

# Development Consent

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

As delegate of the Minister for Planning and Public Spaces under delegation executed on 9 March 2020, 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, 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



Anthea Sargeant  
**Executive Director**  
**Regions, Industry and Key Sites**

Sydney

27/3/2020

File: OBJ17/13429

### SCHEDULE 1

<b>Application Number:</b>	SSD 8753
<b>Applicant:</b>	Concrush Pty Limited
<b>Consent Authority:</b>	Minister for Planning and Public Spaces
<b>Site:</b>	21 Racecourse Road, Teralba (Lot 2 DP 220347)
<b>Development:</b>	The staged expansion and increase in the processing capacity of an existing resource recovery facility to 250,000 tonnes per year of general solid waste (non-putrescible) with a maximum storage capacity of 150,000 tonnes at any one time.

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## DEFINITIONS

<b>Applicant</b>	Concrush Pty Ltd, or any person carrying out any development to which this consent applies
<b>BCA</b>	Building Code of Australia
<b>Certifying Authority</b>	A person who is authorised by or under section 6.17 of the EP&A Act to issue Part 6 certificates
<b>Construction Environmental Management Plan</b>	CEMP
<b>Conditions of this consent</b>	Conditions contained in Schedule 2 of this document
<b>Construction</b>	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.
<b>Council</b>	Lake Macquarie City Council
<b>Day</b>	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
<b>Demolition</b>	The deconstruction and removal of buildings, sheds and other structures on the site
<b>Department</b>	NSW Department of Planning, Industry and Environment
<b>Development</b>	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.
<b>Development layout</b>	The plans at Appendix 1 of this consent
<b>Earthworks</b>	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
<b>EIS</b>	The Environmental Impact Statement titled <i>Concrush Increase to Capacity Project Teralba NSW Environmental Impact Statement</i> , prepared by Umwelt (Australia) Pty Limited dated November 2018, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
<b>ENM</b>	Excavated Natural Material
<b>Environment</b>	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
<b>EPA</b>	NSW Environment Protection Authority
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2000
<b>EPL</b>	Environment Protection Licence under the POEO Act
<b>Evening</b>	The period from 6 pm to 10 pm
<b>FRNSW</b>	Fire and Rescue NSW
<b>Garden and wood waste</b>	As defined in the <i>Protection of the Environment Operations Act 1997</i>
<b>General solid waste (non-putrescible)</b>	As defined in the <i>Protection of the Environment Operations Act 1997</i>
<b>Incident</b>	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
<b>Land</b>	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
<b>Material harm</b>	Is harm that: <ul style="list-style-type: none"> <li>• involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or</li> <li>• 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)</li> </ul>

<b>Minister</b>	NSW Minister for Planning and Public Spaces (or delegate)
<b>Mitigation</b>	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
<b>Monitoring</b>	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act
<b>Night</b>	The period from 10 pm to 7 am on Monday to Saturday, and 10 pm to 8 am on Sundays and Public Holidays
<b>Non-compliance</b>	An occurrence, set of circumstances or development that is a breach of this consent
<b>OEH</b>	NSW Office of Environment and Heritage
<b>OEMP</b>	Operational Environmental Management Plan
<b>Operation</b>	The receipt, removal or processing of general solid waste (non-putrescible)
<b>Planning Secretary</b>	The Secretary of the Department of Planning, Industry and Environment, or nominee
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Principal Certifier</b>	Principal Certifier in accordance with the EP&A Act
<b>Reasonable</b>	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
<b>Response to submissions</b>	The Response to Submissions titled <i>Concrush Increase in Capacity Project Teralba, NSW Response to Submissions</i> , prepared by Umwelt (Australia) Pty Limited dated May 2019, the Response to Submissions titled <i>Agency Comments on the Concrush Response to Submissions (SSD 8753)</i> , prepared by Umwelt (Australia) Pty Limited dated 18 July 2019 and additional information provided Umwelt (Australia) Pty Ltd on 2 October 2019, 20 November 2019 and 29 November 2019 in support of this application
<b>RMS</b>	NSW Roads and Maritime Services
<b>Sensitive receivers</b>	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area
<b>Site</b>	The land defined in Appendix 1
<b>Tpa</b>	Tonnes per annum
<b>VENM</b>	Virgin Excavated Natural Material
<b>Stage 1 construction</b>	The carrying out of works shown as Stage 1 on the plans at Appendix 1 of this consent, for the purpose of the development, including bulk earthworks and other infrastructure as identified in the EIS
<b>Stage 2 construction</b>	The carrying out of works shown as Stage 2 on the plans at Appendix 1 of this consent, for the purpose of the development, including bulk earthworks and other infrastructure as identified in the EIS
<b>Stage 1 operations</b>	The point at which the site can receive and process between 108,000 tpa and 200,000 tpa of general solid waste (non-putrescible) and store between 40,000 tonnes and 150,000 tonnes of general solid waste (non-putrescible) at any one time within the area identified in the plans at Appendix 1 of this consent
<b>Stage 2 operations</b>	The point at which the site can receive and process up to 250,000 tpa of general solid waste (non-putrescible) and store up to 150,000 tonnes of general solid waste (non-putrescible) at any one time within the area identified in the plans at Appendix 1 of this consent.
<b>Waste</b>	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
<b>Year</b>	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 in Appendix 1. and
  - (e) in accordance with the management and mitigation measures in Appendix 2.
- 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 condition A3(a).
- 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), A2(d) and A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), A2(d) and A2(e) 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

##### Lapsing

- 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.

##### Waste

- A6. The only type of waste permitted to be received or processed at the site is waste classified as general solid waste (non-putrescible).
- A7. The Applicant must not:
- (a) receive or process more than 250,000 tonnes of general solid waste (non- putrescible) per annum, which includes no more than 5,000 tonnes of garden and wood waste; and
  - (b) store more than 150,000 tonnes of general solid waste (non- putrescible) at any one time, which includes 200 tonnes of garden and wood waste.
- A8. Despite condition A7(a) and condition A7(b), the Applicant must not receive or process more than 108,000 tonnes per annum or store more than 40,000 tonnes of general solid waste (non-putrescible) at any one time until Stage 1 construction is complete and the Planning Secretary has approved the commencement of Stage 1 operations.
- A9. Despite condition A7(a) and condition A7(b), the Applicant must not receive or process more than 200,000 tonnes per annum or store more than 150,000 tonnes at any one time of general solid waste (non-putrescible) during Stage 1 operations.
- A10. Despite condition A7(a) and condition A7(b), the Applicant must not proceed to Stage 2 operations (receive and process up to 250,000 tonnes per annum and store up to 150,000 tonnes at any one time of general solid waste) until Stage 1 construction and Stage 2 construction is complete and the Planning Secretary has approved commencement of Stage 2 operations.
- A11. Stockpiles of processed and/or unprocessed waste on site must not be more than 10 metres in height when measured from the finished ground level of the site.

## NOTIFICATION OF COMMENCEMENT

- A12. The date of commencement of each of the following phases of the development must be notified to the Planning Secretary in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) construction;
  - (b) operation;
  - (c) cessation of operations; and
  - (d) decommissioning.
- A13. If the construction, operation or decommissioning of the development is to be staged, the Planning Secretary must be notified in writing at least one month before the commencement of each stage, of the date of commencement and the development to be carried out in that stage, or as otherwise agreed with the Planning Secretary.

## SURRENDER OF EXISTING CONSENTS OR APPROVALS

- A14. Within 12 months of the date of commencement of development to which this consent applies, or within another timeframe agreed to by the Planning Secretary, the Applicant must surrender the existing development consent DC /02/00558/1N dated 27 February 2002 and issued by Lake Macquarie City Council in accordance with the EP&A Regulation.
- A15. Upon the commencement of development to which this consent applies, and before the surrender of existing development consents or project approvals required under condition A14, 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 the former Part 4A of the EP&A Act or Part 6 of the EP&A Act as applies from 1 December 2019. 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.*

## EVIDENCE OF CONSULTATION

- A16. 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) the outcome of that consultation, matters resolved and unresolved; and
    - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

## STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

- A17. 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).
- A18. 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.
- A19. 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.

## PROTECTION OF PUBLIC INFRASTRUCTURE

- A20. Prior to the commencement of construction, the Applicant must:
- (a) consult with the relevant owner and provider of infrastructure and services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;
  - (b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and

- (c) submit a copy of the dilapidation report to the Planning Secretary and where Council's assets are affected, Council.

A21. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:

- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out 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.

**Note:** *This condition does not apply to any damage to roads caused as a result of general road usage or otherwise addressed by contributions required by A24 of this consent.*

## **DEMOLITION**

A22. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

## **STRUCTURAL ADEQUACY**

A23. 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.*

## **COMPLIANCE**

A24. 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.

## **DEVELOPMENT CONTRIBUTIONS**

A25. Prior to the commencement of Stage 1 operations, the Applicant must pay a contribution to Council under section 7.11 of the EP&A Act of \$5.57 for Public Transport Facilities, \$3.43 for Plan Preparation & Administration and an annual haulage contribution of:

- (a) \$6,045.45 when access along The Weir Road between the intersections of Bath Street and The Weir Road and Griffen Road and The Weir Road is not available at any time during the period to which the payment relates (adjusted on a quarterly basis from the date of this consent, to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW)), or
- (b) \$24,050.00 when access along The Weir Road between the intersections of Bath Street and The Weir Road and Griffen Road and The Weir Road is available at all times during the period to which the payment relates (adjusted on a quarterly basis from the date of this consent, to account for movements in the Australian Bureau of Statistics Consumer Price Index – Building Construction (NSW)).

