundwater should it be encountered, and controls to be implemented where interaction with groundwater is possible Minimising excavation where practicable.	Construction
	If groundwater is encountered during construction, the Applicant will obtain the necessary water licences or approval and develop a Groundwater Management Plan as required.	Construction
	The Applicant will prepare a Water Management Plan in consultation with DoI water prior to the commencement of construction.	Construction
	The OEMP will include spill management actions to manage potential spillages of fuels, oils, lubricants and other chemicals stored on-site.	Operation
Erosion and sediment control	The preliminary erosion and sediment control plan presented in Appendix G of the EIS will be implemented throughout construction to minimise erosion and sediment impacts within and surrounding the Proposal site. In summary, appropriate erosion and sediment controls will be implemented and maintained to control stormwater flows across the Proposal site in a manner that minimises erosion and sedimentation, including:	Construction

Issue	Mitigation Measure	Timing
	• Stabilisation of the Proposal site access • Installation of silt fences around the Proposal site boundary • Maintenance and installation of existing and proposed stormwater pit inlet protection Minimisation of the duration of exposed soils during earthworks.	
Soils and Contamination		
Construction erosion and sedimentation management	The CEMP will include the following soil-related mitigation measures: • The sediment and erosion controls will be installed prior to commencement of construction • Areas of exposed soil will be limited to those areas being worked • Disturbed areas will be stabilised as soon as practicable	Construction
Construction contamination management	The CEMP will include the following measures to minimise the risk of disturbance of any possible contaminated material: Should the Proposal include subsurface excavation at the areas of potential environmental concern, a targeted environmental investigation will be undertaken to ascertain whether contamination is present on the site to determine material handling requirements.	Construction
Construction asbestos management	If asbestos-containing material is found during construction, the following mitigation measures will be implemented: • If the asbestos-containing material is not proposed to be disturbed, the material will remain in-situ and the location will be recorded for future reference • If the asbestos-containing material is to be disturbed, further testing will be undertaken to confirm the presence and extent of asbestos prior to construction works commencing. • Where removal of asbestos is required, works will be undertaken in accordance with the Model Code of Practice – How to Safely Remove Asbestos and WorkCover NSW will be notified five days prior to demolition and removal works commencing.	Construction
Construction	A WorkCover dangerous goods search will be undertaken prior to beginning earthworks to determine if historic underground storage tanks are present within the Proposal site.	Detailed design
Operation	The OEMP for the Proposal will include the following measures: • An incident response plan will be developed for the operation of the Proposal. The plan will specify the procedure to be followed in the event of a spill, including the notification requirements and the use of absorbent material to contain the spill	Operation

Issue	Mitigation Measure	Timing
	• Details of the spill kit that will be present on-site at all times A refueling procedure that will be implemented for all refueling activities undertaken. Any fuel, lubricant or hydraulic fluid spillages would be collected using absorbent material, and contaminated material would be transported to a licensed waste facility for disposal.	
Air Quality		
Construction air quality management	Mitigation measures to manage air quality will be included in the CEMP prepared for the Proposal, and will contain the following: • Where practicable, the disturbance footprint will be limited and unnecessary surface disturbance will be avoided • Where practicable, dust-generating construction activities would be restricted during hot, dry and windy weather conditions • Where practicable, materials and structures will be dampened using water sprays prior to demolition and unsealed surfaces will be watered • Construction machinery and vehicles will be maintained and serviced according to the manufacturer's specifications, and engines will be switched off when not in use • Construction-related vehicle movements will be limited to a speed limit of 5 km/h. Vehicles removing earth or other dust-generating material from the Proposal site will have their loads covered • Regular visual checks of excessive dust within the Proposal site will be undertaken and used to implement additional controls where required.	Construction
Operations air quality management	• Burning materials will be strictly prohibited on-site	Operation
	• Heavy and light vehicle movements will be confined to a designated sealed route and limited to a speed of five km/h	Operation
	• Light and heavy vehicles will be required to be switched off when not in use	Operation
	• Waste delivery trucks when entering the Proposal site will be required to be either fully enclosed or covered	Operation
	• Appropriate dust management practices will be maintained, including regular sweeping and washing down as required	Operation
	• All staff and personnel accessing the Proposal site will be trained to minimise dust generation, and the procedures to do so.	Operation
Hazard and Risk		

