

AGENCY SUBMISSIONS

Submission A

Civic Centre
Flushcombe Road, Blacktown
P.O. Box 63, Blacktown 2148.

Blacktown City Council

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Facsimile Transmission Cover Sheet

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Facsimile No. () 9228 6466 Date 19 / 2 / 09 Time 11:30 am / pm

TO: FELICITY GREENWAY

FROM: ELTIN MILETIC

Direct Phone: _____ Dept/Section _____

MESSAGE: Felicity,

Please find attached a signed copy of
Council's submission together with marked
up plan.

Cheers,

Elton Miletic

This is page ONE of transmission. 32 Pages to be transmitted in total.

Facsimile



File No: MC-06-1449

17 February 2009

Department of Planning
GPO Box 39
SYDNEY NSW 2001

Attention: Felicity Greenway

Dear Ms Greenway,

**RE: Proposed Engineered Landfill and Waste Management Facility, Off Old
Wallgrove Road, Eastern Creek - Project No. 06 – 0139 – Light Horse Business
Centre (The Quarry Pty Ltd).**

Reference is made to your letter received by Council on 11 December 2008 advising of the public exhibition of a Part 3A "major project" Application for an engineered Landfill and Waste Management Facility at the abovementioned property.

Please be advised that Council recently resolved at its Ordinary Meeting held on 4 February 2009 not to oppose the proposal outright, instead providing "in principle" support on the strict proviso that the proposal does not have any adverse impact on the residents of Minchinbury. To this end it is paramount that the Minister for Planning impose all of Council's recommended conditions on any approval granted, so as to control all aspects of the proposed development and to adequately address both Council's and the community's concerns. Please refer to **Attachment A** for a detailed appraisal of the proposal.

In addition, in order to reassure Council and the community that the potential environmental impacts of the proposal have been adequately addressed, particularly in relation to the screening of and prevention of putrescibles wastes entering the landfill, Council must be afforded the opportunity to comment on the assessment and any proposed conditions from the NSW Department of Environment and Climate Change (DECC), as they will be the responsible licensing authority, prior to the issue of any determination by the Minister. A copy of Council's separate letter to DECC in this regard is attached for your information.

Further, Council trusts that the Proponent for the development will be required to make the necessary contributions pursuant to Section 94 of the Act or enter into a Voluntary Planning Agreement for their entire developable area for the proposal, including the area of the quarry void. In this regard the Proponent is securing a financial benefit from the development or use of the void and this justifies the payment of contributions accordingly.

\\Planners\Ellin Miletic\Miscellaneous\MC-06-1449\The Quarry - Letter to DoP.doc

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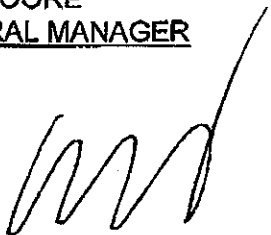
- 2 -

Council also requests that, should the Minister approve the Application, all conditions imposed are enforced and monitored for full compliance in the interests of the residents of the Minchinbury residential area.

Please do not hesitate to contact Eltin Miletic or Judith Portelli on 9839 6000 should you wish to discuss this matter further.

Yours faithfully,
RON MOORE
GENERAL MANAGER

Per:



**Blacktown City Council***Growing with Pride*

DOP Ref: 06-0139
Council Ref: MC-06-1449

17 February 2009

Department of Environment & Climate Change
PO Box 668
PARRAMATTA NSW 2124

Dear Sir/Madam,

RE: Proposed Engineered Landfill and Waste Management Facility, Off Old Wallgrove Road, Eastern Creek - Project No. 06 – 0139 – Light Horse Business Centre (The Quarry Pty Ltd).

Reference is made to a Part 3A "major project" Application lodged with the Department of Planning by Light Horse Business Centre for an engineered Landfill and Waste Management Facility at the abovementioned property.

Council is particularly concerned about the proposed screening procedures for putrescibles and how this will be controlled, as the odour modelling is predicated on no putrescibles being accepted at the Facility and only a non-putrescible landfill is permissible on the land.

As the DECC will be the responsible environmental regulatory authority for the proposal if it receives approval from the Minister for Planning, Council would greatly appreciate your cooperation in forwarding DECC's assessment and proposed licensing conditions to Council in order to be afforded the opportunity to comment prior to the issue of any determination by the Minister for Planning.

Council looks forward to your response at your earliest convenience.

Please do not hesitate to contact Eltin Miletic or Judith Portelli, on 9839 6000, should you wish to discuss this matter further.

Yours faithfully,
RON MOORE
GENERAL MANAGER

Per. 

ATTACHMENT A

GENERAL COMMENTS

Public Comments

1. Residents of the nearby Minchinbury Residential Area have expressed a number of amenity, health, dust and odour air quality concerns in relation to the proposal. Copies of submissions received by Council are attached for the Department's information and consideration. Whilst it is noted that the technical reports submitted with the Application as exhibited appear to satisfactorily address noise, amenity and air quality issues, Council recommends the implementation of the following additional measures in order to adequately address the concerns of residents and satisfactorily control the development:
 - (a) The provision of a temporary stockpile storage area for after hours deliveries in the vacant area adjacent to the west berm at the southern boundary of the area of operations (as shown in red on the site plan), to further reduce any potential adverse noise and air quality impacts during night-time operations.
 - (b) A gate shall also be provided at the above location in order to restrict after-hours activity and vehicular movement to the designated after hours delivery area only (as shown in red on the site plan) and, further, prevent the Facility from becoming a quasi 24 hour operation. An operational condition shall be inserted requiring the site to be secured, and the gate to be locked, at all times outside the approved hours of operation and any after hours operations shall be strictly confined to this designated area. It is considered inappropriate for this land to be set aside for future sub-letting or future development as to do so would prevent the development operating in the manner outlined above.
 - (c) It should be noted that only a non-putrescible landfill is permissible on the site and that the odour modelling is predicated on the presumption that no putrescible wastes will be accepted at the facility. Therefore, the proposed methods for screening putrescibles are crucial to the effectiveness of compliance and odour control. As such, Council should be afforded the opportunity to comment on the assessment and any proposed conditions from the NSW Department of Environment and Climate Change (DECC), as they will be the responsible environmental regulatory authority, prior to the issue of any determination by the Minister.
 - (d) The proponent is to submit a revised Site Environmental Waste Management Plan (SEWMP) relating to all aspects of the operation every 3 years to DECC, to ensure that the site is operating in accordance with best practice environmental management procedures using the latest technology. In this regard the recommendations of the SEWMP are to be immediately implemented upon DECC's approval.
 - (e) Regular wetting down of all sources of dust on the site is to take place to mitigate the impact of dust during construction and for the life of operations of the landfill and resource recovery facility.
 - (f) All sealed road surfaces contained within the proponent's operational land, including the entire route to the quarry, and in the quarry void, are to be appropriately maintained by the proponent to the consent authority's satisfaction.

Local Infrastructure Contributions

2. It is noted that there has not been any substantive "consultation" with Council apart from a meeting between the Proponent and Council's Officers on 15 October 2008 where the Proponent offered to further clarify its contribution proposal through a letter to Council so that the proposal could be considered in further detail. Council is yet to receive this advice. Notwithstanding, with regard to the levying of contributions of the lands to be included within the Voluntary Planning Agreement (VPA), Council expects that a VPA or contributions be levied for the **entire operational area** of the proposal as identified in Plan No. 6 in the final EAR submitted with the Application. Any suggestion by the Proponent to defer the payment of contributions over the quarry void until it is filled and rehabilitated is unreasonable as the Applicant will be operating the quarry void as a commercial landfill and as such the operation is a development in its own right warranting the levying of contributions over its entire developable area accordingly. Further, in the exhibited proposal, the Proponent now proposes to bond developer contributions generally in accordance with "the draft contributions plan published by Council". It is noted that Council has not yet published or prepared a draft Contributions Plan for the precinct. Therefore, in order to provide Council the opportunity and certainty that local infrastructure contributions are collected equally amongst all Stage 3 Precinct landowners, it is requested that **the Proponent enter into a Voluntary Planning Agreement with Council prior to the issue of any Construction Certificate.**

Stormwater Management

3. The proposed surface stormwater management strategy for stormwater reuse, stormwater treatment and On Site Detention (OSD) is supported by Council. However, there are several inconsistencies in the modelling and reports provided and, as such, the size and volume of stormwater management measures are considered approximate. Furthermore, in Council's experience with previous Part 3A Applications, a requirement for the Applicant merely to develop detailed Stormwater Design Plans in consultation with Council is insufficient to ensure the detailed CC plans comply with Council's requirements. Therefore, **prior to the issue of any Construction Certificate it will be necessary for a condition to be imposed on any consent granted for the detailed Stormwater Design and supporting calculations to be submitted to Blacktown City Council for review and approval.** Please find attached Council's stormwater drainage issues to be addressed for the Applicant's information and action.
4. The location of the proposed stormwater basins needs to be coordinated with the RTA Western Sydney Employment Hub Proposed Erskine Park Link Road Network Concept Plan. From the Concept Plan exhibited, it appears that road widening of approximately 20m would be required on the eastern side of the existing Archbold Road reserve. The basins are to be located clear of any proposed future road widening works, which is to be demonstrated on the detailed Stormwater Design plans submitted to Blacktown City Council for approval.
5. Provision needs to be made in the site drainage design to account for the final landform over the quarry void. If the final landform is landscaped with no new impervious area, then the flows from the quarry void final landform can bypass the proposed detention basins. Otherwise additional storage and treatment measures will be required for the quarry void area. Details of the final landform bypass arrangements are to be provided to Blacktown City Council for approval prior to the issue of any Construction Certificate. Also any upstream catchment areas that drain into the operational area should be diverted to bypass the proposed basins or included in the basin modelling and design.

Traffic Issues

6. Based on the trip generation forecast in the traffic report, it is considered that the traffic generated by the proposed development can be accommodated within the existing road network capacity provided the following improvement works are undertaken:

(a) **Traffic Signals at the intersection of Old Wallgrove Road and the existing right-of-carriageway** - It is noted, with concern, that the proponent suggested not to signalise the intersection of Old Wallgrove Road and the existing right-of-carriageway as part of this application on the basis that historically the existing intersection worked effectively in the past when quarry operation was at its peak. Given consideration to the amount of industrial/warehouse developments that have occurred and are continuing to occur in the Eastern Creek SEPP 59 Employment Lands, the traffic in general and heavy vehicles in particular have increased substantially along Old Wallgrove Road as being the only access in and out of the Eastern Creek precinct.

Whilst it is noted that this intersection will eventually be signalised as a part of the Precinct Section 94 Contributions Plan and future development of the Australand property on which the ROC is situated, a traffic safety solution in the form of traffic signals is required in the interim. It is expected that vehicles turning in and out of the right-of-carriageway will face longer delays than previously experienced. This could lead to an unsafe situation when frustrated drivers attempt to force their way and may cause collision with traffic already on Old Wallgrove Road. In order to avoid this happening, on safety grounds, the Proponent should be required to install traffic signals as a part of this application.

Compliance with the Eastern Creek Precinct Plan (Eastern Precinct - Stage 3)

7. Whilst it is acknowledged that the resource recovery aspect of the proposal is in itself in accordance with the principles of ESD, the Application as exhibited has failed to satisfactorily address Sections 7.1 to 7.3 of the SEPP 59 Eastern Creek Precinct Plan in relation to ESD and energy and water efficiency with regard to the proposed associated buildings. Therefore, prior to the issue of any consent by the Minister, an Environmental Performance Statement and an addendum to the Environmental Assessment Report prepared by ERM, dated December 2008, is to be submitted to the Consent Authority demonstrating the consideration of alternative energy sources such as co-generation or solar power.
8. The Application as exhibited has also failed to satisfactorily address Section 8.4.2 of the SEPP 59 Eastern Creek Precinct Plan in relation to Feral and Native Animal Management, apart from stating that the site will be secured by perimeter fencing. As such, details of the proposed animal proof measures to be implemented are to be submitted to the Consent Authority prior to the issue of any approval.

PROPOSED CONDITIONS OF CONSENT

Scope of Consent

1. This consent relates to the architectural drawings/details submitted with the Application, subject to compliance with any other conditions of this consent.
2. The area of the land identified as non-operational land is not to be used for any purpose without the prior separate approval of the Consent Authority.
3. This Consent is subject to compliance with and implementation (at the relevant stages, e.g. Pre Construction, During Construction, Pre Occupation, Operational) of the recommendations provided in *Light Horse Business Centre – Environmental Assessment Report (Volume 1 & 2) (Report No.: 0088621)* prepared by Environmental Resources Management Australia dated December 2008.

PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING MATTERS)

Necessary Plan Amendments

4. The following plan amendments, as shown in red on the attached site plan, shall be made in order to satisfactorily control the development and adequately address issues in relation to the amenity of surrounding residential areas, such as noise and air quality:
 - (a) Provision shall be made for a temporary stockpile storage area for after hours deliveries in the vacant area adjacent to the west berm at the southern boundary of the area of operations, to further reduce any potential adverse noise and air quality impacts during night-time operations. Details of the hardstand to be provided in this temporary stockpile area are also to be provided to the certifying authority and shown on the Construction Certificate drawings.
 - (b) A gate shall be provided at the location shown in order to restrict after-hours activity and vehicular movement to the designated after hours delivery area only (as shown in red on the site plan) and prevent after hours use of the Facility. An operational condition shall be inserted requiring the site to be secured, and the gate to be locked, at all times outside the approved hours of operation.
 - (c) The Applicant shall, at a minimum, indicate the provision of, in close proximity to the proposed office buildings, at least 50 marked car spaces on site for the proposed number of staff, with at least 2 percent or part thereof of those spaces provided for disabled drivers, clearly marked and signposted. Additional car spaces are also to be provided on site for the anticipated number of visitors/contractors to the site during operations. Suitable provision is also to be made for truck parking facilities on site.

General Services

5. In order to ensure suitable provision of services, Service Authority Clearances from Sydney Water, Integral Energy and the relevant telecommunications provider must be obtained prior to the issue of any Construction Certificate/Occupation Certificate for the approved development.

Environmental Management

6. Prior to the issue of any Construction Certificate, details of the bitumen all weather sealing to be provided along the entire route to, and in, the quarry void and to the temporary stockpile area designated for after hours deliveries with stockpile areas/work floor areas being in a suitable all weather surface (as shown highlighted on the site plan) to mitigate potential dust problems are to be submitted to the certifying authority.
7. Prior to the issue of any Construction Certificate, the environmental consultants engaged for the project by the Proponent for the preparation of the Environmental Assessment Report prepared by ERM, dated December 2008, shall certify that the relevant recommendations to be implemented prior to the issue of any Construction Certificate have been implemented to their satisfaction.
8. A work method statement regarding dust control during construction and operation of the approved development must be approved by the Consent Authority prior to the issue of any Construction Certificate. The work method must control dust to the levels as outlined in the appropriate Australian Standard. The work method must outline the Australian Standard being used for the occupational exposure standard and include monitoring of dust levels generated during earthworks.

Landscaping and Appearances

9. Council is particularly concerned about the appearance of the development. Accordingly, the following additional information is required to be submitted for Council's separate approval prior to the issue of any Construction Certificate for the approved development:
 - (a) Details of the proposed external building materials and finishes, demonstrating compliance with the ESD and energy and water efficiency requirements of Sections 7.2, 7.3 and 11.6 of the SEPP 59 Eastern Creek Precinct Plan.
 - (b) Details of the proposed site perimeter fencing, including relevant animal proof measures, are to be provided to the Consent Authority prior to the issue of any Construction Certificate. The site perimeter fencing shall be setback at least 1 metre from the site perimeter to allow suitable landscaping to be placed between the fence and the site perimeter.
 - (c) A detailed landscaping plan prepared by a suitably qualified person which provides for the embellishment of the site, including the proposed earthen berms and perimeter landscaping, by providing:
 - (i) Suitable native ground covers, shrubs and trees endemic to the area to complement the height, scale, design and function of the approved development.
 - (ii) The stabilisation of any exposed soil areas.
 - (iii) Measures designed to enable easy long-term maintenance of the property.
 - (iv) Planting of a combination of 35 litre, 75 litre and 100 litre trees. All shrubs to be planted are to have a minimum pot size of 200mm.

Local Infrastructure Contributions

10. The Applicant will make developer contributions for the entire operational area shown in Plan No. 6 in accordance with any relevant Contributions Plan adopted by Blacktown City Council that applies to the development area, before any Construction Certificate is issued for the development.
11. If a Contributions Plan has not been prepared for the development area before the determination of the application, the Applicant shall enter into a Planning Agreement with Blacktown City Council that satisfies the Applicant's developer contribution obligation for local infrastructure in accordance with the 'Stage 3 Release Area Precinct Plan'.
12. Prior to the issue of a Construction Certificate, the Applicant must provide documentary evidence from Blacktown City Council that its developer contributions have been made through either a Contributions Plan or a Planning Agreement.

PRIOR TO CONSTRUCTION CERTIFICATE**(BUILDING MATTERS)**

13. Prior to the issue of any Construction Certificate, all aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by :
 - (a) Complying with the deemed to satisfy provisions, or
 - (b) Formulating an alternative solution which :
 - (i) complies with the performance requirements, or
 - (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
 - (iii) A combination of (a) and (b).
14. A preliminary assessment of the plans submitted with the application has disclosed that the following design and/or construction issues need to be addressed prior to the issue of any Construction Certificate to ensure compliance with the Building Code of Australia:
 - (a) Sections C, D, E, F and J

Site Works and Drainage

15. Any required retaining wall(s) and/or other effective method to retain excavated or filled ground (not being Exempt Development under the Blacktown Local Environmental Plan), together with any associated groundwater drainage system, shall be designed by an appropriately qualified person. Details of such site works shall accompany the Construction Certificate.
16. Soil erosion and sediment control measures shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy. Details shall accompany any Construction Certificate.

PRIOR TO CONSTRUCTION CERTIFICATE (ENGINEERING MATTERS)

Definitions

17. Where any consent requires both engineering and building works to be undertaken, a separate Construction Certificate may be issued for each category of works i.e. a separate construction Certificate for the Engineering works nominated in "Prior to Construction Certificate (Engineering)" and a separate Construction Certificate for all building works relating to the erection and fit-out of a structure. This excludes all works on existing public roads significant enough to warrant separate engineering approval pursuant to the Roads Act 1993. In relation to this consent, a Construction Certificate must be issued for the On-Site Detention (OSD) system and Stormwater Treatment Measures (STM) device prior to the issue of the Construction Certificate. This is to ensure that the OSD system and the STM device will be located in an area of the site in which they will function hydraulically and will not conflict with any other structures proposed for the site.
18. In lieu of issuing a separate Construction Certificate, the above-mentioned engineering works can be included on an overall Construction Certificate provided that SPECIFIC REFERENCE is made to the relevant Engineering works. In such instances, the certifier shall provide evidence that they are accredited to do so. This is not applicable where Roads Act or Local Government Act Approvals are required.
19. Council does not permit the private certification of works on existing public roads or reserves, or any land under the care and control of Council. In this regard Council will not accept a Construction or Compliance Certificate from a Private Certifier for any works on Old Wallgrove Road, Eastern Creek.
20. Any Construction Certificate issued in relation to this consent shall incorporate and address the design of those works required by Scope of Engineering Works and other sections of this consent which do not require separate Roads Act 1993 or Local Government Act 1993 approval and any ancillary works necessary to make the construction effective. All works on existing public roads require separate engineering approval pursuant to the Roads Act 1993.
21. The Construction Certificate for Engineering works may be issued by Council or by an appropriately qualified certifier. For Council to issue the Construction Certificate a separate application must be made on the prescribed form complete with detailed plans and specifications. You are further advised that Council does not permit the private certification of works on existing public roads or reserves Council property or any property under the care and control of Council. In this regard Council will not accept a Construction or Compliance Certificate from a Private Certifier for any works on Old Wallgrove Road, Eastern Creek.
22. **ROADS ACT ONLY** Prior to the issue of any Construction Certificate for the approved development it is necessary to obtain the separate approval of Council pursuant to the Roads Act 1993 for all relevant civil works on existing public roads as nominated in "Prior to Construction Certificate (Engineering)" and/or "Scope of Engineering Works and other sections of this consent". The application for this Engineering Approval must be made on the prescribed form and is to include detailed design plans and specifications prepared by a Chartered Professional Engineer or suitably experienced Registered Surveyor.

Design and Works Specifications

23. All engineering works required by Scope of Engineering Works and other sections of this consent must be designed and undertaken in accordance with the relevant aspects of the following documents except as otherwise authorised by this consent:
- (a) Blacktown City Council's Works Specification - Civil (Current Version)
 - (b) Blacktown City Council's Engineering Guide for Development (Current Version)
 - (c) Blacktown City Council Development Control Plan (Current Version)
 - (d) Blacktown City Council Soil Erosion and Sediment Control Policy (Current Version)
 - (e) Blacktown City Council On Site Detention General Guidelines and Checklist
 - (f) Upper Parramatta River Catchment Trust On Site Stormwater Detention Handbook Third Edition December 1999.
 - (g) Blacktown City Council Stormwater Quality Control Policy

Design plans, calculations and other supporting documentations prepared in accordance with the above requirements **MUST** be submitted to Council with any application for Construction Certificate, Road Act 1993 or Local Government Act 1993 Approval.

Any Construction Certificates issued by Private Certifiers must also be accompanied by the above documentations.

NOTE: Any variations from these design requirements must be separately approved by Council.

Payment of Engineering Fees

24. If it is the applicant's intention to engage Council to undertake the checking of the engineering design plans and the issue of the Construction Certificate for the engineering works nominated in the "Prior to Construction Certificate (Engineering)" section, it will be necessary to submit the relevant engineering plans to obtain a quote for this service.
25. A verbal quote will be provided within 48 hours based upon Council's Goods and Services Pricing Schedule. This will also be confirmed in writing.
26. If it is the applicant's intention to engage Blacktown City Council to undertake Construction inspections and the issue of the Compliance Certificate for engineering works, it will be necessary to contact Council's Development Services Engineer for a quote.
27. A verbal quote will be provided within 48 hours based upon Council's Goods and Services Pricing Schedule. This will also be confirmed in writing.

Other Fees and Security Deposits

28. In conjunction with the civil engineering works required to be constructed as part of this development you will be required to submit to Council security bond(s) for maintenance and/or path paving works as well as a contribution for the final asphaltic concrete (AC) surfacing of the roadwork. These matters are individually addressed within the Consent conditions.
29. Prior to release of any bond securities held by Council for civil engineering works payment of a bond release inspection fee in accordance with Council's Goods and Services Pricing Schedule must be made.

Traffic Matters

30. The existing right-of-carriageway driveway to the development site is to be 8.0 metres wide and any rectification works to be carried out by the Developer at no cost to Council.
31. Intersection of Old Wallgrove Road and the existing right-of-carriageway to have Traffic Signals as per the Roads & Traffic Authority's of New South Wales (RTA) consideration and approval prior to the issue of any Construction Certificate relating to the approved development, whether by Council or an appropriately accredited certifier.

Roadworks

32. Road pavements are to be designed by a Professional Civil Engineer in accordance with the current version of Council's Engineering Guide for Developments and based upon soil tests performed by a registered NATA Soils Laboratory and the traffic loadings listed in "Scope of Engineering Works" of this consent. The pavement designs must be lodged with Council for approval prior to issue of the Construction Certificate for Engineering works.
33. A Traffic Management / Control Plan shall be included as part of the Roads Act Approval for road and drainage works to be carried out within public road reserves in strict compliance with the requirements of current Australian Standard 1742.3 (Traffic Control Devices for Works on Roads) and current RTA Traffic Control at Work Sites manual. Any persons preparing such traffic control layout plans shall be RTA accredited.
34. A Road Opening Occupancy Licence is required from the relevant Road Authorities (Council or RTA) for all works on existing public roads. The application for this licence must be accompanied by Traffic Management / Control Plans.

Other Matters

35. No construction preparatory work (including tree or vegetation removal, ground clearing, excavation, filling, and the like) shall be undertaken on the land prior to a valid Construction Certificate being issued for the construction works.
36. Any future substation or other utility installation required to service the approved subdivision/development shall not under any circumstances be sited on future or existing Council land, including road reservations and/or public reserves. Any proposal to locate a proposed substation or other utility installation on Council land shall be negotiated with and fully endorsed by the relevant Council Directorates.
37. Details of the Stormwater Design are to be submitted to and approved by Blacktown City Council prior to the issue of any Construction Certificate.

Drainage

38. Where drainage involves the provision of drains across land owned by others, evidence of the creation of necessary easements must be submitted to Council for concurrence prior to the issue of a Construction Certificate for engineering works.
39. Council requires that any lot created not draining directly to a public road be serviced by an inter-allotment drainage line and appropriate easement. Designs including longitudinal sections of the inter-allotment drainage lines are to be included with any Construction Certificate for engineering works.
40. Where the internal driveway cannot be drained to an internal pit, a grated drain shall be provided at the property boundary.