## **OPERATION OF PLANT AND EQUIPMENT**

A26. 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.

## **EXTERNAL WALLS AND CLADDING**

A27. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A28. Before the issue of:

- (a) any Construction Certificate relating to the construction of external walls (including the installation of finishes and claddings such as synthetic or aluminium composite panels); and
- (b) 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.

A29. The Applicant must provide a copy of the documentation given to the Certifying Authority under condition A28 to the Planning Secretary within seven days after the Certifying Authority accepts it.

## **UTILITIES AND SERVICES**

A30. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.

## **WORKS AS EXECUTED PLANS**

A31. Prior to the commencement of Stage 1 operations, 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 Principal Certifier.

## **APPLICABILITY OF GUIDELINES**

A32. 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.

A33. 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.

## **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 SPECIFIC ENVIRONMENTAL CONDITIONS

### WASTE MANAGEMENT

#### Statutory Requirements

- B1. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's *Waste Classification Guidelines Part 1: Classifying Waste* (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.
- B2. The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.

#### Waste Management Plan

- B3. Prior to the commencement of Stage 1 operations and Stage 2 operations, 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 C5 and be prepared in accordance with condition C1. The Plan must:
  - (a) detail the type and quantity of waste to be generated during construction and operation of the development;
  - (b) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014* and the Waste Classification Guideline (EPA, 2014);
  - (c) include details of the waste stockpile limits that will be maintained in the raw waste stockpile and processing area and processed waste stockpile area;
  - (d) include procedures for ensuring no build-up of waste will occur in the unprocessed waste stockpiles area during unexpected machinery break down;
  - (e) detail the waste to be reused or recycled, either on or off site; and
  - (f) detail the requirements for non-conforming waste handling and removal.
- B4. The Applicant must:
  - (a) not commence Stage 1 operations until the WMP required by condition B3 is approved by the Planning Secretary.
  - (b) not commence Stage 2 operations until the WMP required by condition B3 is approved by the Planning Secretary.
  - (c) implement the most recent version of the WMP approved by the Planning Secretary.

#### Waste Monitoring Program

- B5. From the commencement of Stage 1 operations, the Applicant must 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 Stage 1 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; and
  - (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 and handle any hazardous or other prohibited waste including asbestos.

#### Receipt, Storage and Handling of Waste

- B6. The Applicant must ensure that the waste screening and inspection protocols operate in a manner which does not cause trucks to queue onto Racecourse Road.
- B7. Waste must be secured and maintained within designated waste storage areas at all times and must not leave the site onto neighbouring public or private properties.
- B8. The Applicant must only receive waste on site that is authorised for receipt by an EPL.
- B9. The Applicant must provide details of the allocated heavy vehicle and source of wastes received on the site to the EPA and the Planning Secretary when requested.

#### Pests, Vermin and Noxious Weed Management

- B10. 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.

## **WATER QUALITY, HYDROLOGY AND SOILS**

### **Discharge Limits**

B11. 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 Discharge Management Plan**

B12. Prior to the commencement of Stage 1 construction, the Applicant must prepare a Water Discharge Management Plan (WDMP) to the satisfaction of the Planning Secretary. The WDMP must form part of the CEMP required by condition C2 and be prepared in accordance with condition C1. The WDMP 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 the EPA;
- (c) detail the expected volume and frequency of discharges from each proposed discharge point;
- (d) characterise the quality of discharges from each proposed discharge point including the concentrations and loads of all pollutants present at non-trivial levels that pose a risk of harm to human health or the environment;
- (e) detail the potential impact of discharges on the environmental values of the receiving waterways with reference to the relevant Australian and New Zealand Guidelines for Fresh and Marine Water Quality Guideline values;
- (f) detail the control measures to be implemented to protect receiving waters during the development, including measures to address any identified impacts to receiving waters and contingency measures for any unexpected pollutants with reference to the relevant Australian and New Zealand Guidelines for Fresh and Marine Water Quality Guideline values; and
- (g) propose any changes to the wastewater management system to address potential impacts.

B13. The Applicant must:

- (a) not commence Stage 1 construction until the WDMP required by condition B12 is approved by the Planning Secretary; and
- (b) implement the most recent version of the WDMP approved by the Planning Secretary for the duration of the development.

### **Discharge Verification and Mitigation Plan**

B14. Prior to the commencement of Stage 1 operations, the Applicant must prepare a Discharge Verification and Mitigation Plan (DVMP) to the satisfaction of the Planning Secretary. The DVMP must:

- (a) detail sampling methods to verify the quality of discharges, including:
  - (i) the sampling location/s;
  - (ii) the sampling frequency, number and conditions (ensuring sampling is timed to be representative of operational conditions);
  - (iii) the analytical suite based on a risk assessment of the types of materials that will be processed and stored onsite, the pollutants that could be mobilised from these and monitoring results for similar sites (e.g. the existing development);
- (b) management triggers to be applied to the characterisation and ongoing monitoring results;
- (c) mitigation measures to be implemented in response to these triggers (e.g. increasing the size of sediment basins, at-source pollution controls, additional or alternative water treatment measures); and
- (d) specify the timeframe for implementation of mitigation measures.

B15. The Applicant must:

- (a) not commence Stage 1 operations until the DVMP required by condition B14 is approved by the Planning Secretary;
- (b) not commence Stage 1 operations until the approved management and mitigation measures required by condition B14 have been installed and implemented; and

- (c) implement the most recent version of the DVMP approved by the Planning Secretary for the duration of the development.

### **Surface Water Management System**

- B16. Prior to the commencement of Stage 1 operations, the Applicant must design, install and operate a wastewater management system (SWMS) for the development. The SWMS must:
- (a) be designed by a suitably qualified and experienced person(s);
  - (b) be designed in accordance with applicable Australian Standards;
  - (c) be prepared in consultation with the EPA;
  - (d) be constructed in accordance with the management and mitigation measures identified in condition B14;
  - (e) require all wastewater storages (with the exception of the garden and wood waste leachate dam and the constructed wetland) to be lined consistent with the design specifications for leachate dams recommended by the EPA's Environmental Guidelines Solid Waste Landfills, 2016; and
  - (f) require the system capacity to be designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997).
- B17. The WMS must be operated and maintained for the duration of the development.
- B18. Prior to the commencement of Stage 1 operations the Applicant must confirm the final dam depths and, if greater than 2 m in depth, provide engineering documentation to Sydney Trains.

### **Discharge Verification and Mitigation Report**

- B19. Within 12 months of commencement of Stage 1 operations, the Applicant must prepare a Discharge Verification and Mitigation Report (DVMR) to the satisfaction of the Planning Secretary. The DVMR must:
- (a) be prepared by a suitably qualified and experienced person(s) in consultation with the EPA; whose appointment has been endorsed by the Planning Secretary;
  - (b) be prepared consistent with the methodology in condition B14(a); and
  - (c) detail where management triggers have been exceeded and associated mitigation measures implemented.

### **Groundwater Management Plan**

- B20. Prior to the commencement of Stage 1 construction, the Applicant must prepare a Groundwater Management Plan (GMP) to the satisfaction of the Planning Secretary. The GMP must form part of the CEMP required by condition C2 and be prepared in accordance with condition C1. The GMP 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 the EPA;
  - (c) include, but not limited to:
    - (i) details of the installation of a third groundwater well;
    - (ii) baseline data on groundwater levels and quality for the existing and newly installed third groundwater well;
    - (iii) details of the water table depth compared to the excavation depths of the leachate dam and artificial wetland;
    - (iv) a program to monitor groundwater levels and quality;
    - (v) impact assessment criteria, including trigger levels for investigating any potentially adverse groundwater impacts;
    - (vi) a protocol for the investigation and mitigation where the groundwater impact assessment criteria has been exceeded; and
    - (vii) monitor the effectiveness of management measures and contingency actions for reducing impacts.
- B21. The Applicant must:
- (a) not commence Stage 1 construction until the GMP required by condition B17 is approved by the Planning Secretary; and
  - (b) implement the most recent version of the GMP approved by the Planning Secretary for the duration of the development.

### **Erosion and Sediment Controls**

- B22. Prior to the commencement of any construction or other surface disturbance the Applicant must install and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements of the Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by condition C2.

### **Garden and Wood Waste Processing**

- B23. The Applicant must ensure the garden and wood waste processing area and leachate storage dam is designed and constructed in accordance with the Environmental Guidelines for Composting and Related Organics Processing Facilities, 2004.
- B24. The Applicant must ensure garden and wood waste leachate is not reused outside of the garden and wood waste leachate barrier system, unless written approval has been granted by the EPA.

### **Acid Sulfate Soil Management Plan**

- B25. Prior to the commencement of Stage 1 construction, the Applicant must prepare an Acid Sulfate Soil Management Plan (ASSMP). The ASSMP must form part of the CEMP required by condition C2 and be prepared in accordance with condition C1. The ASSMP must:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) be prepared in accordance with the Acid Sulfate Soils Manual (Acid Sulfate Soils Management Advisory Committee, 1998); and
  - (c) include specific measures to manage acid sulfate soils if excavation depths are to be within 0.5 m of the measured water table.