Issue	Mitigation Measure	Timing
Operational hazards and risks	The SEQ Management System and OEMP will include the following response procedures: • In the event of an emergency or incident, the general management strategy that will be adapted to minimise risks to the public and personnel will include: - Providing adequate resources, including staffing and fire-fighting equipment - Training of staff so that a high level of preparedness is maintained by all people who could potentially be involved in an emergency • Periodic review and update of emergency procedures for the Proposal site	Operation
	Emergency response and incident management protocols for the construction and operation of the Proposal site will be developed collaboratively with the construction contractor and site operation and in consultation with the NSW Police Force, NSW Fire Brigade and the Ambulance Service of NSW. Emergency response and incident management protocols would cover the following types of emergency or incident: • Workplace health and safety • On-site spills or leaks • Off-site discharges • Hazardous materials/dangerous goods • Flooding • Fire and bushfire • Road incidents	Operation
	• In the event that there is a liquid or solid spill in the transport of the waste to the facility, or at the facility itself, the emergency response, outlined in the OEMP, will be followed	Operation
	• In the event of contamination being detected, a Groundwater or Surface Water Contingency Plan will be developed based on the nature and degree of contamination detected	Operation
	• All fires will be treated as an emergency and the extinguishment of fires takes precedence over normal operations. The OEMP will identify the control measures to be undertaken to prevent fires on the site and the management actions to be implemented in the event of a fire	Operation
	• Firefighting equipment will be checked in accordance with the equipment maintenance specification and replaced as necessary.	Operation

Issue	Mitigation Measure	Timing
	• Water used in responding to fire (firewater) has the potential to be a pollutant should it enter surface bodies and/or groundwater. Fire water will be contained within the Proposal site where possible, where it would be monitored and treated as required prior to discharge	Operation
	• A Complaints Register will be maintained to log public complaints regarding odours, vermin, litter, dust and noise.	Operation
	• Any general solid waste (putrescible) and/or general solid waste (non-putrescible) received for storage or recovery or processing at the premises will be assessed and classified in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (DECC, 2008).	Operation
	Waste will be screened in accordance with the reviewed and revised Waste Screening and Tipping Supervision procedures presented in the Operational Procedures Manual of the OEMP. Unacceptable waste may be detected and intercepted: • At the weighbridge by either attendants or via CCTV • During the unloading of waste within the transfer facility. • On the tipping floor by the attendants	Operation
	• Diesel will be stored within a self-bunded 30 kL tank located to the east of the proposed extension to the processing shed. As such a Preliminary Hazard Analysis is not required. C1 combustible liquids are not classified as dangerous goods for road and rail transport.	Operation
	• Workers working in the vicinity of the electrical substation, or any other electrical infrastructure, will be suitably trained to avoid injury or damage. This measure will be incorporated into the Proposal's Construction Environmental Management Plan.	Operation
Greenhouse Gas		
Construction greenhouse gas emissions	Project planning will be undertaken to ensure that the site vehicle movements and construction activities are efficient, to avoid double handling of materials and unnecessary fuel use where possible.	Construction
	Fuel efficiency of the construction plant/equipment will be assessed prior to selection, and where practical, equipment with the highest fuel efficiency and which uses lower GHG intensive fuel (e.g. biodiesel) will be used	Construction
	Where possible locally sourced materials will be used to reduce GHG emissions associated with transport during construction	Construction
	Waste will be diverted from landfill, including diversion of spoil, construction and demolition waste, and commercial and industrial waste, where reasonable and feasible. The management of waste will be considered as part of the preparation of the CEMP for the Proposal, detailing the appropriate procedures for waste management.	Construction
	Energy efficiency design aspects would be investigated, where practicable as part of the detailed design process in order to reduce energy and fuel consumption	Operation

Issue	Mitigation Measure	Timing
Operations greenhouse gas emissions	Fuel efficiency of the construction plant/equipment will be assessed prior to selection, and where practical, equipment with the highest fuel efficiency and which uses lower GHG intensive fuel will be used	Operation
	Use of energy-efficient lighting and energy-efficient appliances in the site office spaces.	Detailed design
Visual Amenity		
Construction visual amenity management	• All works equipment and materials will be contained within designated boundaries of the Proposal site	Construction
	• The spread of stockpiles, waste, and vehicle parking will be minimised during construction	Construction
	• The construction area will be left tidy at the end of each day	Construction
	• Dust and dirt will be regularly cleaned from the road surface	Construction
	• Lighting of construction sites will be oriented towards the Proposal site to minimise glare and light spill impact on adjacent receivers	Construction
	• Any graffiti will be promptly removed	Construction
Operations visual amenity management	• A light colour will be used for the upper sections of the Proposal site built form to minimise the prominence of the visual impact when viewed against the sky.	Detailed design
	• Where practicable, exterior light fittings will be installed in such a way that directs light towards within the site to minimise impacts on adjacent land users	Operation
	• The cladding of the building will be robust and graffiti resistant	Detailed design
	• The Proposal site will be fenced to prevent unauthorised entry by vandals	Operation
	• Appropriate directional signage will be provided at the Proposal site entrances to direct vehicles and pedestrians safely around the Proposal site. Signage for the Proposal will be designed to relate, in size and form, to the scale of the built form, visibility and other advertisements within the vicinity of the Proposal site.	Detailed design
Biodiversity		
Construction biodiversity management	• If noxious weeds are identified on site, they will be managed in accordance with their class requirements under the *Noxious Weeds Act 1993* to minimise weed establishment and invasions	Construction
	• A weed management strategy will be included in the CEMP	Construction
	• If threatened flora or fauna are discovered on-site works will cease immediately and an ecologist will be contacted to inspect the Proposal site and develop a management plan	Construction

