



DOC16/643877; EF13/3975

Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Ms Emma Barnet
emma.barnet@planning.nsw.gov.au

Dear Ms Barnet

**FRAZER PARK QUARRY RESOURCE RECOVERY FACILITY - SSD 6518
RECOMMENDED CONDITIONS OF CONSENT**

I refer to a letter to the Environment Protection Authority (EPA) dated 15 November 2016 inviting the EPA to review the Environmental Impact Statement (EIS) provided in respect of the above proposal and provide Recommended Conditions of Consent.

The EPA understands that the proposal is for the construction and operation of a resource recovery facility within the existing Frazer Park Quarry. The proposal is for the recovery of up to 200,000 tonnes per annum of non-putrescible building and demolition waste to be crushed and blended with quarry material won onsite.

The EPA has reviewed the sections of the EIS relevant to the matters for which it has regulatory responsibility. General comments on the EIS and for the consideration of the Department of Planning and Environment are provided under **Attachment 1**.

Should the Department of Planning and Environment (DPE) grant approval for the proposed development, the EPA recommends including the Recommended Conditions of Consent provided under **Attachment 2**.

The Recommended Conditions of Consent relate to the development as proposed in the documents and information currently provided to the EPA. In the event that the development is modified either by the applicant prior to the granting of consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to consult with the EPA about the changes before the consent is issued. This will enable the EPA to determine whether its Recommended Conditions of Consent need to be modified in light of the changes.

The proponent currently holds Environment Protection Licence 1246 under the *Protection of the Environment Operations Act 1997* (POEO Act) in respect of crushing and grinding and extractive activities under existing consent. Should the DPE grant development consent for the proposal, the proponent will need to apply for and obtain a Licence Variation from the EPA associated with the proposal prior commencing any construction or waste activities. Please note that the Recommended Conditions of Consent in Attachment 2 do not repeat conditions which are already existing conditions of Environment Protection Licence 1246.

If you require any further information regarding this matter please contact Grace Bell on (02) 4908 6893.

Yours sincerely



21.12.16

KAREN MARLER
Director - Hunter
Environment Protection Authority

Contact officer: GRACE BELL
(02) 4908 6893
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Attachment 1

FRAZER PARK QUARRY RESOURCE RECOVERY FACILITY - SSD 6518

EPA'S COMMENTS FOR CONSIDERATION

NSW Waste Levy Requirements

On November 2014, the *Protection of the Environment (Waste) Regulation 2014* (Waste Regulation) commenced, requiring facilities that store, recover, recycle or process waste in the regulated area be liable for the NSW Waste Levy from 1 August 2015.

The Waste Regulation involves a number of requirements for a resource recovery facility before those waste activities operations may commence at a premises. Should DPE grant consent for the proposal, the following actions must be taken by the proponent at the time an application for their Environment Protection Licence to be varied is submitted to include the activity of resource recovery and waste storage.

1. Authorised Amount of waste permitted onsite

One of the triggers for payment of the levy is if a licensee exceeds their 'Authorised Amount'. An Authorised Amount of waste will be set in tonnes as a condition of the licence. An Authorised Amount is an upper limit of the amount of waste (in tonnes) that may be stockpiled on a premises at any one time. It applies to all waste (processed and non-processed).

To assist in setting a licence's Authorised Amount, the licensee may nominate an amount which an EPA officer will consider. Past amounts of waste received, site capacity and development consent will be considered by the EPA when setting a reasonable Authorised Amount.

The following information should be submitted to the EPA with the licence variation application:

- a) Nominate the preferred Authorised Amount of waste (in tonnes). Consider the maximum amount of waste (processed and unprocessed) that can reasonably be stored on the premises at any time;
- b) Data and records showing the amount of waste received at the premises in the last 3 years (in tonnes), and the maximum amount of waste held on at the premises at any time over the last three years; and
- c) A map and the surface area of the intended locations of the resource recovery operations at the premises.

2. Complete a baseline survey

The licensee will need to submit with the licence variation application a topographical survey to determine the premises' ground level surface. If a topographical survey is not practical at the premises (e.g. site is covered in a concrete hardstand), please contact the EPA.

3. Install and/or operate a weighbridge at the premises

Facilities must have a weighbridge installed by 1 February 2016 to accurately record waste movements.

If the premises already has a weighbridge, please provide a detailed description of the weighbridge that is operating on the premises with the licence variation application including:

- a) Evidence that the weighbridge is suitable for the facility, including design specifications, length, number of decks and weight limits (include the usual range of vehicle movements at your facility, in number and weight ranges).
- b) Site plan, including location of existing structures and weighbridge. Detail vehicle flow controls, including the entry and exit points where waste is transported into and out of the waste facility.
- c) Description of the IT weighbridge management system.
- d) Statement about whether the weighbridge can be verified (as required by the *Commonwealth National Measurement Act 1960*).

In addition to the actions required by the proponent to obtain a licence variation to operate a resource recovery facility, there are a number of ongoing requirements the proponent will have once in operation.

1. Keep accurate records

Resource recovery facilities with a waste levy liability must record certain information about waste entering and leaving the premises (as “transactions”). Please see the Waste Levy Guidelines available at <http://www.epa.nsw.gov.au/wasteregulation/waste-levy.htm> for further information about what records must be recorded.