### **Flooding**

- B26. Prior to the commencement of Stage 1 operations, the Applicant must prepare a Flood Emergency Response Plan (FERP) to the satisfaction of the Planning Secretary. The FERP must form part of the OEMP required by condition C5 and be prepared in accordance with condition C1. The FERP must:
- (a) be prepared by a suitably qualified and experienced person(s);
  - (b) be prepared in consultation with Council;
  - (c) address the provisions of the Floodplain Risk Management Guideline (OEH, 2007);
  - (d) include details of:
    - (i) procedures for managing flood risks during operations including the protection of plant and equipment;
    - (ii) the flood emergency responses for operation phases of the development;
    - (iii) predicted flood levels;
    - (iv) procedures for control of discharges from the site; and
    - (v) awareness training for employees and contractors.
- B27. The Applicant must:
- (a) not commence Stage 1 operations, until the FERP required by condition B26 is approved by the Planning Secretary
  - (b) implement the most recent version of the FERP approved by the Planning Secretary for the duration of the development.

### **TRAFFIC AND ACCESS**

- B28. Prior to the commencement of Stage 1 construction, the Applicant must submit design plans to Council for the Racecourse Road access works. The Applicant must obtain approval for the works under section 138 of the *Roads Act 1993*.
- B29. Prior to the commencement of Stage 1 operations, the Applicant must complete the Racecourse Road access works to the satisfaction of Council.

### **Parking**

- B30. Prior to the commencement of Stage 2 operations, the Applicant must provide 20 car parking spaces within the site (including one accessible space) for staff and visitors. Parking areas must be constructed in accordance with the latest version of the Australian Standard 2890. All parking associated with the development must be contained on site.
- B31. Parking is only permitted within designated parking spaces.
- B32. The Applicant must update all site plans prior to the commencement of Stage 2 operations to include the 20 parking spaces.

### **Operating Conditions**

- B33. 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 2890.1:2004 Parking facilities Off-street car parking (Standards

Australia, 2004) and AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2002);

- (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) vehicles no larger than 19 m (truck and dog and/or semi-trailer vehicles) are permitted to access the site;
- (d) the development does not result in any vehicles queuing or parking on Racecourse Road;
- (e) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
- (f) all vehicles are wholly contained on site before being required to stop;
- (g) all loading and unloading of materials/waste is carried out on site;
- (h) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network; and
- (i) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

### **Traffic Management Plan**

B34. Prior to the commencement of Stage 1 construction, the Applicant must prepare a Traffic Management Plan (TMP) for the development to the satisfaction of the Planning Secretary. The TMP must form part of the CEMP required by condition C2 and be prepared in accordance with condition C1. The TMP must:

- (a) be prepared by a suitably qualified and experienced person(s),
- (b) be prepared in consultation with Council;
- (c) detail the measures that are to be implemented to ensure road safety and network efficiency during both construction and operations;
- (d) detail the measures that are to be implemented to ensure construction workers, members of the public and staff will be effectively managed during construction and operation;
- (e) detail heavy vehicle routes, access and parking arrangements during construction and operation;
- (f) include a Driver Code of Conduct to:
  - (i) minimise conflicts with other road users;
  - (ii) minimise road traffic noise; and
  - (iii) ensure truck drivers use specified routes;
- (g) include a program to monitor the effectiveness of these measures; and
- (h) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.

B35. The Applicant must:

- (a) not commence Stage 1 construction until the TMP required by condition B34 is approved by the Planning Secretary; and
- (b) implement the most recent version of the TMP approved by the Planning Secretary for the life of the development.

### **AIR QUALITY**

#### **Dust Minimisation**

B36. The Applicant must take all reasonable steps to minimise dust generated during all works authorised by this consent.

B37. The Applicant must ensure that:

- (a) all on-site carparking areas are sealed;
- (b) water sprinklers at the stacker above the processed stockpile and transfer points are utilised at all times when then the plant is operational;
- (c) the wheel wash at the heavy vehicle egress points is operational at all times;
- (d) exposed surfaces and stockpiles are suppressed by regular watering;
- (e) sealed roads are swept regularly;
- (f) the seal on the main access road from the wheel wash and weighbridge is maintained;
- (g) a water cart will remain onsite for use on manoeuvring areas in hot and dry weather;
- (h) cease operations during adverse weather conditions as identified in the RtS;
- (i) all trucks entering or leaving the site with loads have their loads covered; and
- (j) trucks associated with the development do not track dirt onto the public road network.

## Air Quality Discharges

B38. 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/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.

## Air Quality Management Plan

B39. Prior to the commencement of Stage 1 operations, the Applicant must prepare an Operational Air Quality Management Plan (OAQMP) to the satisfaction of the Planning Secretary. The OAQMP must form part of the OEMP required by condition C5 and be prepared in accordance with condition C1. The OAQMP must:

- (a) be prepared by a suitably qualified and experienced person(s);
- (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; and
- (e) nominate the following for each of the proposed controls:
  - (i) key performance indicator;
  - (ii) monitoring method;
  - (iii) location, frequency and duration of monitoring;
  - (iv) record keeping;
  - (v) complaints register;
  - (vi) response procedures; and
  - (vii) compliance monitoring.

B40. The Applicant must:

- (a) not commence Stage 1 operation until the OAQMP required by condition B39 is approved by the Planning Secretary; and
- (b) implement the most recent version of the OAQMP approved by the Planning Secretary for the duration of the development.

## Odour Management

B41. 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

B42. The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.

**Table 1** Hours of Work

Activity	Day	Time
Stage 1 and Stage 2 construction	Monday – Friday	7 am to 6 pm
	Saturday	8 am to 1 pm
Stage 1 and Stage 2 operations	Monday – Saturday	7 am to 10 pm
	Sunday and Public Holidays	8 am to 6 pm

**Note:** During the evening period operations are limited to screening and stockpiling or the loading and dispatch of trucks. No crushers can be used during the evening period

B43. Works outside of the hours identified in condition B42 may be undertaken in the following circumstances:

- (a) works that are inaudible at the nearest sensitive receivers;
- (b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
- (c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

### Construction Noise Limits

B44. The development must be constructed to achieve the construction noise management levels detailed in *the Interim Construction Noise Guideline* (DECC, 2009) (as may be updated or replaced from time to time). 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 Appendix 2.

#### **Noise Wall**

B45. Prior to the commencement of Stage 1 operations, the Applicant must construct a concrete block noise wall on the eastern and southern perimeters of the 'raw material stockpiles and processing area', as shown in Figure 1 at Appendix 1 of this consent. The noise wall must be maintained during the life of the development.

#### **Operational Noise Limits**

B46. The Applicant must install and operate equipment in line with best practice to ensure that the development does not exceed the noise limits as specified in the EPL applicable to the site.

#### **Operational Noise Management Plan**

B47. Prior to the commencement of Stage 1 operations, the Applicant must prepare an Operational Noise Management Plan (ONMP) for the development to the satisfaction of the Planning Secretary. The ONMP must form part of the OEMP required by condition C5 and be prepared in accordance with condition C1. The ONMP must:

- (a) be prepared by a suitably qualified and experienced noise expert whose appointment has been endorsed by the Planning Secretary;
- (b) describe the measures to be implemented to manage noise generating activities during operation; and
- (c) include a complaints management system that would be implemented for the duration of the development.

B48. The Applicant must:

- (a) not commence construction until the ONMP required by condition B47 is approved by the Planning Secretary; and
- (b) implement the most recent version of the ONMP approved by the Planning Secretary for the duration of construction.

### **CONTAMINATION**

#### **Remedial Action Plan**

B49. Prior to the commencement of Stage 1 construction, the Applicant must submit a Remedial Action Plan (RAP) to manage contamination during Stage 1 construction and any remediation works. The RAP must form part of the CEMP required by condition C2 and be prepared in accordance with condition C1. The RAP must:

- (a) be prepared by a suitably qualified and experienced person in accordance with *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites* (OEH, 2011); and
- (b) be prepared in consultation with the EPA.

B50. The Applicant must:

- (a) not commence Stage 1 construction until the RAP required by condition B49 is approved by the Planning Secretary; and
- (b) implement the most recent version of the RAP approved by the Planning Secretary for the duration of the development.

#### **Remediation Works**

B51. Prior to the commencement of Stage 1 operations, the Applicant must carry out any remediation works required by the RAP under Condition B49 using suitably qualified and experienced contractor(s) in accordance with the approved RAP and relevant guidelines produced or approved under the *Contaminated Land Management Act 1997*.

#### **Site Audit Statement**

B52. Within one month of the completion of the remediation works, the Applicant must submit a Section A Site Audit Statement (SAS) to confirm the suitability of the land for its proposed use. The SAS must be prepared, or reviewed and approved, by a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.

B53. The Applicant must not commence Stage 1 operations until the SAS required by Condition B52 is approved by the by a consultant certified under either the CEnvP(SC) or the CPSS CSAM scheme.

#### **Asbestos**

B54. The Applicant must ensure that any asbestos encountered during the remediation and Stage 1 and Stage 2 construction is monitored, handled, transported and disposed of by appropriately qualified and licensed contractors in accordance with the requirements of SafeWork NSW and relevant guidelines, including:

- (a) Work Health and Safety Regulation 2017;
- (b) SafeWork NSW Code of Practice – How to Manage and Control Asbestos in the Workplace September 2016;
- (c) SafeWork NSW Code of Practice – How to Safely Remove Asbestos September 2016; and
- (d) *Protection of the Environment Operations (Waste) Regulation 2014.*

## **FIRE MANAGEMENT**

- B55. Prior to the commencement of Stage 1 operations, the Applicant must prepare an Emergency Management Plan (EMP) in accordance with the latest version of the AS 3745-2010, taking into consideration FRNSW's Fire Safety Guideline: Fire Safety in Waste Facilities, 2019.
- B56. Prior to the commencement of Stage 1 operations, the Applicant must install FRNSW's compatible fittings on the water storage tanks near the garden and wood waste area and ensure the provision of fire extinguishers on all machinery.