Erosion and Sediment Control

41. Soil erosion and sediment control measures for road, drainage, On Site Stormwater Detention and earth works shall be designed in accordance with Council's Soil Erosion and Sediment Control Policy and Engineering Guide for Development. Details and are to be included with the plans and specifications to accompany any Construction Certificate.

On-Site Detention

42. On-site detention systems within private or common courtyard areas shall be designed so they do not impact on the amenity of the development or the use of such areas.
43. A certificate from a Registered Engineer (NPER) to be submitted to Council certifying that the structures associated with the on-site detention system have been designed to withstand all loads likely to be imposed on them during their lifetime.
44. A certificate from a Professional Civil Engineer/Registered Surveyor must be obtained verifying that the On Site Detention system will function hydraulically in accordance with the requirements of Upper Parramatta River Catchment Trust and Council's current development guide.
45. Any Construction Certificate issued for or including an On-site Stormwater Detention (OSD) System must be accompanied by;
- (a) A Drainage Design Summary Sheet per Appendix B1 of the Upper Parramatta River Catchment Trust Handbook, current version.
 - (b) Full drainage calculations and details for all weirs, overland flow-paths and diversion/catch drains - including catchment plans and areas, times of concentration and estimated peak run-off volumes.
 - (c) A completed OSD Detailed Design Submission and Checklist per Appendix B9 of the above-mentioned Handbook.
 - (d) A complete verification of Council's OSD General Guidelines and Checklist requirements being satisfied.
 - (e) A Maintenance Schedule is to be presented with the designer's name, his signature and date on it in accordance with the Upper Parramatta River Catchment Trust handbook guideline. (If an underground tank is involved this must include reference to WorkCover Authority of NSW Occupational Health & Safety Act 1983 and Confined Spaces Regulation.)

Asset Management

46. A detailed estimate of the cost of civil engineering work must be submitted to Council prior to the issue of the Construction Certificate for engineering works. If engineering works are of a value greater than \$25,000, documentary proof of payment of the levy required by the Building and Construction Industry Long Service Payments Act must be provided to Council prior to any approval of engineering plans either by Council or an appropriately accredited certifier.

Other Approvals/Clearances/Adjoining Owners Permission

47. Written evidence shall be obtained from the Roads & Traffic Authority indicating compliance with its requirements, including the payment of any necessary supervision fees. A copy of any such permission shall accompany any Construction Certificate.

48. Sydney Water Corporation approval in the form of appropriately stamped Construction Certificate Plans is to be obtained to verify that the proposed works meets the Corporation's requirements concerning drainage connections into stormwater channels/basins and ancillary works relating to water or sewer mains.
49. Written permission from the affected property owners shall be obtained to:
 - (a) discharge stormwater onto adjoining land;
 - (b) carry out works on adjoining land; and
 - (c) drain the site across adjoining land;prior to the issue of any Construction Certificate. A copy of any such permission and evidence of the creation of necessary easements must be submitted to Council prior to the issue of any Construction Certificates.
50. Prior to commencement of construction of footway crossings a clearance shall be obtained from the relevant telecommunications carriers and Integral Energy that all necessary ducts have been provided under the proposed crossing.

Work Adjacent to Easements

51. Foundations adjacent to easements shall not place a loading on the pipe within the easement. Foundations shall be located at:
 - (a) the depth of the invert of the existing pipeline, and/or
 - (b) the depth of the invert of the proposed pipeline.
52. All development shall be kept clear of the drainage easement(s) on the land, and no alteration to the existing surface levels within the easement(s) is to be made.
53. Pier and beam style construction shall be used adjacent to easements to the depth of the invert of the proposed or existing pipeline. A Registered Engineer (NPER) shall certify that this condition has been satisfied.

Ancillary Works

54. Ancillary works shall be undertaken at no cost to Council to make the engineering works required by this consent effective. Such works shall include but are not limited to the following:
 - (a) the relocation of underground services where required by the positioning of new drainage and road infrastructure;
 - (b) the relocation of aboveground power and telephone services; and
 - (c) the matching of new infrastructure into existing or future designed infrastructure.

Stormwater Quality Control

55. Stormwater Treatment Measures for the proposed development shall be designed in accordance with the requirements of Council's Stormwater Quality Control Policy. Details are to be included with the plans and specifications accompanying any Construction Certificate. Any variation to the proposed CDS unit (model no:P1512 & P1012) will require a lodgement of a Section 96 application to Council for amendment of the consent.
56. The following scope of works shall be included in the design documentation accompanying the Construction Certificate for engineering works:
 - (a) The existing depression/watercourse through the site must be piped and/or channelled to contain stormwater discharges up to the 1% A.E.P. (100 year Average Recurrence Interval) event.

- (b) Overland flows up to the 1% A.E.P. (100 year Average Recurrence Interval) event must be intercepted at the boundary of the site and conveyed through the site in a piped or channelled discharge system and discharged in a satisfactory manner.
- (c) Overland flows must be intercepted at the property boundary, conveyed through the site in a piped or channelled drainage system to match or set local condition, and discharged in a satisfactory manner.
- (d) Any drainage currently entering the site is to be collected and conveyed in an approved manner to the nearest appropriate point of discharge.

Street Furniture

57. In the event that the RTA requires upgrading of the intersection between Old Wallgrove Road and the Quarry Road (ROC) in association with the traffic signals required to be provided at this intersection on safety grounds, a notation is to be placed on the Engineering Construction Plans "that all necessary street furniture e.g. light poles, street name poles and bus shelters will be black powder coated to the satisfaction of Blacktown City Council and that these light poles will comply with Council's specifications".

PRIOR TO DEVELOPMENT WORKS

Safety/Health/Amenity

58. Toilet facilities shall be provided on the land prior to construction commencing and throughout the duration of construction at the rate of 1 toilet for every 20 persons or part thereof employed at the site.
59. A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98-A (2) of the Environmental Planning and Assessment Regulations 2000 indicating:
- (a) the name, address and telephone number of the principal certifying authority for the work, and
 - (b) the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
 - (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
60. Should the development work:
- (a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (b) involve the enclosure of a public place,
- a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.
- Where necessary, an awning shall be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The hoarding, awning or protective barrier shall be effectively illuminated between sunset and sunrise where it may be hazardous to any person in the public place.

61. Building and construction materials, plant, equipment and the like shall not be placed or stored at any time on Council's footpath, roadway or any public place.
62. Soil erosion and sediment control measures shall be provided in accordance with Council's Soil Erosion and Sediment Control Policy.
63. All soil erosion and sedimentation control measures indicated in the documentation accompanying the Construction Certificate shall be installed prior to the commencement of development works, and shall be maintained throughout the development works.
64. A single vehicle/plant access to the land shall be provided to minimise ground disturbance and transport of soil onto any public place. Such access shall be provided in accordance with the requirements of Appendix "F" of Council's Soil Erosion and Sediment Control Policy. Single sized 40mm or larger aggregate placed 150mm deep, and extending from the street kerb/road shoulder to the land, shall be provided as a minimum.
65. Any excavation and/or backfilling associated with the development shall be executed safely and in accordance with appropriate professional standards, with any excavation properly guarded and protected to prevent such work being dangerous to life or property.
66. Should any excavation associated with the development extend below the level of the base of the footings of a building or any other structure on any adjoining allotment of land (including a public place), that building or structure:
 - (a) shall be preserved and protected from damage, and
 - (b) if necessary, shall be underpinned and supported in accordance with structural design details accompanying the Construction Certificate, and
 - (c) the owner(s) of which shall, at least 7 days before any such excavation or supporting work commences, be given notice of such intention and particulars of the excavation or supporting work.

Notification to Council

67. The person having the benefit of this consent shall, at least 2 days prior to work commencing on site, submit to Council a notice under Clauses 135 and 136 of the Environmental Planning and Assessment Regulation 2000, indicating details of the appointed Principal Certifying Authority and the date construction work is proposed to commence.

Tree Protection

68. Any tree not indicated on the approved plans as being removed or greater than 3m from the building perimeter shall be effectively protected against damage.

Sydney Water Authorisation

69. Sydney Water Corporation's approval, in the form of appropriately stamped Construction Certificate plans, shall be obtained and furnished to the Principal Certifying Authority to verify that the development meets the Corporation's requirements concerning the relationship of the development to any water mains, sewers or stormwater channels.

OR

The approved plans are to be submitted to a Sydney Water Customer Centre or Quick Check Agent, to determine whether the development will affect Sydney

Water's sewer and water mains, stormwater drains and/or easements and if further requirements need to be met. The plans must be appropriately stamped and all amended plans will require restamping. For Quick Check Agent details, please refer to the "Building Plumbing and Developing" Section of the website www.sydneywater.com.au, then follow the "Developing Your Land" link or telephone 13 20 92 for assistance.

Roads and Traffic Authority

70. Written evidence shall be obtained from the Roads & Traffic Authority indicating compliance with its requirements, including the payment of any necessary works supervision fees. A copy of such approval shall be lodged with Council.

Construction Details

71. Structural details of the nominated building component(s), prepared and/or certified by a professional engineer or other appropriately qualified person, shall be lodged with Council prior to commencing or erecting that portion of the approved development.

Nominated Component

- (a) Footing piers
- (b) Footing system
- (c) Floor slab
- (d) Structural concrete
- (g) Structural steelwork
- (h) Retaining walls

DURING CONSTRUCTION WORKS

Building Code of Australia Compliance

72. All building work shall be carried out in accordance with the provisions of the Building Code of Australia.

Surveys

73. The building(s) shall be set out by a registered surveyor and a survey report lodged with the Principal Certifying Authority to verify the approved position of each structure in relation to the property boundaries.

Nuisance Control

74. Any objectionable noise, dust, concussion, vibration or other emission from the development works shall not exceed the limit prescribed in the Protection of the Environment Operations Act 1997.
75. The hours of any offensive noise-generating development works shall be limited to between 7.00am to 6.00pm, Mondays to Fridays; 8.00am to 1pm, Saturdays; and no such work to be undertaken at any time on Sundays or public holidays.
76. Construction work on all buildings shall not occur on Saturdays and Sundays on weekends adjacent to a public holiday.

Waste Control

77. The waste material sorting, storage and re-use requirements of the approved Waste Management Plan and Council's Site Waste Management and Minimisation

Development Control Plan shall be implemented during the course of development works.

Construction Inspections

78. The person having the benefit of this consent is required to notify the Principal Contractor for the building construction project that various mandatory and critical stage inspections must be conducted by an accredited certifier, and may include inspections (where applicable):

- (a) At the commencement of the building work; and
- (b) After excavation for, and prior to placement of, any footings; and
- (c) Prior to pouring any in-situ reinforced concrete building element; and
- (d) Prior to the covering of the framework for any floor, wall roof or other building element, and prior to covering waterproofing in any wet areas; and
- (e) Prior to covering waterproofing in any wet areas (but for a minimum of 10% of rooms with wet areas in any class 2,3 or 4 building); and
- (f) Prior to covering any stormwater drainage connections; and
- (g) After the building work has been completed and prior to any Occupation Certificate being issued in relation to the building.

The critical stage inspection "(g)" must be carried out by the Principal Certifying Authority.

Any inspection conducted by an accredited certifier other than the nominated PCA for the project must be verified by way of a Compliance Certificate issued for the relevant works.

Note: Failure to ensure the relevant inspections are conducted will preclude the issue of an Occupation Certificate.

Notice of Work Commencement

79. At least 5 full working days written notice shall be given of the commencement of engineering works. Such notice shall be accompanied by evidence of the contractor's Public Liability and Workers Compensation Insurances. For Public Liability Insurance this should be a minimum of \$10,000,000.
80. Prior to the commencement of any earthworks, and after the road centrelines have been pegged and/or permanently marked, the site shall be inspected by Council's representative or an appropriately accredited private certifier and the applicant's representative to identify and appropriately mark:-
- (i) The trees to be retained.
 - (ii) All areas to be left undisturbed and cordoned off.

Compaction Requirements

81. In relation to any required road works on the right of carriageway or its intersection with Old Wallgrove Road, land shall be filled where necessary. All fill including existing fill shall be compacted in accordance with the Council's "Works Specification - Civil (current version)". A compaction certificate shall be obtained from a Registered Engineer (NPER) verifying that the correct compaction requirements have been met.
82. Removal of any unsuitable soil and/or fill material and its replacement with suitable material compacted in accordance with the current version of Council's "Works Specification - Civil".