Please find enclosed ‘Benchmark Requirement – Output for transactions at levy facilities’ which shows how the EPA would like records presented from a licensee’s software system. This format for presentation of records to the EPA is not mandatory, rather it is a benchmark. The EPA recommends all licensees meet this benchmark if obtaining or upgrading weighbridge software.

2. Reporting Requirements

Resource recovery facilities must also submit online monthly reports, called a *Waste Contribution Monthly Report* (WCMR), to the EPA through the Waste and Resource Reporting Portal (WARRP). In this WCMR, you must report to the EPA:

- Waste received at and transported from site
- Waste stream and waste type
- Where the waste came from and went to
- Waste processed on site

The WCMR is due 14 days after the end of each monthly reporting period, with your first reporting month being the month after the licence is issued. Also enclosed is the application form required to be filled in and submit to the EPA for access to WARRP. The EPA will provide support and training for the new online reporting system.

For further information about these requirements please refer to www.epa.nsw.gov.au/wastechanges

**Environment Protection Authority
December 2016**

Attachment 2

FRAZER PARK QUARRY RESOURCE RECOVERY FACILITY - SSD 6518

EPA'S RECOMMENDED CONDITIONS OF CONSENT

If the Department of Planning and Environment grants development consent for the proposal the EPA recommends including the following conditions as conditions of consent.

Please note that these conditions of consent are **in addition** to licence conditions on Environment Protection Licence 1246.

ADMINISTRATIVE CONDITIONS

A1 Works to be undertaken in accordance with information supplied to the EPA

A1.1 Except as provided by these conditions of approval terms of approval, the works and activities must be undertaken in accordance with the proposal contained in:

- (a) "Volume 1 - Environmental Impact Statement – Waste and Resource Management Facility – SSD 6518 – Hodgson Quarry Products Pty Ltd – 800-900 Pacific Highway Frazer Park" prepared by Nexus Environmental Planning Pty Ltd dated 28 October 2016

unless otherwise specified in these conditions of approval.

A1.2 The proponent is authorised to carrying out of the scheduled activities listed below at the premises. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

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

Scheduled Activity	Fee Based Activity	Scale
Resource Recovery	Recovery of general waste	Any general waste recovered
Waste Storage	Waste storage – other types of waste	Any other types of waste stored

LIMIT CONDITIONS

L3 Waste

L3.1 The proponent must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

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

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

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

Code	Waste	Description	Activity	Other Limits
NA	General Solid Waste (non-putrescible)	Cementitious materials Brick Tiles Glass Ash Sand VENM Wood waste Scrap metal	Resource Recovery Waste Storage	

L6 NOISE LIMITS AND MONITORING

- L6.1** Noise from the premises must not exceed 41 dB(A) at the nearest sensitive receiver which is not owned by the licensee or otherwise subject to an agreement with the licensee permitting a higher level of received noise.
- L6.2** The premise is only permitted to operate during daytime hours (7am to 6pm) Monday to Friday and 7am to 1pm on Saturdays with no operations on Sundays or public holidays.
- L6.3** Noise monitoring to assess compliance with the noise limit at L6.1 under normal operating conditions must be conducted at least once each reporting period with the results of noise monitoring provided with the Annual Return. All monitoring must be conducted in accordance with the NSW Industrial Noise Policy or as otherwise approved by the EPA.

OPERATING CONDITIONS

O3 Dust

- O3.3** All operations and activities occurring at the premises must be carried out in a manner which will minimise and prevent the emission of dust from the premises.
- O3.4** Trucks entering and leaving the premises that are carrying loads of dust-generating materials must have their loads covered at all times, except during loading and unloading.

O5 Waste management

- O5.6** Any waste received at the premises that does not comply with a resource recovery order must be transported from the premises and disposed of in a lawful manner.
- O5.7** The proponent must ensure that waste identified for resource recovery is stored separately from other waste.
- O5.8** The proponent must have in place at all times a quality assurance program to ensure only the types of wastes permitted above are received at the premises. This quality assurance program must include:
- Inspection of the waste received at the premises (prior to tipping) to ensure it only contains the wastes allowed by this licence;
 - Inspection of the waste after tipping at the premises to ensure it only contains the wastes allowed by this licence;
 - Documenting all loads of waste that are received at the premises that contain wastes other than those approved above (including name and registration number of waste supplier, why the waste load did not comply, and the fate of the load of that waste).

- O5.9 Prior to any wastes rejected by the quality assurance program leaving the premises, the proponent must obtain from the owner of such wastes details of where that waste will be disposed of legally.
- O5.11 Any load of waste that is received at the premises, which does not comply with the types of waste allowed to be received at the premises, and has not been returned to the supplier, must be stockpiled separately at the premises.
- O5.12 No waste is permitted to be disposed of at the premises.

O7 Other operating conditions

- O7.1 The proponent must ensure all feasible and reasonable noise mitigation measures are implemented to minimise the emission of noise from the activity.
- O7.2 The proponent must operate the premises in a manner which does not result in offensive noise (as defined in the *Protection of the Environment Operations Act 1997*) at any sensitive receiver.
- O7.2 The proponent must ensure that activities are conducted in an environmentally satisfactory manner. So as to minimise and prevent the pollution of air and water the proponent must ensure that vehicles or containers prior to leaving the premises are clean and sealed in a manner that will not cause materials or wastes used in conducting the activities at the premises to be tracked, thrown from, blown, fall or cast from any vehicle or container onto a public road.