## **VISUAL AMENITY**

### **Landscaping**

- B57. Prior to the commencement of Stage 1 operation, the Applicant must prepare a Landscape Management Plan (LMP) to manage the revegetation and landscaping works on-site, in consultation with Council. The LMP must form part of an OEMP in accordance with conditions C5. The plan must:
- (a) detail the species to be planted on-site, incorporating locally native species;
  - (b) describe the monitoring and maintenance measures to manage landscaping works; and
  - (c) be consistent with the Applicant's Management and Mitigation Measures at Appendix 2.
- B58. The Applicant must:
- (a) must implement the most recent version of the LMP; and
  - (b) maintain the landscaping and vegetation on the site in accordance with the approved LMP required by condition B57 for the life of the development.

### **Lighting**

- B59. The Applicant must ensure the lighting associated with the development:
- (a) complies with the latest version of AS 4282-1997 - Control of the obtrusive effects of outdoor lighting (Standards Australia, 1997); 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**

- B60. All signage and fencing must be erected in accordance with the EIS.
- Note: This condition does not apply to temporary construction and safety related signage and fencing.*
- B61. Prior to the commencement Stage 1 construction, the Applicant must install appropriate fencing to prevent unauthorised access to the Sydney Trains rail corridor from the development site.

## **HAZARDS AND RISK**

### **Dangerous Goods**

- B62. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:
- (a) the requirements of all relevant Australian Standards; and
  - (b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Manual' if the chemicals are liquids.
- B63. In the event of an inconsistency between the requirements B62(a) and B62(b), the most stringent requirement must prevail to the extent of the inconsistency.
- B64. 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.

### **Bunding**

- B65. The Applicant must 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 of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).



## ABORIGINAL HERITAGE

### Unexpected Finds Protocol

- B66. If any item or object of Aboriginal heritage significance is identified on site:
- (a) all work in the immediate vicinity of the suspected Aboriginal item or object must cease immediately;
  - (b) a 10 m wide buffer area around the suspected item or object must be cordoned off; and
  - (c) the EES must be contacted immediately.
- B67. Work in the immediate vicinity of the Aboriginal item or object may only recommence in accordance with the provisions of Part 6 of the *National Parks and Wildlife Act 1974*.

### SYDNEY TRAINS RAIL CORRIDOR

- B68. Prior to the commencement of Stage 1 and Stage 2 construction or at any time during the construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the development is to be carried out by representatives from Sydney Trains.
- B69. Prior to the commencement of Stage 1 and Stage 2 construction, the Applicant must prepare in consultation with Sydney Trains:
- (a) a list of machinery to be used during excavation/construction;
  - (b) a Risk Assessment Management Plan including a detailed Safe Work Method Statements (SWMS);
  - (c) a plan showing all craneage and other aerial operations for the development;
  - (d) a plan detailing the type of fencing to be installed and the method of erection;
  - (e) cross section drawings identifying Sydney Trains' power poles and earth bund in proximity of the Applicant's and Sydney Train site boundary; and
  - (f) a detailed dilapidation report to establish the extent of any existing damage and enable any deterioration during construction to be observed.
- B70. During Stage 1 construction and Stage 2 construction, the Applicant must ensure that Safe Approach Distances as per Sydney Trains' requirements are maintained at all times.

**Note:** *Sydney Trains or Transport for NSW and persons authorised by those entities are entitled to inspect the site and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.*

## PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

### ENVIRONMENTAL MANAGEMENT

#### Management Plan Requirements

- C1. 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;
    - (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 any 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*

#### CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare a Construction Environmental Management Plan (CEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the CEMP required under condition C2 of this consent, the Applicant must include the following:
- (a) Water Discharge Management Plan (see condition B12);
  - (b) Groundwater Management Plan (see condition B15);
  - (c) Erosion and Sediment Control Plan (see condition B22);
  - (d) Acid Sulfate Soils Management Plan (see condition B25);
  - (e) Traffic Management Plan (see condition B34); and
  - (f) Remediation Action Plan (see condition B49).
- C4. 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

- C5. The Applicant must prepare an Operational Environmental Management Plan (OEMP) in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C6. As part of the OEMP required under condition C5 of this consent, the Applicant must include the following:
- (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
  - (b) 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
- (c) include the following environmental management plans:
  - (i) Waste Management Plan (see condition B3);
  - (ii) Flood Emergency Response Plan (see condition B26);
  - (iii) Operational Air Quality Management Plan (see condition B40);
  - (iv) Operational Noise Management Plan (see condition B47); and
  - (v) Landscape Management Plan (see condition B57).

C7. 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).

### REVISION OF STRATEGIES, PLANS AND PROGRAMS

C8. Within three months of:

- (a) the submission of an incident report under condition C10;
- (b) the submission of an Independent Environmental Audit under condition C16;
- (c) the approval of any modification of the conditions of this consent; or
- (d) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,

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

C9. 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 strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.*

### REPORTING AND AUDITING

#### Incident Notification, Reporting and Response

C10. The Planning Secretary must be notified in writing to [compliance@planning.nsw.gov.au](mailto: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 requirements must be given and reports submitted in accordance with the requirements set out in Appendix 3.

#### Non-Compliance Notification

C11. The Planning Secretary must be notified in writing to [compliance@planning.nsw.gov.au](mailto:compliance@planning.nsw.gov.au) within seven days after the Applicant becomes aware of any non-compliance.

C12. A non-compliance 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.

C13. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

#### Annual Review

C14. Within three months after the first year of commencement of operation, and in the same month each subsequent year (or such other timing as may be agreed by the Planning Secretary), the Applicant must submit a report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. The review must:

- (a) describe the development that was carried out in the previous year, and the development that is proposed to be carried out in the current year;
- (b) include a comprehensive review of the monitoring results and complaints records from the previous year, including a comparison of these against the:
  - (i) relevant statutory requirements, limits or performance measures/criteria;

- (ii) requirements of any plan or program required under this consent;
- (iii) monitoring results of previous years; and
- (iv) the relevant predictions in the EIS and Response to Submissions;
- (c) identify any non-compliances and any incidents which occurred over in the previous year, and describe what actions were (or are being) taken to rectify the non-compliance or incident and avoid recurrence;
- (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.

C15. Copies of the Annual Review must be submitted to Council and any interested person upon request.

#### **Independent Environmental Audit**

C16. Within one year of the commencement of operation, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (audit) of the development. Audits must:

- (a) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary;
- (b) be carried out in consultation with the relevant agencies;
- (c) assess the environmental performance of the development and assess whether it is complying with the requirements in this consent, and any strategy, plan or program required under this consent;
- (d) review the adequacy of any approved strategy, plan or program required under this consent; and
- (e) recommend measures or actions to improve the environmental performance of the development, and any strategy, plan or program required under this consent.

C17. Within three months of commissioning an Independent Environmental Audit, or within another timeframe agreed by the Planning Secretary, a copy of the audit report must be submitted to the Planning Secretary and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.

**Note:** *The audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Planning Secretary.*

#### **Monitoring and Environmental Audits**

C18. 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 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.*