83. Special attention is drawn to the following requirements of Council's Works Specification - Civil (Current Version):

- (a) Submission of compaction certificates for fill within road reserves.
- (b) Submission of compaction certificates for road sub-grade.
- (c) Submission of compaction certificates for road pavement materials (sub-base and base courses).
- (d) The submission of 2 contour lot fill diagrams and lot fill compaction certificates. A Restriction as to User with Council's standard wording must be placed on filled lots.
- (e) Compliance Certificates from road material suppliers.

Tree Protection

84. Existing vegetation shall be left undisturbed except where roads, drainage lines and filling and/or building works are proposed.
85. Prior to the commencement of any earthworks, and after the road centrelines have been pegged and/or permanently marked, the site shall be inspected by Council's representative or an appropriately accredited private certifier and the applicant's representative to identify and appropriately mark:-
- (i) The trees to be retained.
 - (ii) All areas to be left undisturbed and cordoned off.
86. There is to be no storage of materials stockpiling of excavated material or parking of machinery within the drip line of the crown of any trees to be retained.
87. Prior to the removal of any branches of any trees which are to be retained, Council is to be notified at least 24 hours prior to any activity and the work is to be undertaken by a qualified Arborist.

Maintenance of Soil Erosion Measures

88. Soil erosion and sediment control measures shall be implemented in accordance with Council's Soil Erosion and Sediment Control Policy.
89. Re-vegetation must be applied to disturbed areas as soon as practical after completion of earthworks and must be established prior to release of the maintenance security. All open drains must be turfed.
90. All required soil erosion and sediment control measures are to be maintained during the entire construction period until disturbed areas are restored by turfing paving or revegetation. Infringement Notices incurring a monetary penalty may be issued by Council where the maintenance of measures is inadequate.

Inspections of Works

91. In relation to any required road works as a part of the required provision of traffic signals to be approved by the RTA at the intersection of the right of carriageway and Old Wallgrove Road, inspection Compliance Certificates issued by a Registered Engineer (NPER) or Registered Surveyor or Compliance Certificates issued by an accredited certifier, under Part A of Environmental Planning and Assessment Act 1979 as amended, are to be issued for works covered by the Construction Certificate for engineering works at the completion of the following mandatory inspection stages:

- (i) Soil Erosion and Sediment Control
 - (a) Implementation of erosion and sediment control
 - (b) Revegetation of disturbed areas
 - (c) Construction of major controls (i.e gabions mattresses shotcreting etc)
 - (d) Removal of sediment basins/ fencing etc.

- (e) Internal sediment/ pollution control devices
- (f) Final Inspection
- (ii) Traffic Control
 - (a) Implementation of traffic control
 - (b) Maintenance of traffic control during works
 - (c) Removal of traffic control
- (iii) Construction of Drainage works (including inter-allotment)
 - (a) Pipes before backfilling including trench excavation and bedding
 - (b) Sand Backfilling
 - (c) Final pipe inspection
 - (d) Pit bases and headwall aprons
 - (e) Pit Walls/ wingwalls/ headwalls
 - (f) Concrete pit tops
 - (g) Connection to existing system
 - (h) Tailout works
 - (i) Final Inspection
- (iv) Construction of Road Pavement
 - (a) Boxing out
 - (b) Sub-grade roller test
 - (c) Subsoil drainage
 - (d) Sandstone roller test layer 1
 - (e) Sandstone roller test layer 2
 - (f) Kerb pre-laying
 - (g) Kerb during laying including provision of roof-water outlets
 - (h) Sandstone depth
 - (i) Pavement profiles
 - (j) DGB depths and roller tests
 - (k) Wearing Course
 - (l) Kerb final
 - (m) Concrete tests
 - (n) Formwork concrete pavements
 - (o) Final inspection
- (v) Provision of Street Furniture
 - (a) Street Furniture (including street signs guideposts guardrail etc)
 - (b) Erection of fencing adjoining public/ drainage reserves
- (vi) Footpath Works
 - (a) Footpath Trimming and/or turfing (to ensure 4% fall)
 - (b) Pathway construction (cycle/ link pathways)
 - (c) Path-paving construction
 - (d) Service Adjustments
 - (e) Final Inspection
- (vii) Construction of on-site detention system
 - (a) Steel and Formwork for tank/ HED control pit
 - (b) Completion of HED control pit
 - (c) Pit formwork
 - (d) Pipes upstream/ downstream of HED control pit before backfilling
 - (e) Completion of OSD system
- (viii) Stormwater Quality Control
 - (a) Installation of Stormwater Quality Control devices
 - (b) Final Inspection
- (ix) Traffic Control
 - (a) Implementation of traffic control

(b) Maintenance of traffic control during works

(x) CCTV Inspection of Drainage Structures (pipelines and pits)

(a) All road drainage

(xi) Final overall Inspections

(a) Preliminary overall final inspection

(b) Overall final inspection

ALTERNATIVELY, one comprehensive Inspection Certificate or Compliance certificate may be issued to include all of the above-mentioned stages of construction.

92. Inspection of the works required pursuant to the engineering approval issued under the Roads Act 1993 must be made by Council's Development Overseers who can be contacted on 9839 9718 between 7am - 8am and 12.30pm - 1.30pm. A site inspection is required prior to commencement of work. A minimum twenty-four (24) hours notice must be given prior to any required inspection. A schedule of mandatory inspections is listed in Council's Works Specification – Civil (current version).

Public Safety

93. The applicant is advised that all works undertaken in a public place are to be maintained in a safe condition at all times. Council may at any time and without prior notification make safe any such works Council considers to be unsafe and recover all reasonable costs incurred from the applicant.

Site Security

94. Chain wire gates and security fencing must be provided around the site in order to prevent unauthorised access and dumping of rubbish.

Other Necessary Approvals

95. In relation to matters concerning the Archaeological Survey, should any archaeological material be uncovered during construction activities on any location within the proposed development then all works should cease immediately and representatives of the DECC and a member of the Western Sydney Aboriginal Stakeholder Groups is to be contacted.

Traffic Control Plan

96. Where amendments to the approved Traffic Control Plan are required, a new plan shall be prepared and approved prior to implementation. Such plans shall be prepared in strict compliance with the requirements of the current version of Australian Standard 1742.3 (Traffic Control Device for works on Roads) as well as the current version of the RTA Traffic Control at Work Site manual. Any person preparing such Traffic Control plans shall have the relevant RTA accreditation, which must be stated on the submitted plans.

Powder Coated Furniture

97. Where the conditions of this consent permit the installation of powder coated furniture (i.e. street lighting poles, bus shelters, rubbish bins, seats or any other items of street furniture), a certificate from the manufacturers shall be provided to Council confirming that the nominated powder coated items have been prepared and coated in accordance with Australian Standard AS/NZ 4506-2005 (service condition category 3). This certificate must be no more than 3 months old and shall be provided to Council prior to the installation of the relevant items of street furniture. Any items of street furniture not so certified shall be removed and replaced at no cost to Council with items appropriately certified.

Other Matters

98. Intersection of Old Wallgrove Road and the existing right-of-carriageway is to be upgraded with Traffic Signals approved by the New South Wales Roads & Traffic Authority.
99. All required car parking spaces shall be provided on site
100. All internal roads, including the roads to the quarry, and in the quarry void, and hardstand areas, are to be bitumen sealed.

PRIOR TO OCCUPATION CERTIFICATE**Consolidation of Lots**

101. The lots on which the operational area is situated as per Plan No. 6 shall be consolidated into one title which shall be registered with the Land Property Office.

Road Damage

102. The cost of repairing any damage caused to Council's assets in the vicinity of the land as a result of the development works shall be met in full by the applicant/developer.

Note: Should the cost of damage repair work not exceed the road maintenance bond Council will automatically call up the bond to recover its costs. Should the repair costs exceed the bond amount a separate invoice will be issued.

Compliance with Conditions

103. An Occupation Certificate shall not be issued until such time as all conditions of this consent, other than "Operational" conditions, have been satisfied. The use or occupation of the development prior to compliance with all conditions of consent, other than "Operational" conditions, may render the applicant/developer liable to legal proceedings.
104. Prior to occupation/use of a new building; it is necessary to obtain an Occupation Certificate from the principal certifying authority in accordance with the provisions of Section 109H of the Environmental Planning & Assessment Act 1979.

Service Authorities

105. A final written clearance shall be obtained from Sydney Water Corporation, Integral Energy and Telstra (or any other recognised communications carrier) if such clearance (in the form of a Section 73 Certificate, Notification of Arrangement, etc) has not previously been issued.

Temporary Facilities Removal

106. Any hoarding or similar barrier erected to protect a public place shall be removed from the land and/or public place.
107. Any temporary toilet facilities provided during construction works shall be appropriately dismantled, disconnected and removed from the land.
108. Any temporary soil erosion control measure installed during development works shall be removed and other permanent measures required by Council's Soil Erosion Control Policy shall be provided.
109. Any temporary builder's sign or other site information sign shall be removed from the land.

110. Any temporary site access provided for the purpose of development works shall be removed and the kerb and gutter and/or previous roadworks reinstated in a manner satisfactory to Council. Should the reinstatement involve the provision of a new vehicular crossing, layback, kerb and gutter or road shoulder works the separate approval of Council's Maintenance Section shall be obtained (and any appropriate fees paid) prior to such works commencing.

Fire Safety Certificate

111. A final fire safety certificate complying with Clause 153 of the Environmental Planning and Assessment Regulation 2000 shall be issued prior to the use or change of use of the building, except in the case of any Class 1a and Class 10 building(s).

Landscaping/Car Parking

112. All landscaping, car parking, lighting, fencing, signage, bitumen sealed hardstand and internal roads, including the sealed roads to the quarry, and in the quarry void, shall be completed in accordance with approved plans as amended by conditions of this consent. All turfed areas shall be finished level with adjoining surfaces and graded to approved points of drainage discharge.
113. Entrance/exit points are to be clearly signposted and visible from the street and the site at all times.
114. Access and parking for people with disabilities shall be provided in accordance with Australian Standard 2890.1.
115. All required internal roads and car parking spaces shall be line-marked, sealed with a hard standing, all-weather material to a standard suitable for the intended purpose.

Fee Payment

116. Any fee payable to Council as part of a Construction, Compliance or Occupation Certificate or inspection associated with the development (including the registration of privately issued certificates) shall be paid in full.

Surveys/Certificates/Works As Executed plans

117. A works-as-executed plan (to a standard suitable for microfilming) under the hand of a Chartered Professional Engineer or a Registered Surveyor must be lodged with Blacktown City Council when the engineering works are completed. The works as executed plan must confirm that the On-Site Detention system identification plate has been installed in accordance with the Upper Parramatta River Catchment Trust Guidelines.
118. Upon completion of the works a certificate from a Registered Surveyor must be obtained and submitted to Council verifying the finished floor levels for the lots have been achieved upon completion of the construction of the floor. All levels must be to Australian Height Datum
119. Upon completion of the works a certificate from a Registered Surveyor must be obtained and submitted to Council verifying the finished surface levels for the lot(s) have been maintained in accordance with those established at the time of creation of the lot.
120. A certificate from a Chartered Professional Engineer/Registered Surveyor must be obtained and submitted to Council verifying that the on-site detention system as constructed will function hydraulically in accordance with the approved design plans.
121. A certificate from a Registered Engineer (NPER) must be lodged with Council verifying that the structures associated with the on-site detention systems have been constructed to withstand all loads likely to be imposed on them during their lifetime.

122. A Certificate shall be submitted by a Registered Surveyor indicating that all pipelines and associated structures lie wholly within any easements required by this consent.
123. Written evidence is to be obtained from the Roads & Traffic Authority indicating compliance with its requirements including the payment of any necessary works supervision fees.
124. The submission to Council of all Inspection/Compliance Certificates required by the "During Construction (Engineering)" Section of this consent.

Easements/Restrictions/Positive Covenants

125. Restrictions and positive covenants must be provided over the on-site detention storage areas and outlet works.
126. Restrictions and positive covenants must be provided over the overland flow-path.
127. Restrictions and positive covenants must be provided over the Stormwater Quality Control devices and outlet works.
128. Any easement(s) or restriction(s) required by this consent must nominate Blacktown City Council as the authority to release vary or modify the easement(s) or restriction(s). The form of easement or restriction created as a result of this consent must be in accordance with the following:
 - (a) Blacktown City Council's standard recitals for Terms of Easements and Restrictions (Current Version).
 - (b) The standard format for easements and restrictions as accepted by the Land and Property Information Office.

Inspections

129. Any **additional** Council inspections beyond the scope of any Compliance Certificate package and needed to verify full compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.
130. All road stormwater drainage structures (pipelines and pits) must be inspected by a CCTV in accordance with Council's current Works Specification Civil. CCTV reports must be submitted to Council in the form of VHS video tape or DVD of the inspection video, a hard copy printout of the SEWRAT (or equivalent) report, and a CCTV certified statement in accordance with section 6.8 of Council's Works Specification Civil and that any defects identified by this inspection have been rectified.

