

# Notice of Modification

## Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I modify the development consent referred to in Schedule 1 as set out in Schedule 2.



Chris Wilson  
Executive Director  
Major Projects Assessment

Sydney

10 DECEMBER

2010

File No: 10/23426-1

### SCHEDULE 1

**Application No:** 05\_0098.

**Proponent:** WSN Environmental Solutions

**Approval Authority:** Minister for Planning

**Land:** Lot 35 DP 1098588, Lot 21 DP 1125616, Lot 2 DP 1076817 and Lot 33 DP 1096463, Camden local government area

**Project:** Jacks Gully Alternative Waste Technology Facility

### SCHEDULE 2

#### The project approval is modified by:

1. Replacing existing condition 1.1 in Schedule 1 with the following:
  - 1.1 The Proponent shall carry out the project generally in accordance with the:
    - a) Major Project Application 05\_0098, lodged with the Department of Planning on 14 December 2005;
    - b) environmental assessment: *Environmental Assessment: Proposed Alternative Waste Technology Facility at Jacks Gully Waste and Recycling Centre* (WSN Environmental Solutions, March 2006, Volumes 1 and 2);
    - c) the Statement of Commitments, prepared by WSN Environmental Solutions and dated March 2006;

- d) Responses to Submissions prepared by WSN Environmental Solutions, dated 16 June 2006; and
- e) Modification 1 (06\_0098 Mod 1), change the property description following subdivision;
- f) Modification 2 (06\_0098 Mod 2), amendment to the land description;
- g) modification application 05\_0098 MOD 3, dated March 2010, accompanied by documents titled *Macarthur Resource Recovery Park – Application under S.75W of the Environmental Planning & Assessment Act 1979 to Modify the Ministers Consent No. 05/0098 dated 7 September 2006 – Environmental Assessment, As amended June 2010 and Jacks Gully AWT Plant Landfill Gas Supply Hazards and Operability Study dated August 2009*;
- h) Modification Application 06\_0098 MOD 4, dated September 2010, accompanied by documents titled *Macarthur Resource Recovery Park – Application under S.75W of the Environmental Planning & Assessment Act 1979 to Modify the Ministers Consent No. 05/0098 dated 7 September 2006 – Environmental Assessment, dated September 2010*; and
- i) conditions of this approval.

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2. Replace existing condition 2.8 and 2.9 with the following:

2.8 Except as provided by a condition of an EPL, the Proponent shall restrict the waste received at the site to the following:

- a) 130,000 tonnes per year of mixed municipal waste classified as inert or solid waste under Schedule 1 of the *Protection of the Environment Operations Act 1997*;
- b) 25,000 tonnes per year of garden waste; and
- c) an additional 5,000 tonnes per year of garden waste or biosolids.

2.9 Except as provided by a condition of an EPL, the Proponent shall ensure that the only wastes that are processed at the site are:

- a) 90,000 tonnes per year of mixed municipal waste classified as inert or solid waste under Schedule 1 of the *Protection of the Environment Operations Act 1997* at the ArrowBio Plant;
- b) 25,000 tonnes per year of garden waste at the Garden Organics Plant; and
- c) an additional 5,000 tonnes per year of garden waste or biosolids at the Garden Organics Plant.

3. Insert new condition 3.5a directly after condition 3.5:

3.5a The Proponent shall prepare and implement a Standard Operating Procedure (SOP) to control fugitive emissions from the operations of the Garden Organics Plant. The SOP shall be:

- a) consistent with the existing Environmental Management Plan;
- b) developed in consultation with Council; and
- c) submitted to the Director-General for approval within 3 months of approval of Modification 4.