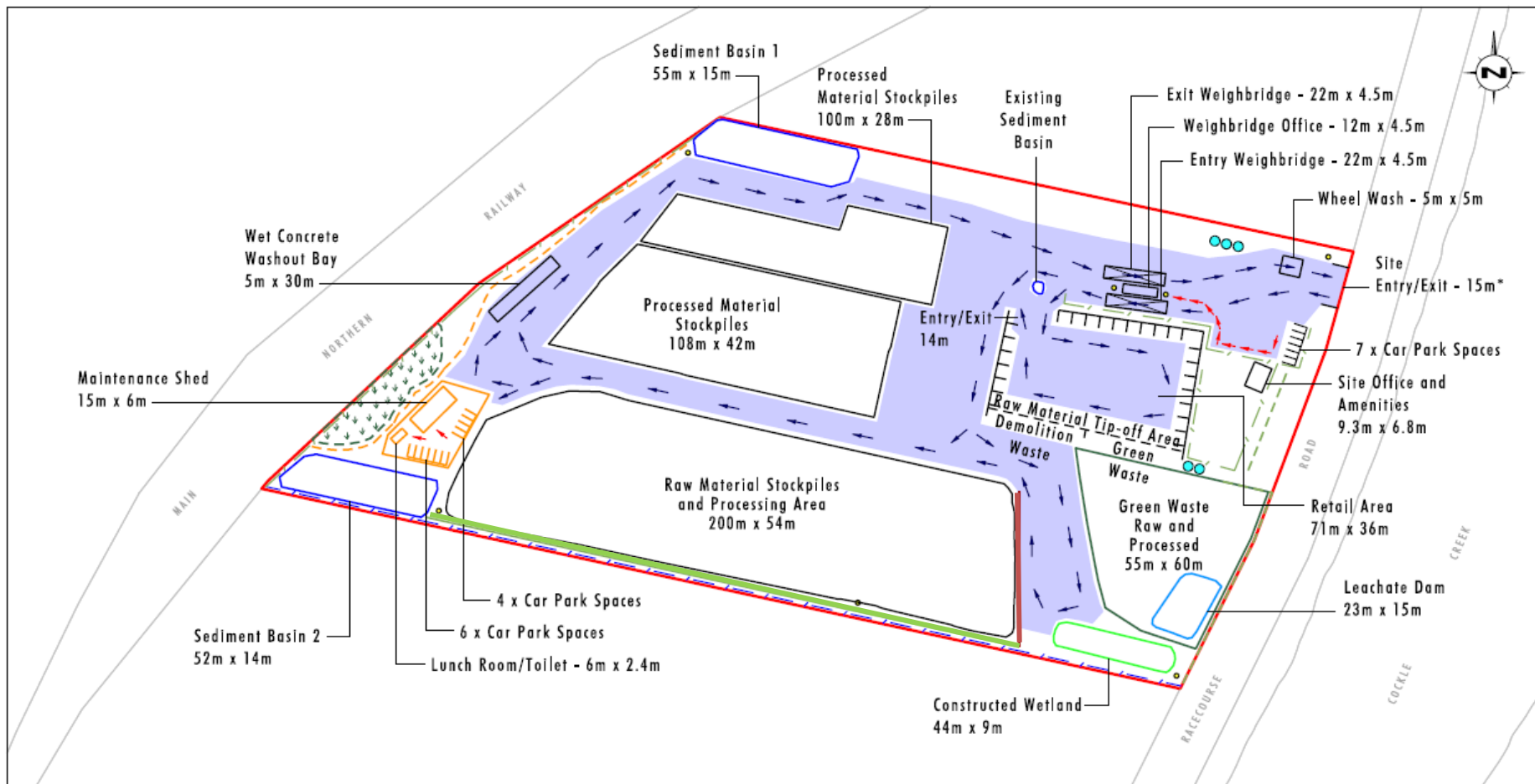
#### **ACCESS TO INFORMATION**

C19. At least 48 hours before the commencement of construction and for the life of the development, the Applicant must:

- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
  - (i) the documents referred to in condition A2 of this consent and the final layout plans for the development;
  - (ii) all current statutory approvals for the development;
  - (iii) all approved strategies, plans and programs required under the conditions of this consent;
  - (iv) the proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
  - (v) 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;
  - (vi) 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;
  - (vii) a summary of the current stage and progress of the development;
  - (viii) contact details to enquire about the development or to make a complaint;

- (ix) a complaints register, updated monthly;
  - (x) the Compliance Reporting of the development;
  - (xi) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;
  - (xii) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX 1 DEVELOPMENT LAYOUT PLANS



Data Source: Concrush (2019)

Note: \*Access Intersection to be designed in accordance with Ausroads 2017 and Lake Macquarie City Council standards

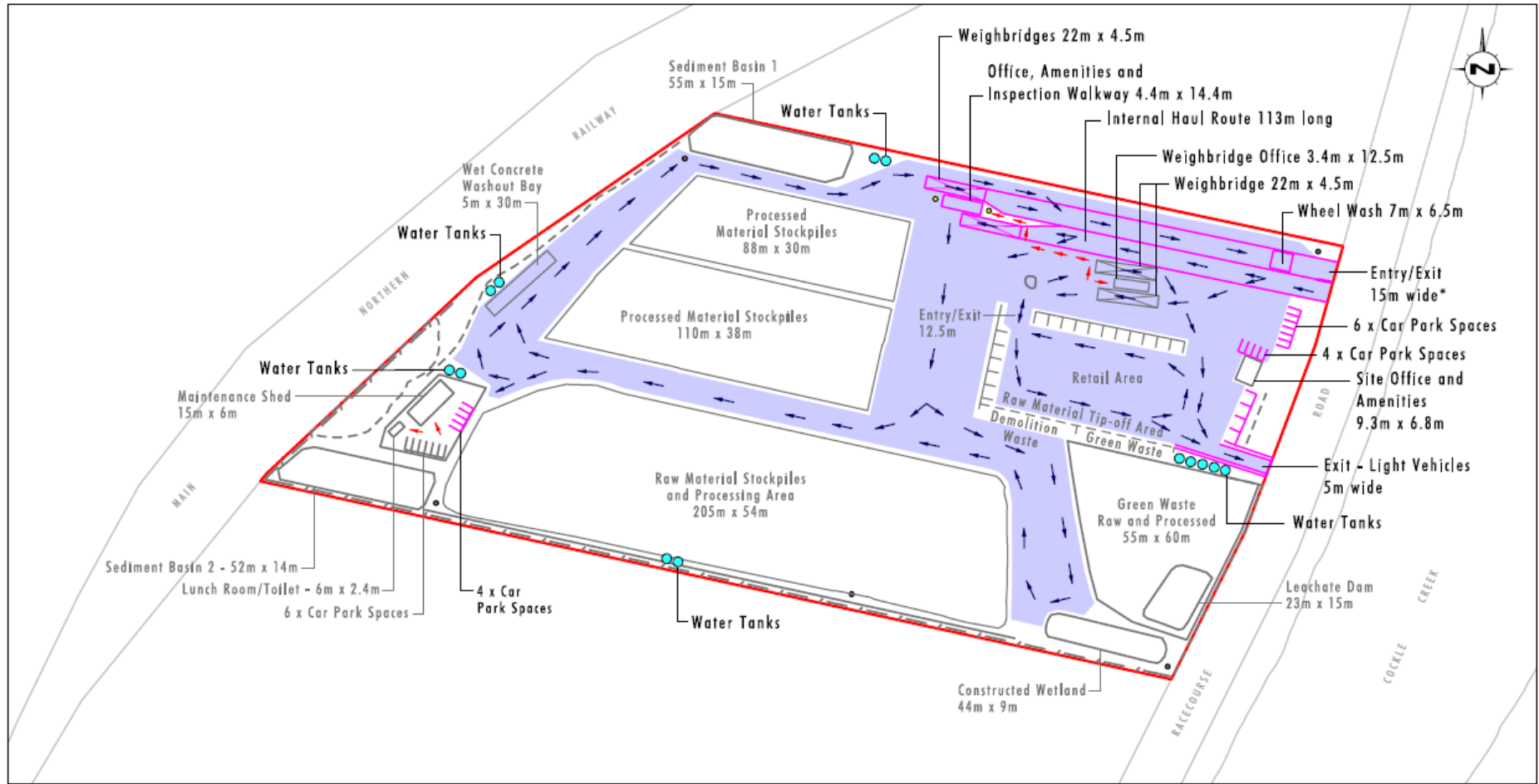
Legend

- |                                |  |  |
|--------------------------------|--|--|
| Project Site                   | Existing Wetland Area with Buffer                      | Proposed 3m High Concrete Block Wall   |
| Production Compound            | Landscaped Earth Bund (1 in 100 Year Flood Mitigation) | Proposed 3.5m High Concrete Block Wall |
| Processing and Stockpile Areas | Existing Earth Bund                                    | Existing Water Tanks                   |
| Sediment Basin                 | Existing 2m High Fence                                 | Proposed Security Lighting             |
| Green Waste Area               | Proposed 2m High Fence                                 | Internal Roads/Hardstand Area          |
|                                | Pedestrian Movement                                    | General Vehicle Movement               |

Figure 1: Stage 1 Conceptual Layout

FIGURE 3.2

Stage 1 - Conceptual Layout  
Up to 200 000 Tonnes per Annum



Data Source: Concrush (2019)  
 Note: \*Access intersection to be designed in accordance with Ausroads 2017 and Lake Macquarie City Council standards

**Legend**

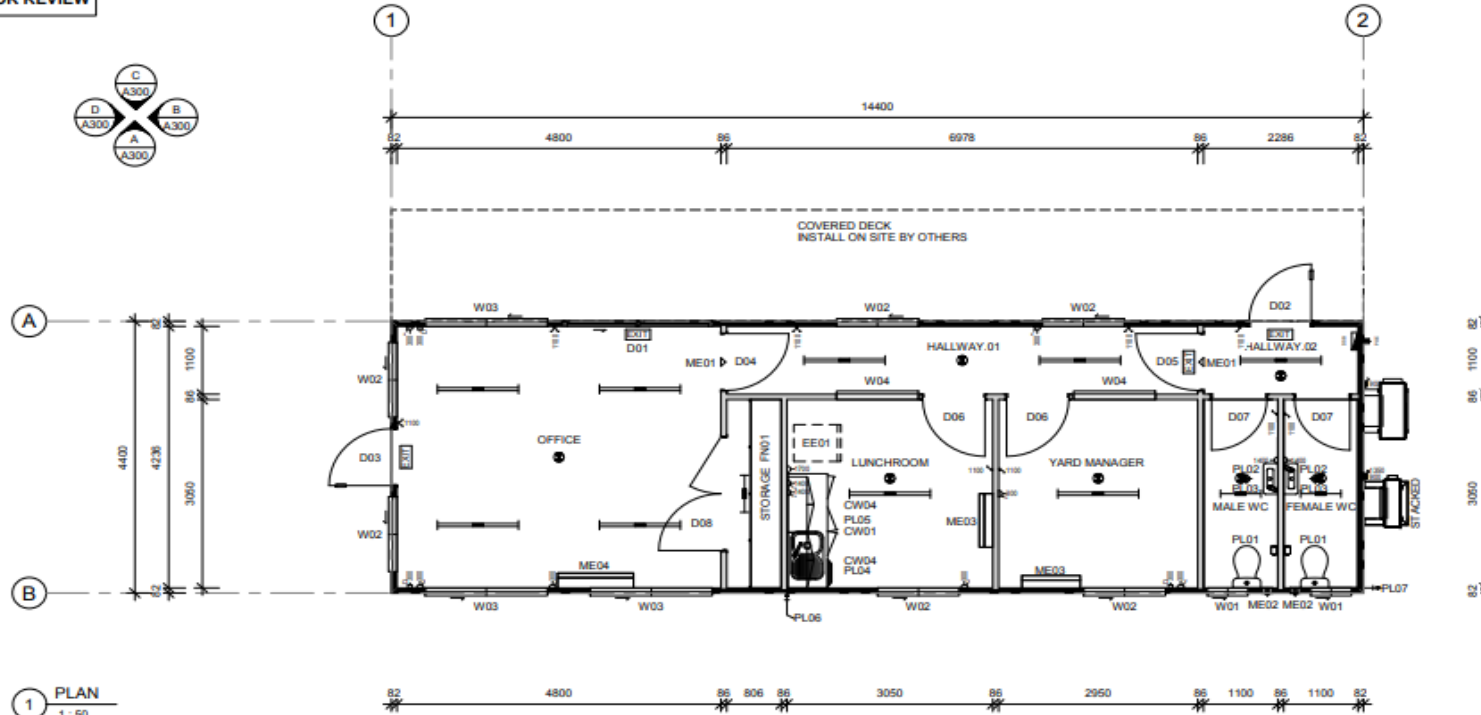
- Project Site
- Stage 2
- Water Tanks
- Proposed Security Lighting
- ➔ Pedestrian Movement
- ➔ General Vehicle Movement
- Internal Roads/Hardstand Area