Other Matters

131. Retaining wall(s) and/or other effective methods to retain excavated or filled ground (other than those sites works which may be Exempt Development under the Blacktown Local Environmental Plan), together with any associated groundwater drainage system, shall be constructed and/or provided in accordance with the plans attached to the Construction Certificate.

Environmental Management

132. A Conservation Management Plan for the conservation area identified on the subject property is to be submitted to the appropriate authority for approval prior to the issue of any Occupation Certificate for the approved development to ensure that the Applicant's commitment in this regard is met.
133. Prior to the issue of any Occupation Certificate, the environmental consultants engaged for the project by the Proponent for the preparation of the Environmental Assessment Report prepared by ERM, dated December 2008, shall certify that the relevant recommendations to be implemented prior to the operation of the approved

development have been implemented to their satisfaction and that the site is suitable for the commencement of the approved development.

134. The Traffic Signals at the intersection of Old Wallgrove Road and the right of carriageway are to be operating prior to commencement of the approved development.

OPERATIONAL MATTERS

Access/Parking

135. All access to the approved development is to be via the right of carriageway off Old Wallgrove Road until suitable replacement public road access is available. There is to be strictly no access from Archbold Road.
136. All required off-street car parking spaces and internal roads shall be maintained to a standard suitable for the intended purpose.
137. All loading and unloading operations shall take place at all times wholly within the confines of the land.
138. Access and parking for people with disabilities shall be maintained in accordance with provisions of Australian Standards 1428.1 and 2890.1.

General

139. No goods, materials or trade waste shall be stored at any time outside the building other than in approved garbage receptacles.
140. Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.
141. Emission of sound from the land shall be controlled at all times so as to not unreasonably impact upon nearby owners/occupants.
142. The hours of operation of the development shall not be outside of the following nominated times. Any alteration to these hours will require the separate approval of Council.

Approved hours of operation: Landfill: 7 days a week, 6am-6pm.

Resource Recovery Facility: 7 days a week, 6am-10pm

143. No trucks are to enter the site between 10pm and 6pm unless they are tipping road base from night works in the temporary material storage area situated at the entrance to the site off the quarry road.
144. No on-site activities of any kind are to occur within the operational area between 10pm and 6am, with the exception of after hours essential road works tipping and the site is to be fenced and secured accordingly to prevent entry past the temporary night storage area.
145. The area of the land not approved by this consent, and marked as such on the approved plans, shall be kept in a neat and tidy manner at all times.

Landscaping

146. All landscaped areas provided in accordance with the approved landscaping design plan shall be maintained at all times in a suitable manner.

147. The security fence with associated dense landscaping provided in accordance with the Council approved plan shall be maintained to a satisfactory standard at all times.

Use of Premises

148. The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.
149. No mounds of recycled materials or building material awaiting recycling is to be higher than the adjacent earth berms or 10m whichever is the lesser.
150. No nuisance or interference with the amenity of the area shall be created by reason of any process or operation on the land causing the emission of noise, dust, smoke or any polluted discharge whatsoever. Note: The Protection of the Environment Operations Act 1997 requires Council to investigate complaints where only one person complains.

Rehabilitation of the Quarry

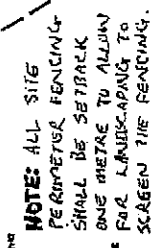
151. The quarry void is only to be filled with non-putrescible waste in accordance with the list specified in Section 3.3 (pages 60 and 61) of the Final EAR, prepared by ERM, dated December 2008.
152. Throughout the life of the operation, suitably qualified consultants shall be engaged to monitor the progressive infilling and rehabilitation of the Quarry to ensure that it is being undertaken in accordance with the submitted Environmental Assessment Report prepared by ERM, dated December 2008. Prior to any use of the final quarry surface, suitably qualified consultants shall certify that the site is suitable for its intended SEPP 59 employment land use.
153. Throughout the life of the approved filling of the quarry, a suitably qualified consultant is to prepare contour lot fill diagrams and lot fill compaction certificates in accordance with Council's requirements. Once filled, a restriction as to user pursuant to Section 88B of the Conveyancing Act 1919 with Council's standard wording must be placed on filled lots.

Environmental Management

154. The recommendations of the *Light Horse Business Centre – Environmental Assessment Report (Volume 1 & 2) (Report No.: 0088621)*, prepared by Environmental Resources Management Australia dated December 2008, shall be implemented during the operations of the approved development.
155. The requirements of the approved Site Environmental Waste Management Plan (SEWMP) shall be implemented throughout the life of the consent.
156. Any asbestos or asbestos contaminated materials received during the operation of the approved development is to be wrapped and immediately transported to the landfill and disposed of in accordance with the relevant statutory requirements.
157. The proponent is to submit a revised SEWMP relating to all aspects of the operation every 3 years to DECC to ensure that the site is operating in accordance with best practice environmental management procedures using the latest technology. In this regard the recommendations of the SEWMP are to be immediately implemented upon DECC's approval.
158. A Site Auditor accredited by NSW DECC is to be engaged for the life of the landfilling operations to certify that the site is suitable for its intended SEPP 59 employment land use once the land is filled.

Dust Control

159. Regular wetting down of all sources of dust on the site is to take place to mitigate the impact of dust for the life of operations of the landfill and resource recovery facility.
160. All sealed road surfaces contained within the proponent's operational land, including the entire route to, and in, the quarry, are to be appropriately maintained by the proponent to the consent authority's satisfaction.
161. All dust control measures are to be via automatic systems to be in operation all year round whether or not the business is operating at the time.
162. The measures, including ongoing monitoring of dust levels, outlined in the approved work method statement regarding dust control are to be implemented during the operations of the approved development for the life of the consent.



SURFACE STORMWATER MANAGEMENT ASSESSMENT

1. The following documentation has been reviewed in relation to surface stormwater management issues:
 - Light Horse Business Centre Environmental Assessment Report volumes 1 & 2 by ERM dated December 2008.
 - Storm Consulting RaftsXP data file "717 RAFTS_08Nov11.xp"
 - Storm Consulting MUSIC data file "717 testsqz_201108.sqz"
2. The proposed surface stormwater management strategy of stormwater reuse, stormwater treatment and On Site Detention (OSD) is supported.
3. There are several inconsistencies in the modelling and reports provided, however, based on Council's own check of amendments to the data files provided, it is considered that a satisfactory surface stormwater management system can be provided for the proposed development generally in keeping with the arrangements shown on the submitted documentation and that there is sufficient space available to provide the required facilities.
4. The location of the proposed stormwater basins needs to be coordinated with the RTA Western Sydney Employment Hub Proposed Erskine Park Link Road Network Concept Plan. From the Concept Plan exhibited, it appears that road widening of approximately 20m would be required on the eastern side of the existing Archbold Road reserve. The basins are to be located clear of any proposed future road widening works.
5. Provision needs to be made in the site drainage design to account for the final landform over the quarry void. If the final landform is landscaped with no new impervious area, then the flows from the quarry void final landform can bypass the proposed detention basins. Otherwise additional storage and treatment measures will be required for the quarry void area. Details of the final landform bypass arrangements are to be provided. Also any upstream catchment areas that drain into the operational area should be diverted to bypass the proposed basins or included in the basin modelling and design.
6. The catchment plan provided only shows the proposed site layout. An equivalent plan is required for existing conditions to confirm actual pre and post development areas draining to the Quarry and Quarry North Catchments. The current catchment plan shows the northern area of the site being directed from the Quarry North Catchment to the Quarry Catchment. However, the proposed green waste stockpile areas will drain to sewer and this area will offset the catchment area being redirected from the Quarry North catchment. Therefore, there should be no adverse impact on flooding conditions within the Quarry North catchment and satisfactory arrangements can be provided to mitigate any adverse flooding impacts in the Quarry catchment. It is noted that the Raftsxp hydrologic model has the same catchment areas for both existing and design conditions. This is not the case and is to be amended to reflect actual areas draining to the separate outlets shown and excluding areas that drain to sewer.
7. The green waste and any other areas generating leachate are to be isolated from the site stormwater drainage system for all events up to and including the critical 100 year ARI design event. Suitable bunding, storage and arrangements for alternative disposal to sewer or other legal discharge point is to be provided for stormwater from these areas. Also, site stormwater from other areas shall be prevented from entering the green waste and other leachate generating areas. This includes overflows from adjacent buildings roofs. Details of these measures are to be provided with the detail design.
8. The stormwater reuse strategy nominates four 10kL rainwater tanks, one at each building. The tank size should be varied in proportion to the building roof area while still

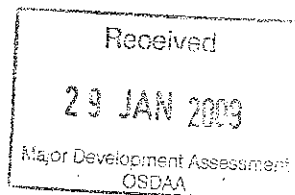
providing a total storage of at least 40kL. The proportional allocation of storage maximises the rainwater capture efficiency.

9. The stormwater reuse strategy nominates 1000kL storage for the operation area excluding the quarry void. Again this volume should be allocated proportional across the two basins based on catchment size.
10. The 20 year ARI design standard nominated for the site piped stormwater system is in accordance with Council's standards. Overland flow paths are to be provided to safely convey overland flows in excess of the design pipe system flows in accordance with Council's engineering requirements and standards. Please note that the maximum velocity depth product for overland flows in accessible areas is 0.4m²/s. Where overland flow paths are located in the vicinity of proposed buildings, Council's freeboard requirements are to be satisfied. A failsafe check shall also be conducted to ensure that any adjoining floor levels are not inundated in the critical 100 year ARI design event assume 50% blockage of the proposed pit and pipe system.
11. The proposed overland flow swale to the stormwater basins shall be sized for the critical 100 year ARI design flows with freeboard of at least 200mm. The overland flow swales shall be landscaped to prevent erosion and should include rock armouring and planting/grassing as required to be in keeping with the Water Sensitive Urban Design objectives of the Precinct Plan. Details of the proposed overland flow swales and adjoining diversion banks are to be provided.
12. The proposed stormwater basins are to be fenced with approved man proof fencing to prevent unauthorised entry.
13. Energy dissipaters are to be provided at the outlets of the basins. The outlet from Basin 1 (northern basin) should be directed to the existing culvert under Archbold Road.
14. The schematic of the detention basin does not include the provision for the 0.3m deep extended detention zone included in the water quality model. This extended detention zone is to be provided above the irrigation reuse volume and below the OSD volume and include an additional outlet for the water quality treatment function. The design of the basin is to be amended accordingly to be consistent with the water quality modelling.
15. The MUSIC model allows for irrigation use in the wetland node used for the basins during rainfall events generating runoff. This is inconsistent with the water balance calculations where no irrigation is used during daily rainfall of more than 2mm. Therefore the water reuse from the wetland nodes in the MUSIC model is to be deleted. Reuse in the roof rainwater tanks can be included as modelled as toilet flushing and truck wheel wash will still occur in wet weather.
16. The MUSIC model includes 40kL rainwater tanks draining to each basin, which isn't consistent with the documentation describing a total storage of 40kL. This issue needs to be resolved as part of the detail design.
17. The daily time step for the MUSIC water quality modelling is not acceptable and needs to be changed to 6 minutes as part of the detail design as the smallest catchment time of concentration is in the order of 10 minutes.
18. The MUSIC model indicates that the nominal detention time for the wetlands are 1 hour or less. This does not allow sufficient hydraulic residence time to act effectively as a wetland and therefore the extended detention outlet is to be amended to provide appropriate detention times. The MUSIC model is to be amended accordingly.
19. The MUSIC model nominates CDS P1512 and P1012 gross pollutant traps. Certified designs are to be provided by the manufacturer confirming compliance with the Council's stormwater quality control policy requirements for each unit. The devices are to be fitted with oil baffles to control hydrocarbons and any accidental spills.