Issue	Mitigation Measure	Timing
	• The local WIRES group and/or veterinarian will be contacted if any fauna is injured on site or require capture and/or relocation	Construction
	• Temporary fencing will be erected around the dripline of tree located within close proximity to construction boundary for the two proposed intersection upgrades	Construction
	The CEMP will include the following measures to minimise disruptions to foraging fauna and nesting and roosting behaviours including: • Should lighting be required during the construction phase, directional lighting will be used • Construction machinery and plant will be maintained regularly to minimise unnecessary noise	Construction
Operations biodiversity management	• The Proposal will be constructed to incorporate reasonable measures to minimise the potential for birds, rodents, flies and other pests to gather at the Proposal site, including bird deterrent measures	Operation
	• Weed and pest infestations identified during the operation of the Proposal would be managed in accordance with the conditions of the OEMP. If any pest or vermin species are identified on-site, a commercial specialist will be engaged as required.	Operation
Waste Management		
Construction waste management	• There will be adequate placement of general waste and recycling bins around the Proposal site, with particular emphasis on the lunch room and site office	Construction
	• To the greatest extent possible the correct quantities of materials will be ordered to avoid disposal of unnecessary materials	Construction
	• Excavated material will be re-used for fill material and landscaping where practicable	Construction
	• C&D waste generated by the construction of the Proposal, where practicable, will be recycled at the current St Marys RRF	Construction
Operations waste managment	• Adequate placement and labelling of general waste and recycling bins will be provided around the Proposal site, with particular emphasis on the site office, kitchen and dining areas	Operation
Socio-economic		
Construction socio-economic	• The consultation strategy for the Proposal will continue to be implemented throughout the construction period	Construction
	• A community information and awareness strategy will be included in the CEMP and will outline measures to maintain communication with the community and all relevant stakeholders throughout the construction process of the Proposal.	Construction

Issue	Mitigation Measure	Timing
impact management		
Operations socio-economic impact management	• The OEMP will include measures to engage with stakeholders and to manage and respond to feedback received during the operation of the Proposal, including relevant SEQ Management Plans and Procedures	Operation
	• A Complaints Register will be maintained to log public complaints regarding odours, vermin, litter, dust and noise.	Construction and operation
Aboriginal Heritage		
Aboriginal heritage management	• Should unexpected heritage items be exposed, and identified as having Aboriginal heritage significance, work would be required to cease and OEH will be informed to determine the appropriate management strategy. The duration of this will depend on the integrity and significance of the heritage item.	Construction and operation
Non-Aboriginal Heritage		
Construction/ Operation	• Should unexpected heritage items be exposed, and identified as having Aboriginal heritage significance, work would be required to cease and OEH will be informed to determine the appropriate management strategy. The duration of this will depend on the integrity and significance of the heritage item.	Construction and operation

APPENDIX C
WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under Condition C9 or, having given such notification, subsequently forms the view that an incident has not occurred.

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

Written notification of an incident must:

(a) identify the development and application number

(b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident)

(c) identify how the incident was detected

(d) identify when the applicant became aware of the incident

(e) identify any actual or potential non-compliance with conditions of consent

(f) describe what immediate steps were taken in relation to the incident

(g) identify further action that will be taken in relation to the incident

(h) identify a project contact for further communication regarding the incident.

INCIDENT REPORT REQUIREMENTS

Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.

The Incident Report must include:

(a) a summary of the incident

(b) outcomes of an incident investigation, including identification of the cause of the incident

(c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence

(d) details of any communication with other stakeholders regarding the incident.