**FIGURE 3.3**

**Stage 2 Conceptual Layout  
 Up to 250 000 Tonnes per Annum**

**Figure 2: Stage 2 Conceptual Layout**

ISSUED FOR REVIEW



WIND REGION:	B
TERRAIN CATEGORY:	2
IMPORTANCE LEVEL:	2
SHIELDING FACTOR:	NS
BUILDING CLASS:	5
FLOOR LOADS DISTRIBUTED (kPa):	3.0
FLOOR LOADS CONCENTRATED (kN):	2.7
CLIMATE ZONE:	5

FLOOR LOADS CALCULATED FROM AS1170.1 - 2002.  
WIND SPEED CALCULATED FROM AS1170.2 - 2011.  
BUILDING CLASS, IMPORTANCE LEVEL, PROBABILITY OF EXCEEDANCE, WIND REGION, TERRAIN CATEGORY, TOPOGRAPHIC CLASSIFICATION, SHIELDING FACTOR, CLIMATE ZONE & NORTH POINT ARE ASSUMED UNLESS OTHERWISE ADVISED BY CLIENT.

ROOM SCHEDULE	
NAME	AREA
FEMALE WC	3.36 m <sup>2</sup>
HALLWAY 01	7.68 m <sup>2</sup>
HALLWAY 02	2.51 m <sup>2</sup>
LUNCHROOM	9.3 m <sup>2</sup>
MALE WC	3.36 m <sup>2</sup>
OFFICE	20.33 m <sup>2</sup>
STORAGE	2.46 m <sup>2</sup>
YARD MANAGER	9 m <sup>2</sup>

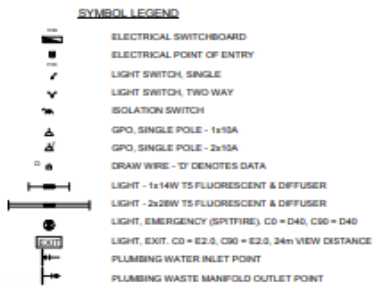
1 PLAN  
1:50

FINISHES SCHEDULE	
FLOOR COVERING	2mm VINYL
FLOOR COVERING	2mm VINYL - WC AREAS ONLY - 150mm COVERED
CLADDING - EXTERNAL	COLORBOND MAXIRIB - HORIZONTAL
WALL LINING - INTERNAL	3.6mm POLYESTER COATED PLYWOOD
CEILING LINING - INTERNAL	3.6mm COATED PLYWOOD
ROOF SHEETING	0.42mm BMT SUPERDEK ROOFING

**DDA COMPLIANCE NOTES**

- BUILDING DESIGNED TO COMPLY WITH AS1428.1
- LUNCHROOM, YARD MANAGER & HALLWAYS DEEMED EXEMPT UNDER NCC2013 D3.4 AS DIRECTED BY CLIENT. SHOULD THIS NEED COMPLIANCE, HALLWAY WIDTH NEED TO BE INCREASED

ITEM	QTY	DESCRIPTION
<b>Casework</b>		
CW01	1	BENCHTOP (32mm) c/w SPLASHBACK (150H), LAMINATED / CARCASS (16mm) END PANELS, CUPBOARDS & 4 DRAWERS/CUTLERY INSERT UNDER, MELAMINE - 600D - 1845L - 900H
CW04	2	CUPBOARD, MELAMINE OVERHEAD, 2 DOOR - 300D - 900W - 600H
<b>Electrical Equipment</b>		
EE01	1	REFRIGERATOR, SINGLE DOOR - 350 Ltr (BY CLIENT)
<b>Furniture</b>		
FN01	1	ISHELVING, 3 TIER - 450 DEEP - 3050 LONG - 1800 HIGH
<b>Plumbing Fixtures</b>		
PL01	2	WC SUITE c/w TOILET ROLL HOLDER
PL02	2	HAND BASIN, COMPACT, STAINLESS STEEL (HOT & COLD FLICKMIXER) w/ MIRROR
PL03	2	FLOOR WASTE
PL04	1	SINK c/w FLICKMIXER (HOT & COLD), 1 BOWL, 1 DRAIN - 780mm LONG
PL05	1	HOT WATER SYSTEM, MOUNTED INTERNALLY ON SAFE TRAY - 50Ltr, 1x3.6kW
PL06	1	WATER INLET
PL07	1	WASTE MANIFOLD OUTLET



NO.	DESCRIPTION	REV.	DATE
1	ISSUED FOR REVIEW (CONCEPT DRAW ONLY)	01	18/11/20

ATCO ENGINEERING & LANDSCAPE PTY LTD  
15 TORREY STREET  
LINDFIELD, NSW 2150  
P 02 8033 3963 FAX 02 8033 3907  
E info@atco.com.au

CLIENT: CONCRUSH PTY LTD  
DESCRIPTION: 14.4 x 4.4m WEIGHBRIDGE OFFICE/AMENITIES  
ADDRESS: 21 RACECOURSE ROAD, TERALBA NSW 2284

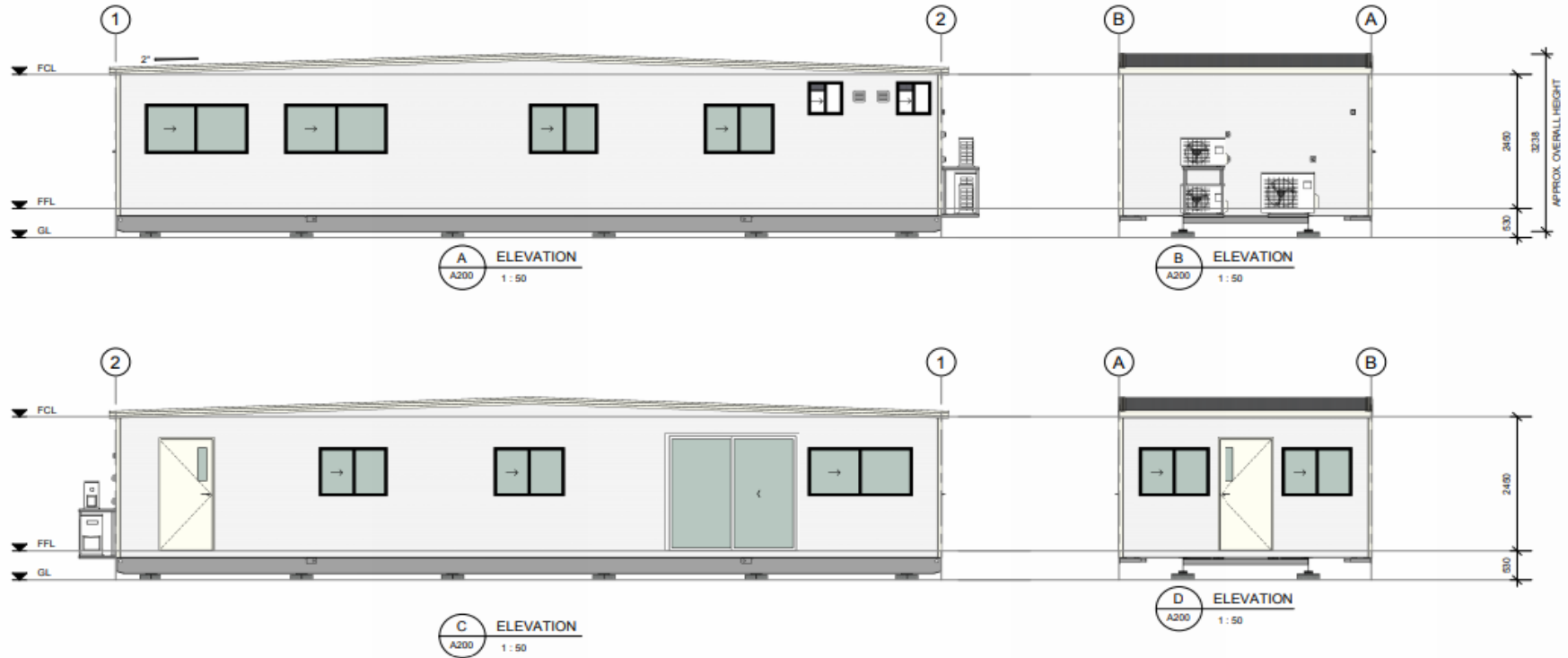
PROJECT NO: 181106 -A200  
SCALE: 1:50  
DATE: 18/11/20