20. Inspection, maintenance and monitoring plans are to be provided with the detail design.
21. The general statements in the documentation indicating a beneficial outcome in terms of water quality are not justified based on the modelling provided. The proposed stormwater management measures limit the impact of the development to acceptable levels.
22. Section 2.3.4 of the Environmental Assessment Report (EA) describes the proposed basins to the north of the site. This is incorrect as the current plans show the basins to the west of the site in the Quarry Catchment.
23. Section 4.5.3 of the EA excludes the quarry void area from developer contributions. This has implications for Council's S94 plan currently being prepared as the full land area has been zoned for employment uses.
24. Section 6.3 table 6.1 of EA the pre-development roughness value should be 0.04 not the 0.02 listed to be consistent with the modelling provided.
25. Section 6.5.6 of EA first paragraph – the statement that there will be no off site discharge for storms up to and including the 100 year ARI event is not supported by the modelling provided. While there is significant storage for reuse, the OSD storage is design to limit post development peak flows to pre-development levels for the full range of ARI up to and including the 100 year ARI. Therefore, there will be off site discharges for a range of ARI, however, peak discharges will not exceed pre-development levels. The reuse storage will also assist in limiting the frequency of discharges.
26. Section 6.5.7 of EA – the operational area now drains to the Quarry Catchment, not the Quarry North Catchment as stated.
27. Table 19.1 of EA item 4.1.1 – reference should include Council's requirements also. The detention volumes are subject to detail design.
28. Appendix A section 4.5 of EA – Any subsequent additional OSD volume will require additional modelling including any allowances for catchment redistribution not just a uniform 370m³/ha.
29. Appendix A section 5.5 of EA – second bullet point is not supported by calculations – refer to item 25 above.
30. Appendix A section 6.2.3 of EA – Calculations don't support that the development has a beneficial effect on water quality – see item 21 above.
31. Given the inconsistencies in the modelling, the sizes and volumes of stormwater management measures are considered approximate, the detailed design and supporting calculations are to be submitted to Council for review and approval prior to issue of any project construction approvals.

RDC 08M698 Vol 2

Andrew Popoff



Submission B.

SRDAC

**SYDNEY
REGIONAL
DEVELOPMENT
ADVISORY
COMMITTEE**

Manager - Industry
Major Development Assessment
NSW Department of Planning
GPO Box 39
SYDNEY NSW 2001

Attention: Chris Ritchie

**PROPOSED LIGHT HORSE EASTERN CREEK (RESOURCE RECOVERY FACILITY) -
(MP 06_0139).**

Dear Sir,

I refer to the Department's letter of 9 December 2008 (Ref: MP 06_0139), concerning the above mentioned Development Application referral to the Roads and Traffic Authority (RTA) for comment in accordance with Part 3A of the Environmental Planning and Assessment Act, 1979 and Clause 104 - Column 2 of Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007. I wish to advise that the Sydney Regional Development Advisory Committee (SRDAC) considered the traffic impact of this application at its meeting on the 15 January 2009.

Below are the Committee's recommendations and RTA's comments on the subject application:

1. Access across the M4 boundary is denied.
2. The applicant will be required to enter into a future planning agreement for appropriate contribution towards regional road / transport improvements and that the level of funding is to be agreed to prior to the issue of a construction certificate.

Prior to the release of the construction certificate, the RTA requires the current landowner to enter into and execute a deed / planning agreement with the RTA for the contribution towards regional road improvements.

3. The applicant should also enter into a Voluntary Planning Agreement (VPA) either with the Department of Planning or Blacktown Council (or both) as may be appropriate to fund future local infrastructure requirements.

Note: The RTA understands that the cost of the future signalisation of Old Wallgrove Road and the Right of Way (Private Road) or the road which replaces it will be included as part of the costs encompassed by the abovementioned VPA or the pending Section 94 Contributions Plan.

4. The Department of Planning is to ensure that the existing Right of Way (ROW) is only to be used until such time as an alternative Precinct Plan road is constructed through the Australand property.



When the alternative Precinct Plan road is constructed, the applicant will be required to create and construct any new vehicular connections to the Precinct Plan road.

5. The Department of Planning is to ensure that the proponent will keep and maintain the current road as a two lane carriageway and will seal it with bitumen, line mark it with a centreline and provide appropriate signage until the Precinct Road is constructed.
6. The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004 and AS 2890.2 – 2002 for heavy vehicles.
7. Parking provision to the Department of Planning's / Council's satisfaction.
8. All works / regulatory signposting associated with the proposed development shall be at no cost to the RTA.

In accordance with Clause 104(4) of State Environmental Planning Policy (Infrastructure) 2007, it is essential that a copy of the Department of Planning's determination on the proposal (conditions of consent if approved) is forwarded to the RTA at the same time it is sent to the developer.

Any inquiries in relation to this development application can be directed to the nominated Land Use and Transport Planner, Andrew Popoff, on telephone 8849 2180 or facsimile 8849 2918.

Yours sincerely



Ken Moon
Chairman, Sydney Regional Development Advisory Committee

23 January 2009

Felicity Greenway - Light Horse Eastern Creek Waste Project - MP 06_0139

Submission C

From: "Kristy Mathew" <Kristy.Mathew@sca.nsw.gov.au>
To: <felicity.greenway@planning.nsw.gov.au>
Date: 15/01/2009 16:13
Subject: Light Horse Eastern Creek Waste Project - MP 06_0139

Dear Felicity,

The Sydney Catchment Authority (SCA) has reviewed the Environmental Assessment for this project and would like to advise that it does not consider this project is likely to impact on any of its assets including the Prospect Reservoir and the Warragamba Pipelines. Consequently the SCA will not be making a formal submission for this project.

If you have any questions please contact me on [REDACTED] or kristy.mathew@sca.nsw.gov.au

Regards

Kristy Mathew
Senior Environmental Officer
Sydney Catchment Authority
PO Box 323
Penrith NSW 2750

This e-mail, and any files transmitted, is intended for the use of the individual or entity to whom it is addressed and must not be resent by the recipient unless the permission of the originator is first obtained. It may contain confidential or privileged information and, if you are not the intended recipient, you must immediately destroy the original transmission and its contents. If you have received this e-mail in error, please notify the originator of the message.

Any views expressed in this e-mail do not represent the views of the Sydney Catchment Authority unless otherwise stated.



Memorandum

To	Felicity Greenway		
cc.	Name, Position Title		
From	Sohan Fernando		
Date	19 Jan 2009	File no 00	File Document2

Your request form dated 16/12/08 for review and comment, with respect to hazards related issues, of the EA dated Dec 2008 for the quarry landfill at the Light Horse Business Centre refers.

Our records indicate that an earlier version of the EA, (probably the draft EA) was reviewed around June 2008 and comments given to Jaqueline Ingham. Copy of e mail to Jaqui is attached.

For the current version of EA, the hazards related comments will be the same.

On a non hazards issue, Chris Ritchie requested some comment on disposal of asbestos. A special DECC licence for the site is likely to be required to landfill asbestos. Other safety requirements for asbestos would most likely be in the DECC regs and WorkCover over regs. Given the regs are statutory requirements, a COC may not be essential. However, you may consider a condition such as:

Receiving, handling and landfilling of asbestos shall be in accordance with the requirements of DECC and WorkCover.


Sohan Fernando

Submission D. 656

Sohan Fernando - Lighthouse R R Centre

From: Sohan Fernando
To: Jacqueline Ingham
Subject: Lighthouse R R Centre

Hi Jacqui,

I had a look at the hazards section of the proposal and consider that there are unlikely to be any hazards related issues that will be significant.

However since the proposal refers to unacceptable waste such as chemicals etc being quarantined on site until an adequate quantity is collected and then removing it off site for responsible disposal, I suggest that the following conditions be included in the consent.

regards

Sohan

1. The quantity of any quarantined waste retained on site that can be classified as a dangerous good under the Australian Dangerous Goods Code should be kept to a minimum. If the quantity is likely to exceed the threshold quantities set out in the Department's publication, *Applying SEPP 33*, the applicant must notify the Director General and lodge an application to modify the conditions of approval.

2. Prior to commencement of construction, the Applicant must consult with the NSW Fire Brigades with regard to the proposed fire fighting measures and implement any recommendations made by the Fire Brigades.

Submission C



TransGrid

Corporate/Land Information Services

Telephone: (02) 9620 0218

Your Reference: 9042593

Our Reference: 2003/1735 DT: DT

Reference No. 4063



Central Region - Metropolitan Area

Old Wallgrove Road Wallgrove

PO Box 87 Horsley Park

New South Wales 2175 Australia

Facsimile (02) 9620 0728

Telephone (02) 9620 0777

Web <http://www.transgrid.com.au>

Department of Planning

GPO Box 39

SYDNEY NSW 2001

Attn: Felicity Greenway

Dear Felicity

Re: Light Horse Eastern Creek Waste Project

I refer to your correspondence dated 9 December, 2008, concerning the abovementioned matter.

Following an investigation, I wish to advise that TransGrid has no right or interest in the land or any TransGrid Board-approved proposal, which would affect the land. Therefore, no comment will be offered nor any objection raised.

It is hoped that the above information will be of assistance to you.

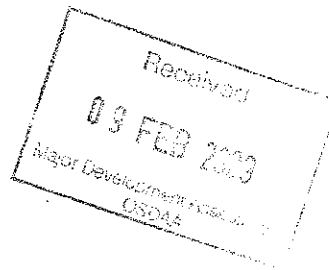
Should you require further information, please contact Mr David Turvey on (02) 9620 0218.

Yours faithfully

D Turvey

Enquiry Services Co-ordinator

02 102109



Submission F

5 February 2009

Chris Ritchie
Manager – Industry
Major Development Assessment
Department of Planning
GPO Box 39
SYDNEY 2001

Reference: MP 06_0139

Attention: Felicity Greenway

Dear Mr Ritchie,

Re: Light Horse Eastern Creek Waste Project Application Number MP 06_0139

I refer to your letter dated 9 December 2008 regarding the Light Horse Waste Project, Eastern Creek (MP 06_0139). The submitted documents do not provide Sydney Water with enough information to make a detailed assessment of the proposal. However, Sydney Water provides the following comments based upon the information supplied.

Wastewater

There are currently no wastewater services to the site. Sydney Water has no plans to construct any wastewater services to the site within the next 5-10 years.

The site drains to the St Marys Sewage Treatment Plant (STP). To connect to this wastewater system the proponent would be required to carry out detailed investigations and modelling to develop a sewer servicing plan for Sydney Water endorsement. As a result, amplification and augmentation of the system may be required.

Sydney Water Servicing

Sydney Water will assess the impact of the proposed development when the proponent applies for a Section 73 Certificate. This assessment will enable Sydney Water to specify any works required as a result of the development and to assess whether amplification and/or changes are applicable. Sydney Water requests the Department continue to instruct developers to obtain a Section 73 Certificate from Sydney Water.

The developer must fund any adjustments needed to Sydney Water infrastructure as a result of any development. The developer should engage a Water Servicing Coordinator to get a Section 73 Certificate and manage the servicing aspects of the development. Details are available from any Sydney Water Customer Centre on 13 20 92 or Sydney Water's website at www.sydneywater.com.au.

The proponent will need to provide a detailed water and wastewater servicing strategy for Sydney Water's approval when they apply for a Section 73 certificate. The servicing strategy must include potable water, non-potable water, domestic and trade waste water requirements, and any impacts the development will have on Sydney Water easements or assets.

Asset Protection

Protecting public health, maintaining water quality (including ground water) and managing flow are critical issues for Sydney Water and form part of Sydney Water's Operating Licence requirements. The following comments relate directly to the protection of Sydney Water assets.

Existing Infrastructure

Adequate provisions need to be made to protect any key infrastructure from the adverse impact of the proposed development during road construction, pipeline crossings and earthworks.

During the construction of any new infrastructure, the passage of heavy construction vehicles and machinery over the existing mains will need to be appropriately managed. All affected mains, in particular those under road crossings, must be encased in reinforced concrete to ensure that services are not disrupted.

Sydney Water Pipeline Easements

For any existing and future water pipeline easement, the proponent must meet the following minimum requirements:

- pavements and driveways can not be made of concrete, asphalt is acceptable
- trees must not be planted on any part of the pipeline easement, shrubs are acceptable
- the surface level of the easement must not be changed.

Landscaping Requirements

Certain tree species can damage Sydney Water pipes and other infrastructure. These species have significant biomass and/or invasive root systems that can cause cracking or blockage of pipes. Pipe damage increases the risk of sewer overflows, and increases maintenance costs. Enclosed is a list of tree species of concern to Sydney Water that developers should avoid when landscaping the site.

Water Conservation Measures

Sydney Water encourages the developer to consider the following water saving measures:

Installing 3 star WELS rated water efficient showerheads, 6 star WELS rated water tap outlets, 5 star WELS rated urinals and 4 star WELS rated toilet cisterns to all amenities in the proposed development. The performance criteria for the WELS rating are listed below:

Shower heads	9 Litres or less per minute
Basin tap outlets	4 litres or less per minute
Urinals	1 litre per flush
Dual flush toilet suite flush equivalent	4.5/3 litre dual flush cistern or approved dual flush equivalent

Further information on water conservation measures can be found on Sydney Water's website.