W:\102 Projects\2018\11 November\181106\_Concrush Pty Ltd\NCR102 Drawings\181106\_WEIGHBRIDGE OFFICE AMENITIES.rvt

Figure 3: Weighbridge Office and Amenities



ISSUED FOR REVIEW



NO	DESCRIPTION	DATE	BY	CHECKED
1	CONFIRMATION OF SET OUT LEVELS AND OFFICIAL DIMENSIONS ON SITE PRIOR TO SHOP DRAWINGS AND FABRICATION BY LOCAL INSTITUTION (AS/NZS 1546)			
2	DO NOT SCALE FROM THIS DRAWING. USE DIMENSIONS GIVEN. DIMENSIONS INCLUDE EXTERNAL DIMENSIONS UNLESS OTHERWISE SPECIFIED.			
3	ALL CONSTRUCTION TO COMPLY WITH NATIONAL CONSTRUCTION CODE OF AUSTRALIA AND APPLICABLE AUSTRALIAN STANDARDS.			
4	THIS DRAWING REMAINS THE PROPERTY OF ATCO STRUCTURES & LOGISTICS PTY LTD (ATCO). IT MAY NOT BE REPRODUCED OR COPIED IN ANY FORM WITHOUT THE WRITTEN AUTHORITY OF ATCO.			

**ATCO**  
 ATCO STRUCTURES & LOGISTICS PTY LTD  
 45 TORRAL STREET  
 LUTHERIE, QLD 4207  
 P: 07 550 96 000  
 F: 07 550 96 000  
 E: atco@atco.com.au

CLIENT  
 CONCRUSH PTY LTD  
 PROJECT  
 14.4 x 4.4m WEIGHBRIDGE OFFICE/AMENITIES  
 ADDRESS  
 21 RACECOURSE ROAD, TERALBA  
 NSW 2284

TITLE		SCALE
ELEVATIONS		1 : 50
DRAWING NUMBER	REVISION	
181106-A300	A	

01/12/2018 4:03:37 PM

H:\02 Projects\2018\11-November\181106\_Concrush Pty Ltd\_MDW\02 Drawings\181106\_WB\04\6RIDGE OFFICE AMENITIES.rvt

Figure 4: Weighbridge Office and Amenities

**APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES**

Environmental Issue	Management Measures
Noise	<p><b>Construction</b></p> <ul style="list-style-type: none"> <li>• Undertake work during standard hours (7am - 6pm weekdays, 7am - 1pm Saturday).</li> <li>• Turn off plant when not in use.</li> <li>• Ensure plant is regularly maintained, and repair or replace plant that becomes noisy.</li> <li>• Arrange work site to minimize the use of movement alarms on vehicles and plant.</li> <li>• Avoid dropping materials from a height.</li> </ul>
	<p><b>Operation</b></p> <ul style="list-style-type: none"> <li>• Concrush will undertake a noise monitoring program to assess the effectiveness of the proposed mitigation measures in achieving the predicted noise levels. Concrush will undertake initial noise monitoring of day and evening time activities to compare the actual noise levels against the predicted noise levels. Concrush is committed to looking to improve noise performance across its operations to minimise potential disturbance to the community.</li> <li>• Construct a concrete bund wall to 3.5 m above finished ground level along the eastern side of the 'Raw Material Stockpiles and Processing Area'. The bund is required to block line of sight. The bund will be formed using concrete blocks. Crushers and screens (except for the trommel screen used for green waste) will not be used outside this area. The bund should meet the wall along the southern boundary described below.</li> <li>• Construct a concrete block wall to 3 m above finished ground level along the southern boundary of the 'Raw Material Stockpiles and Processing Area'.</li> <li>• The noise bund and wall will be installed prior to commencing operation of the Project</li> <li>• Crushers will not be used after 6pm.</li> <li>• The cone crusher will not be used when green waste shredding is occurring.</li> <li>• Only one activity, either 'screening and stockpiling' or 'loading and dispatch of trucks' would be undertaken at any one time during the evening period.</li> </ul>
Air Quality	<p><b>General</b></p>
	<p>Update the existing AQMP to reflect the Project changes.</p>
	<p><b>Odour</b></p> <ul style="list-style-type: none"> <li>• Avoid conducting potential odour generating activities when the wind direction is blowing towards nearby residential areas (Normally south westerly or westerly).</li> <li>• Avoid conducting potential odour generating activities during early morning periods under low wind speed conditions.</li> <li>• Cover transported loads leaving the Project site to aid in the control of fugitive emission of odours during transport of potential odour generating products.</li> <li>• Turning of windrows during pasteurisation.</li> <li>• Odour monitoring.</li> <li>• Odour complaint investigation.</li> <li>• Investigative odour monitoring.</li> </ul>
	<p><b>Dust</b></p> <ul style="list-style-type: none"> <li>• The use of atomising water sprays on crushing and screening equipment. These shall be attached to the crushing point and conveyor belt discharge point to control point source dust emissions.</li> <li>• Two coat seal on haul roads.</li> </ul>

Environmental Issue	Management Measures
	<ul style="list-style-type: none"> <li>• Minimisation of the drop heights between the excavator or loader bucket and trailers/truck during loading to reduce dust generation.</li> <li>• Dust suppression of stockpiles by water spraying on an as needed basis or when the following meteorological conditions occur: <ul style="list-style-type: none"> <li>○ An average wind speed greater than 18km/h is recorded continuously over a 15 minute period from a north or north westerly direction.</li> </ul> </li> <li>• Maintenance of clean entry drive as required to minimise dry dust on road.</li> <li>• The use of a water cart to water roads and hardstand areas to assist in the control of fugitive dust emissions on an as needed basis, or when the following meteorological conditions occur: <ul style="list-style-type: none"> <li>○ An average wind speed greater than 18km/h is recorded continuously over a 15 minute period from a north or north westerly direction.</li> </ul> </li> <li>• Cessation of dust emitting activities shall occur during the following conditions: <ul style="list-style-type: none"> <li>○ An average wind speed greater than 36km/h is recorded continuously over a 15 minute period from a north or north westerly direction, or</li> <li>○ Dust suppression measures appear visually ineffective.</li> </ul> </li> <li>• In the event that an engineered dust control measure was to fail, Concrush is committed to stopping operation of the relevant machine or to cease specific dust generating activities within the potentially affected part of the site</li> <li>• The monitoring for deposited dust and PM10 emissions will be undertaken at strategic and representative locations (e.g. the four site boundaries). Monitoring will be undertaken for at least a period of 24 months following the commencement of the expanded operations. This will allow the following: <ul style="list-style-type: none"> <li>○ Comparison of monitoring results with compliance levels and the dust modelling predictions.</li> <li>○ Review of the effectiveness of the mitigation measures.</li> </ul> </li> </ul>
Traffic	<p>The main site entry/exit will be initially widened to 15 metres. Within 12 months of approval the main site entry/exit will be upgraded to consist of an auxiliary left turn with a short turning lane (AUL(s)) and a basic right turn (BAR) treatment to accommodate the anticipated increased movements into and out of the site from Racecourse Road which has an 80 kilometre per hour speed limit. Cycle lane provisions will be accommodated in the turning treatment design.</p>
Soil and Water Management	<p><b>General</b></p> <p>Water quality measures will be implemented for the Project to minimise impact on the surrounding environment. These controls are designed and constructed to a standard consistent with:</p> <ul style="list-style-type: none"> <li>• Managing Urban Stormwater – Soils and Construction, Volume 1 (the Blue Book) (Landcom, 2004).</li> <li>• Managing Urban Stormwater – Soils and Construction, Volume 2E: Mines and Quarries (DECC, 2008).</li> </ul> <p><b>Construction</b></p> <p>A construction erosion and sediment control plan (ESCP) will be developed in accordance with the Blue Book for detailing the specific erosion and sediment controls, rehabilitation, monitoring and maintenance requirements for the construction phase of the Project. The construction ESCP will:</p> <ul style="list-style-type: none"> <li>• Be prepared on relevant copies of drainage drawings for: <ul style="list-style-type: none"> <li>○ different construction stages</li> <li>○ areas of high erosion hazard.</li> </ul> </li> <li>• Show sizing and design details for all sediment basins and erosion and sediment controls (such as diversion drains).</li> </ul>

Environmental Issue	Management Measures
	<ul style="list-style-type: none"> <li>• Be revised when required by changing circumstances, if the site conditions change or if installed controls are not operating effectively.</li> <li>• Be integrated with work procedures, construction method statements, activity statements and their scheduling.</li> <li>• Be site specific.</li> </ul> <p>The measures are designed to minimise erosion and transport of sediment around and off-site and include:</p> <ul style="list-style-type: none"> <li>• Clearly identifying and delineating areas required to be disturbed and ensuring that disturbance is limited to those areas.</li> <li>• Clearing as little vegetation as required and minimising machinery disturbance outside of these areas.</li> <li>• Installing appropriate erosion and sediment controls prior to stripping topsoil or disturbing areas.</li> <li>• Limiting the number of roads and tracks established.</li> <li>• Stabilising site entry/exit points to ensure sediment is not tracked onto sealed roadways.</li> <li>• Construction of drains upslope of areas to be disturbed to convey clean runoff away from most disturbed areas where required.</li> <li>• Construction of sediment dams where required to capture and treat runoff from disturbed catchment areas.</li> <li>• During construction all temporary controls will be inspected: <ul style="list-style-type: none"> <li>○ Daily for high risk controls such as within drainage lines</li> <li>○ Weekly for all other controls</li> <li>○ Prior to forecasted rainfall events great than or equal to 10 mm</li> <li>○ After rainfall events greater than or equal to 10 mm in a 24 hour period.</li> </ul> </li> </ul> <p>All construction erosion and sediment control measures will be maintained in a functioning condition until all construction activities are completed.</p> <p>Further to the above, if excavation into natural soils to depths near to the groundwater table (approximately 3.0 to 5.0 m below ground level) is required, an Acid Sulphate Soils Management Plan will prepared due to the likely presence of potentially acid sulphate soils (PASS).</p>
	<p><b>Operation</b></p>
	<p>The operational water management system will incorporate a range of water quality control measures including erosion and sediment control (ESC) measures and will include:</p> <ul style="list-style-type: none"> <li>• construction of appropriately designed and managed Type D sediment basins (Sediment Dam 1 and Sediment Dam 2)</li> <li>• separation of the green waste storage and processing catchment and the construction of the Leachate Dam to capture a 1 in 10 year 24 hour duration storm event from the Green Waste Catchment</li> <li>• installation of a Constructed Wetland to treat water captured in the Leachate Dam</li> <li>• roofing the retail area mulch storage bays</li> <li>• increased on-site stormwater storage to increase reuse of captured stormwater and the prioritised reuse of water discharged from the Constructed Wetland</li> <li>• a leachate barrier system for Project green waste storage and handling area and the lining of the Leachate Dam and Constructed Wetland</li> <li>• containment of the concrete wash out bay catchment and reuse of the reclaimed water</li> <li>• monthly inspections of long-term erosion and sediment controls will be undertaken as well as inspections prior to and after forecasted rainfall events greater than or equal to 10 mm.</li> </ul>

Environmental Issue	Management Measures
	<ul style="list-style-type: none"> <li>• an inspection and maintenance regime to ensure all control measures are maintained in proper working order at all times during their operational lives.</li> </ul> <p><b>Monitoring</b></p> <ul style="list-style-type: none"> <li>• monthly surface water quality monitoring of the constructed wetland for the following parameters: Total Suspended Solids (TSS), Electrical Conductivity (EC), pH, Total Nitrogen (TN), Total Phosphorus (TP), Nitrite and Nitrate (NOx), Ammonia</li> <li>• monthly surface water quality monitoring of the sediment basins (Sediment Dam 1 and Sediment Dam 2) the drainage depression downstream of the Sediment Dam 1 (to the north) and Sediment Dam 2 (to the south) for the following parameters: TSS, EC, pH, TN, TP, NOx, Ammonia Aluminium, Arsenic, Boron, Cadmium, Chromium III, Chromium VI, Cobalt, Copper, Lead, Nickel, Selenium, Zinc</li> <li>• monthly during discharge surface water quality monitoring of Sediment Dam 1 spillway and Sediment Dam 2 spillway for the following parameters: TSS, EC, pH, TN, TP, NOx, Ammonia Aluminium, Arsenic, Boron, Cadmium, Chromium III, Chromium VI, Cobalt, Copper, Lead, Nickel, Selenium, Zinc</li> <li>• Groundwater monitoring bores will be installed up and down the hydraulic gradient from the green waste storage and processing area in accordance with the Environmental Guidelines for Composting and Related Organics Processing Facilities (NSW Department of Conservation, 2004). Water quality samples will be collected from the monitoring bores on a monthly basis and analysed for TSS, EC, pH, TN, TP, NOx and Ammonia</li> <li>• Concrush will monitor the following water volumes: <ul style="list-style-type: none"> <li>○ monthly potable water imported via water cart</li> <li>○ monthly water storage inventories</li> <li>○ water inventories of Sediment Dam 1 and Sediment Dam 2 following rainfall</li> <li>○ monthly during discharge flows at the Sediment Dam 1 spillway and Sediment Dam 2 spillway</li> <li>○ monthly during spill at the Leachate Dam spillway (note that the Leachate Dam spills to Sediment Dam 2 rather than directly off-site)</li> </ul> </li> </ul>
Ecology	<p>The Project design has taken into account the wetland area in the western part of the site which will not be disturbed. Mitigation and management measures for other environmental aspects such as soil and water and air quality will minimise the potential for indirect offsite impacts such as sedimentation of waterways, nutrient discharge and dust impacts.</p> <p>The following mitigation and management measures will be implemented for the Project:</p> <ul style="list-style-type: none"> <li>• Areas to be protected during construction works including the wetland area will be clearly marked</li> <li>• Any landscape planting will consist of native species.</li> </ul>
Bushfire	<p>Concrush have an existing Pollution Incident Response Management Plan (PIRMP) which includes the relevant evacuation procedure for staff and the public in relation to bushfire threat. Threat of the combustion of product on site is managed through appropriate storage of materials and implementation of separation distances between stockpiles. During hot conditions stockpiles are wetted down and all operators are trained in firefighting techniques.</p> <p>The following specific bushfire management measures are to be implemented at the site to manage the risk associated with the bushfire hazard:</p> <ul style="list-style-type: none"> <li>• installation of Fire and Rescue NSW compatible fittings on the water storage tanks near the green waste area</li> <li>• management of the pasteurisation process within green waste stockpiles</li> </ul>

Environmental Issue	Management Measures
	<ul style="list-style-type: none"> <li>• ensure machinery is available on site to break up green waste stockpiles in the event of combustion during pasteurisation</li> <li>• continued management of vegetation across the site to manage fuel loads and prevent the spread of bushfire across the site</li> <li>• continued provision of fire extinguishers on all machinery</li> <li>• ensuring access to the site is maintained at all times.</li> </ul>
<b>Aboriginal Archaeology and Cultural Heritage</b>	<p>The following mitigation and management measures will be implemented for the Project:</p> <ul style="list-style-type: none"> <li>• Concrush will ensure that its employees and contractors are aware that it is an offence under Section 86 of the National Parks and Wildlife Act 1974 to harm or desecrate an Aboriginal object unless that harm or desecration is the subject of an Aboriginal Heritage Impact Permit.</li> <li>• In the unlikely event that an Aboriginal object or objects are uncovered during the proposed construction works, ground disturbance works should cease within 20 m of the object and an archaeologist, OEH and the local Aboriginal parties should be contacted to determine an appropriate management strategy.</li> </ul>
<b>Historic Heritage</b>	<p>The following mitigation and management measures will be implemented for the Project:</p> <ul style="list-style-type: none"> <li>• If during the course of proposed works previously unknown historical archaeological material or heritage items are discovered, all work in the area of the item(s) shall cease immediately and Heritage Division, OEH and a qualified heritage consultant will be consulted, in accordance with Section 146 of the Heritage Act, to determine an appropriate course of action prior to the recommencement of work in the area of the item.</li> </ul>
<b>Visual</b>	<p>The following management measures would be implemented as part of the Project:</p> <ul style="list-style-type: none"> <li>• A landscaped 2 m high earth bund will be established along the eastern boundary (southern half) of the site to complement the existing landscaped earth bund present along the northern half of the eastern site boundary. Landscape plantings will consist of locally endemic species.</li> <li>• Additional areas of landscape plantings will be incorporated into the detailed design. This may include tree planting adjacent to the wetland area in the south western portion of the site and potentially incorporating tree planting into the swale drain design along the southern boundary of the site.</li> </ul>
<b>Contamination</b>	<p>The following mitigation and management measures will be implemented for the Project:</p> <ul style="list-style-type: none"> <li>• A Remedial Action Plan (RAP) will be prepared for the site as part of the CEMP</li> <li>• The RAP will incorporate a requirement for a third groundwater monitoring well to be established during the construction phase</li> <li>• A clean fill layer of 0.5 m depth be placed across the southern part of the Project site. A marker layer is to be established to distinguish the clean fill layer from the existing soils beneath</li> <li>• If excavation or earthworks into natural soils to depths near to the groundwater table (approximately 3.0 to 5.0 m below ground level) are required an ASSMP will be developed for the Project.</li> </ul>
<b>Waste</b>	<p>The following management measures would be implemented as part of the Project:</p> <ul style="list-style-type: none"> <li>• Waste streams will be managed in accordance with the principles of the waste hierarchy, with emphasis on reduce, reuse, recycle prior to disposal of its wastes.</li> <li>• All material used will be in accordance with the relevant requirements and conditions of the exemptions outlined above.</li> <li>• General waste generated by site personnel during operation of the Project will be accommodated through the use of a 240 litre municipal waste bin to be collected</li> </ul>

Environmental Issue	Management Measures
	by LMCC or a licensed contractor for disposal/recycling at an appropriate waste management facility.
Greenhouse Gas	No mitigation or management measures are required for the Project.
Hazard and Risk	<p>Concrush has safety management system documents and procedures including a PIRMP. The PIRMP will be applied to ensure that all foreseeable emergency events are considered and adequate site specific systems are put in place to ensure site personnel and equipment are ready and able to deal with an emergency situation.</p> <p>Concrush will store all flammable and combustible liquids in accordance with the requirements of AS1940 The storage and handling of flammable and combustible liquids.</p>

## APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

### WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be emailed to the Planning Secretary at the following address: [compliance@planning.nsw.gov.au](mailto: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 C10 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. 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(s) that will be taken in relation to the incident; and
  - h. identify a project contact for further communication regarding the incident.
3. 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.
4. 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; and
  - d. details of any communication with other stakeholders regarding the incident.