Sydney Water e-planning

Sydney Water has created a new email address for planning authorities to use to submit statutory or strategic planning documents for review. This email address is [REDACTED]. The use of this email will help Sydney Water provide advice on planning projects faster, in-line with current planning reforms. It will also reduce the amount of printed material produced. This email should be used for:

- Section 62 consultations under the *Environmental Planning and Assessment Act 1979*
- Consultation where Sydney Water is an adjoining land owner to a proposed development
- Major Project applications under Part 3A of the *Environmental Planning and Assessment Act 1979*
- Consultations and referrals required under any environmental planning instrument
- Draft LEPs, REPs, SEPPs or other planning controls, such as DCPs
- Any proposed development or rezoning within a 400m radius of a Sydney Water Sewage Treatment Plant
- Planning strategies
- Any proposed planning reforms or other general planning or development enquiries

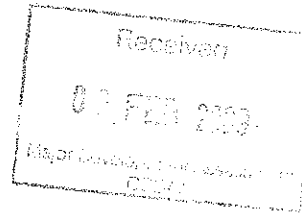


MINISTRY OF TRANSPORT

Level 21, 227 Elizabeth Street Sydney 2000
GPO Box 1620 Sydney 2001

Telephone 9268 2800 Facsimile 9268 2900
Internet www.transport.nsw.gov.au

ABN 25 765 807 817



Submission
C

Mr. Chris Ritchie
Manager-Industry
Major Development Assessment
Department of Planning
GPO Box 39
SYDNEY NSW 2001

06 FEB 2008

Attention: Felicity Greenway

Dear Mr Ritchie,

**PUBLIC EXHIBITION
MAJOR PROJECT - LIGHT HORSE EASTERN CREEK WASTE PROJECT**

I refer to your letter dated 9 December 2009 requesting comment on the public exhibition of the Light Horse Eastern Creek Waste Project. The Ministry appreciates this opportunity to provide input into assessment of this application.

The Ministry has reviewed the environmental assessment prepared by Environmental Resources Management (ERM) Australia, which accompanies the proposal. It is understood that the small number of future employees to the site will be located within walking distance to bus Route 739, which provides a 30 minute all-day service between Mt Druitt Station and Minchinbury. This service is proposed to be maintained under the draft integrated network plan for Region 1, which includes the subject site.

It is understood that the proposal is consistent with planning for the Eastern Creek Precinct, having regard to the future road network. Given that the proposal is not a significant employment generator and has access to frequent public transport services, the Ministry has no objection to the matter proceeding.

If you would like to discuss this further, please contact Mr. David Hartmann, Senior Transport Planner, on 9268 2228 or email david.hartmann@transport.nsw.gov.au.

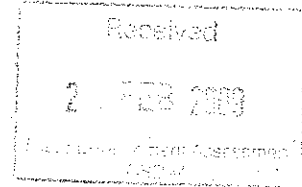
Yours sincerely

Brendan Bruce
Director, Transport Planning

TP07/06444

Submission H.

Our reference DOC09/8661
EPA Licence No



⇒ *Industry Recovery*

*142
26.2*

Chris Ritchie
Manager Industry
Major Development Assessment
NSW Department of Planning
GPO BOX 39
SYDNEY NSW 2001

Registered Post & Facsimile

19 February 2009

Dear Mr Ritchie

**Review of Environmental Assessment – Proposed Resource Recovery Facility and Landfill
– Old Wallgrove Road, Eastern Creek – ThaQuarry Pty Ltd & A.C.N 11489898 – Part 3A
Environmental Planning & Assessment Act 1979**

I refer to your letter of 9 December 2008 to the Department of Environment and Climate Change ("DECC") regarding the proposed construction and operation of a Resource Recovery Facility and Landfill off Old Wallgrove Road, Eastern Creek NSW 2766 ("the proposal") by ThaQuarry Pty Ltd and A.C.N 11489898.

Please note that, although the Environment Protection Authority ("EPA") is now a part of DECC, certain statutory functions and powers continue to be exercised in the name of the EPA.

Background

In June 2007, DECC provided its requirements for the Environmental Assessment ("EA") for the proposal.

On 1 June 2007 the Department of Planning requested that the DECC consider and review key issues that will likely affect the outcome of the environmental assessment process, and to ensure that in basic terms, sufficient information had been provided in the first draft EA, to generally inform the determination process.

On 18 June 2007 the DECC had reviewed the first draft EA and advised the Department of Planning that it was not adequate for a proper environmental assessment of the project to be undertaken. DECC also provided comments to the proponent to address the shortcomings in information contained in the draft EA.

The DECC completed a review of the second draft EA in May 2008 advised the Department of Planning that it was still not adequate for a proper environmental assessment of the project to be

The Department of Environment and Conservation NSW is now known as
the Department of Environment and Climate Change NSW

Department of **Environment and Conservation** NSW

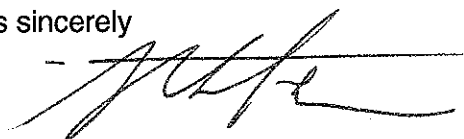
undertaken. A further (third) review of the updated (third) draft EA was undertaken was undertaken in September & October 2008 and on 11 November 2008, the DECC advised that the draft EA was, in the DECC's view, generally adequate for exhibition but contained some information gaps and uncertainties.

The Environmental Assessment was exhibited from December 2008 through to 19 February 2009. The DECC has undertaken another review of the final EA. Our comments and recommendations are attached. In summary, the DECC's view is that the proposal could be approved but that any approval should be conditional based on the proponent completing further studies and providing the DECC with further information and studies as outlined in Attachment A.

DECC has also included its standard conditions of approval (Attachment A) and a copy of the further conditions for Environment Protection Licences for landfills (Attachment B).

If you have any further questions regarding this matter or wish to meet with the DECC to discuss this matter please do not hesitate to contact Rebecca Small on (02) 9995 5739.

Yours sincerely



JULIAN THOMPSON
A/Manager Waste Operations
Department of Environment and Climate Change (NSW)

Attachment A: Recommended conditions of approval

Attachment B: Mandatory conditions for Environmental Protection Licences - Landfills

Our reference
EPA Licence No

DOC/9499

Chris Ritchie
Manager Industry
Major Development Assessment
NSW Department of Planning
GPO BOX 39
SYDNEY NSW 2001

Standard Post & Facsimile

24 February 2009

Dear Mr Ritchie

**Erratum - Review of Environmental Assessment – Proposed Resource
Recovery Facility and Landfill – Old Wallgrove Road, Eastern Creek –
ThaQuarry Pty Ltd & A.C.N 11489898 – Part 3A Environmental Planning &
Assessment Act 1979**

I refer to the letter from the Department of Environment and Climate Change ("DECC") dated 19th February 2009 which provided the Environment Protection Authority's (EPA's) recommended conditions of approval for the abovementioned proposal.

Please note that, although the EPA is now a part of DECC, certain statutory functions and powers continue to be exercised in the name of the EPA.

I wish to advise that it has come to the DECC's attention that there were minor errors in Attachment A of the DECC's correspondence of 19th February 2009.

Please find attached an erratum which corrects those errors. The DECC would appreciate if the Department of Planning could include this erratum as an attachment to the DECC's correspondence of 19th February 2009.

Yours sincerely



JULIAN THOMPSON
A/Manager Waste Operations
Department of Environment and Climate Change (NSW)

Attachment A: Errata to recommended conditions of approval

Department of **Environment and Climate Change** NSW



Attachment A

Erratum

**Department of Environment & Climate Change (NSW) – Erratum to
Recommended Conditions of Approval – Comments on Environmental
Assessment – Proposed Resource Recovery Facility and Landfill – Old
Wallgrove Road, Eastern Creek – ThaQuarry Pty Ltd & A.C.N 11489898 - Part
3A Environmental Planning & Assessment Act 1979**

Under Attachment A General Conditions, Hydrogeological Assessment Report, provided with the DECC's letter of 19th February 2009, the text underlined is to be added to point i.

- i. drilling, utilizing rock coring methods, in suitable proximity to the pit :
 - a minimum of two additional deep bores to a minimum depth of 150metres completed with 15m of well screen at approximately 135 to 150 m depth, or where fractures are encountered; and
 - additional intermediate wells of 100 meters depth and screening of those wells over 12 metres at approximately 88 to 100 m depth, or where fractures are encountered;

ATTACHMENT A

Department of Environment & Climate Change (NSW) – Recommended Conditions of Approval – Comments on Environmental Assessment – Proposed Resource Recovery Facility and Landfill – Old Wallgrove Road, Eastern Creek – ThaQuarry Pty Ltd & A.C.N 11489898 - Part 3A Environmental Planning & Assessment Act 1979

THE PROPOSAL

ThaQuarry Pty Ltd and A.C.N Pty Ltd have submitted a proposal to construction and operate a Resource Recovery Facility (which comprises of includes a Materials Processing Centre and a Waste Transfer Station) as well as a non-putrescible General Solid Waste landfill at Old Wallgrove Road, Eastern Creek.

The facility is proposed to accept up to 2 million tones per year of "inert and solid wastes" from construction and demolition, commercial and industrial, and garden waste streams. The Proposal estimates that 50 to 80% of wastes received will be recovered at the Resource Recovery Facility (RRF) via crushing, shredding and screening. The remaining 20 to 50% of received wastes would be sent to landfill in the former quarry void. Up to 20,000 tonnes (at any one time) of garden waste would be composted by shredding and stockpiling in windrows.

The proposal is for operation of the facility seven days per week, including operation of all plant, except the mobile crusher and associated loader, until 10pm. Maintenance and repair activities within the workshop are also proposed to operate until 10pm and receive materials, such as millings and asphalt from road works, to be received at the RRF after 10pm. The proposal identifies the nearest residential receivers in the suburbs of Minchinbury and Erskine Park. The distance from the existing northern quarry pit edge to the nearest affected receiver in Minchinbury is 490 metres (reference: Blacktown Council Urban Lands Map).

Note:

On 28 April 2008 with the commencement of the *Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008* ("the 2008 Amending Regulation") changes were made to Schedule 1 of the *Protection of the Environment Operations Act 1997* ("the POEO Act"). Amongst other things, changes were made relating to the type and scale of activities which require an Environment Protection Licence, and to the waste classification system.

The previous licensing categories of waste facilities have been replaced by a number of other definitions, including the activities of "waste disposal", "waste storage", "waste processing", and "resource recovery". In addition to the changes to Schedule 1 of the POEO Act, there were also amendments to the manner in which waste is classified. That new waste classification system has commenced and replaces the previous method of classification and types of waste classification.

In light of these changes this proposal would be for a general solid waste (non-putrescible) landfill and a waste storage, waste processing and resource recovery facility.

GENERAL CONDITIONS

Proposal Correspondence

Except as expressly provided by these conditions works and activities must be carried out in accordance with the proposal contained in the documents:

- a) Light Horse Business Centre, Volume 1 – Environmental Assessment Report, Final Report, Environmental Resource Management Australia, December 2008; and
- b) Light Horse Business Centre, Volume 2 – Environmental Resource Management Australia, December 2008.

Environment Protection Licence

Prior to commencing any activity associated with the proposal, including construction activities, the applicant must apply for and be issued with an Environment Protection Licence from the Environment Protection Authority.

Waste must not be received and/or disposed of at the premises until the Environment Protection Authority has granted the applicant with an Environment Protection Licence which approves the receipt and disposal of waste at the premises.

WATER MANAGEMENT

Hydrogeological Assessment Report

Prior to issuing an Environment Protection Licence the proponent must submit to the Environment Protection Authority in writing, a revised hydrogeological assessment report prepared by a suitably qualified independent expert, with further information on:

- a) additional hydrogeological investigations;
- b) the existing information contained within appendices B and C of the documents referred to in condition 1; and
- c) any other relevant information.

The additional hydrogeological assessment report must include, but not be limited to, the following;

- i. drilling, utilizing rock coring methods, in suitable proximity to the pit :
 - a minimum of two additional deep bores to a minimum depth of 150metres; and
 - additional intermediate wells of 100 meters depth and screening of those wells over 12 metres;
- ii. hydraulic testing, utilizing packer or slug testing, within the bores in i) on the intersection of fractured/pervious zones;
- iii. monitoring of water levels and water quality;
- iv. converting the bores into monitoring wells;
- v. mapping the nature and extent of fractures and seepages on the quarry void (pit) floor and walls;
- vi. measurement of rainfall at the site, and any consequent the rise in pit water levels and pit pump out volumes; and
- vii. any other relevant investigations deemed necessary.

The revised hydrogeological assessment report must provide at a minimum:

- the results of investigations required in i;
- maps of all fractures, lithology and weathered zones within the pit;
- a determination the rate of pit water rise due to groundwater ingress and seepage;
- an assessment of the information required in i), ii) and iii); and,

- based on the assessment in iv) a viewpoint as to:
 - the likelihood of a leachate plume into surrounding strata in the long term, assuming that a liner is not installed and a negative groundwater gradient is not maintained (and the ground water is allowed to rebound to its natural levels); and
 - if there is a likelihood of a plume an estimate the extent of that plume.

Note: The EPA's intention is to review the further information and investigations required with a view to determine whether it is necessary for it to require by way of a licence condition, a proposal from the applicant to install a floor and wall landfill liner within the former quarry void. On the basis of the current hydrogeological information in the EA, the EPA cannot determine whether the recommendation in the EA for the omission of a landfill liner (below the weathered zone) is justified and appropriate.

Stormwater Management

Stormwater from all areas of the premises which has the potential to mobilise sediments and other material must be controlled and diverted through appropriate erosion and sediment control/pollution control measures or structures.

Water Pollution

Except as otherwise expressly provided in any Environment Protection licence Condition for the project, the proponent must comply with section 120 of the *Protection of the Environment Operations Act 1997*. Section 120 of the *Protection of the Environment Operations Act 1997* prohibits the pollution of waters.

SOIL, WATER AND LEACHATE MANAGEMENT PLAN

The Proponent shall prepare and implement a Soil, Water and Leachate Management Plan for the project to the satisfaction of the EPA. This plan must:

- a) Be submitted to the EPA for approval prior to construction or preparation of the site commencing;
- b) Be prepared by a suitably qualified and experienced expert;
- c) Be prepared in consultation with the DECC/EPA and;
- d) Include:
 - A site water balance;
 - An erosion and sediment control plan;
 - A stormwater management scheme;
 - A surface water, groundwater and leachate monitoring program; and
 - A surface water, groundwater and leachate response plan.

Water Balance Report

The site water balance must:

- a) Identify the source of all water collected or stored on the site, including rainfall, stormwater and groundwater;
- b) Include details of all water use on site and any discharges;
- c) Describe the measures that would be implemented to minimise water use on site.

Erosion and Sediment Control Plan

The erosion and sediment control plan must:

- a) Be consistent with the requirements in the latest version of Managing Urban Stormwater: Soils and Construction (Landcom);
- b) Identify the activities on site that could cause soil erosion and generate sediment; and
- c) Describe what measures would be implemented to:
 - 1 Minimise soil erosion and the transport of sediment to downstream waters, including the location, function and capacity of any erosion and sediment control structures; and
 - 2 Maintain these structures over time.

The stormwater management scheme must:

- a) Be consistent with the guidance in the latest version of Managing Urban Stormwater: Council Handbook (DECC);
- b) Erosion and sediment control works during construction must be consistent with the requirements of Landcom's *Managing Urban Stormwater: Soils and Construction* (2004). Stormwater control dams must have sufficient capacity to cater for the 90th percentile 5 day rainfall event. Any pumped discharges from the dam(s) must have a concentration of less than 50 mg/L (Total Suspended Solids), no discharges should contain water that has come in contact with waste, and total ammonia concentration must be less than 0.9 mg/L at pH 8.
- c) Include the detailed plans for the proposed surface water management system.

The surface water, groundwater, and leachate monitoring program and response plan

The surface water, groundwater, and leachate monitoring program must:

- a) Be generally consistent with the guidance in DECC's *EPA Environmental Guidelines for Composting & Related Organics Processing Facilities*; and
- b) Include:
 - Baseline data;
 - Details of the proposed monitoring network; and
 - The parameters for testing and respective trigger levels for action under the surface water, groundwater and leachate response plan.

The surface water, groundwater and leachate response plan must:

- a) Include a protocol for the investigation, notification and mitigation of any exceedences of the respective trigger levels; and
- b) Describe the array of measures that could be implemented to respond to any surface or groundwater contamination that may be caused by any development.

WASTE

Waste Outputs

Except for the following, the Proponent shall dispose of all outputs produced from the waste processing and/or resource recovery facility on site to the Landfill:

- a) Recyclables extracted and delivered off-site for resource recovery purposes;
- b) Industrial Waste and hazardous wastes extracted from the input waste stream and lawfully disposed of off-site; and
- c) Output waste derived materials approved for use under the *Protection of the Environment Operations Act, 1997* and Regulations.

The following categories of organics must not be received at the facility:

- i. Organics that are contaminated by chemicals and / or pathogens that will not be rendered harmless by the process or that may constitute a health or environmental risk, including clinical and related waste and diseased carcasses.
- ii. Organics containing contaminants classified as hazardous wastes or industrial wastes under the *Protection of the Environment (Operations) Act 1997*.

Storage & Handling – Waste and Products

The Proponent shall store all chemicals, fuels and oils used on site in an appropriately designed impervious bunded area that contains 110 percent of the largest container contained within the bund. These bunds shall be designed and installed in accordance with the requirements of all relevant Australian standards, and/or DECC's Environment Protection Manual *Technical Bulletin Bunding and Spill Management*.

Windrow Management

The Proponent shall manage windrow composting operations in accordance with AS 4454-2003: Composts, Soil Conditioners and Mulches, Appendix N, Best practice guidelines for Composting Systems, the *EPA Environmental Guidelines for Composting & Related Organics Processing Facilities*, or other practices approved by the DECC/EPA.

Litter Control

The proponent shall:

- a) Implement suitable measures to prevent unnecessary proliferation of litter both on and off site; and
- b) Inspect and clear the site and surrounding area, of litter on a daily basis.

Pest, Vermin & Noxious Weed Management

The Proponent shall:

- a) Implement suitable measures to manage pests, vermin and declared noxious weeds on site;
- 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; and
- c) Perform ongoing monitoring of weed infestation on and adjoining the site.

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

Fire Management

The proponent shall:

- a) Prepare a Fire Response Plan for the site, which should include but not be limited to mitigation measures, and include the number of days material can be stored on site with the opportunity for the DECC to make comments and recommendations prior to construction commencing and the plan being implemented;
- b) Implement suitable measures to minimise the risk of fire on site;
- c) Extinguish any fires on site promptly; and
- d) Maintain adequate fire-fighting capacity on site.

Rehabilitation and Closure

Upon cessation of waste operations, the Proponent shall decommission the project and rehabilitate the site to the satisfaction of the EPA.

The Proponent shall prepare and implement a Rehabilitation and Closure Plan to the satisfaction of the EPA. This plan must:

- a) Be prepared in consultation with DECC, SCA, Blacktown City Council by a suitably qualified and experienced expert;
- b) Define the objectives and criteria for rehabilitation and closure;
- c) Investigate options for the future use of the site;
- d) Describe the measures that would be implemented to achieve the specified objectives and criteria for the rehabilitation and closure; and
- e) Calculate the cost of implementing these measures; and describe how the performance of these measures would be monitored over time.

LEACHATE MANAGEMENT SYSTEM

Leachate Collection System - Landfill

The application for an Environment Protection Licence by the proponent must also be accompanied by a report providing design details of the proposed leachate collection, conveyance, extraction, storage, treatment and disposal systems, including but not limited to:

- a) a construction quality assurance (CQA) plan for the collection, conveyance and storage measures;
- b) details of the proposed leachate pre-treatment system, including its capacity;
- c) a program for the installation and commissioning of the systems; and
- d) details of the applicant's trade waste agreement with Sydney Water Corporation.
- e) No waste may be disposed of in the landfill until the proponent has constructed the proposed leachate collection system and the leachate treatment plant and has secured a trade waste agreement with Sydney Water Corporation for the disposal of treated leachate.

Leachate Management – Waste Processing / Resource Recovery Facility

The Proponent shall:

- a) Ensure the floor of all areas used to store, sort and/or process waste is comprised of an impervious surface;
- b) Install a leachate barrier system on any surface to be used for the direct impoundment of leachate, such as composting and other outdoor areas;
- c) Ensure that this leachate barrier system:
 - Has a re-compacted clay or modified soil layer that is at least 60 centimetres thick and has an in situ coefficient of permeability of less than 1×10^{-7} m/s, or some other suitable liner approved by the DECC; and
 - Drains to the leachate dams at a minimum gradient of 5%;
- d) Collect all leachate in the leachate dams to prevent it from escaping from the site to surface water, groundwater or subsoil.
- e) Treat all water from waste storage or handling areas, including the organic waste storage area, or that has been contaminated by leachate, as leachate;
- f) Ensure that the leachate dams:
 - 1 Are capable of accepting a 1 in 10 year, 24 hour duration storm event without overflowing;
 - 2 Have a re-compacted clay or modified soil layer that is at least 90 centimetres thick and an in situ coefficient of permeability of less than 1×10^{-9} m/s, or some other suitable liner approved by DECC;
 - 3 Have sides with a slope of less than 1 vertical to 3 horizontal; and
 - 4 Have a 0.5 metre freeboard at all times.

COMMUNITY INFORMATION AND COMPLAINTS

The proponent must operate and maintain a community information and complaints line which is accessible 24 hrs per day.

The development and implementation of a complaints management system that includes the following elements:

- i. a hotline for receiving complaints about the development;
- ii. a commitment by the Applicant to:
- iii. investigate the source of the odour and/or dust;
- iv. take immediate action to reduce the odour and/or dust impact(s) to agreed levels; and
- v. contact the complainant about the action taken in response to the complaint
- vi. a record of complaints and Applicants responses or actions, readily accessible to the community and regulatory authorities, and
- vii. a system for providing feedback to the community

NOISE EMISSIONS & HOURS OF OPERATION

Hours of Operation – Construction Phase

Construction hours should be limited to between the hours of 7:00am to 6:00pm Monday to Friday, 8:00am to 4:00pm Saturdays.

Hours of Operation – Operational Phase

Hours of operation of both landfill and waste processing/resource recovery facility are limited to between the hours of 7:00am to 6:00pm Monday to Friday and, and 8:00am to 4:00pm on Saturdays, Sundays and Public Holidays.

Note 1: Based on technical issues in relation to the ambient noise monitoring results in the EA, DECC does not have confidence in, and does not accept, the proponent's derived Rating Background Levels (RBLs). Based on DECC's experience with noise from waste facilities, we consider noise from the proposal will not result in an unacceptable impact during the daytime period (7am to 6pm). We recommend any approval for the Facility, if issued, restricts operations to daytime only, seven days per week, with extension of operations into evening and night-time hours permissible only after the provision of additional information to the satisfaction of DECC.

This additional information must include either a table of calculated Assessment Background Levels (ABLs) with an explanation for significant variations in the ABLs, in particular why background noise levels are as low as 32 to 34 dBA some days, to the satisfaction of DECC, or, alternatively, re-measured background noise levels, tabulated ABLs and calculated RBLs are to be provided, to the satisfaction of DECC. Wind direction is to be provided together with wind speed, for the period of ambient noise monitoring, to assess the affect of wind direction on background noise levels. If the additional information indicates lower RBLs than presented in the NIA, then revised predicted noise levels, incorporating additional feasible and reasonable mitigation measures if necessary, are to be provided. If possible, measured noise levels from operation of the facility are to be incorporated in any revised noise level predictions.

Note 2: The proponent has included in the statement of commitments in the EA, that there will be constructed 10 metre high impervious noise barriers in the north, north west, west and south, and the retention of earth bunds to the north east. DECC recommends that any approval, if issued, require completion of the bunds before any waste is processed on site (i.e operations at the materials processing centre and the waste transfer station are not permitted until the bunds are in place). Bund completion is to be appropriately demonstrated, for example by submission of an "as completed" survey plan.

Traffic Movements

The proponent should ensure that all truck movements within the Landfill and Resource Recovery Facility only occur within the hours of operation.

Noise, Blasting and Vibration

Air blasting and ground vibration must be within limits in the ANZECC guidelines, in particular 'Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration, September 1990.'

The DECC may require the proponent to conduct assessments or investigations that identify the extent of any potentially offensive noise emissions beyond the boundary of the premises. The scope of such investigations to be agreed to by the DECC and may include revised noise modelling based on actual site emissions data, well designed field investigations, and analysis of detailed complaints records and on-site meteorological data.

Noise generated from the Landfill and Resource Recovery Facility must not exceed the noise limits presented in the table below:

Residence Location	Day	Noise Criteria
	L _{Aeq, 15min} (dBA)	L _{Aeq, 15min} (dBA)

Nearest Affected Receiver (Minchinbury)	36	36
Nearest Affected Receiver (Erskine Park)	36	36

Notes:

- a) Noise from the development is to be measured at the most affected point or within the residential boundary, or at the most affected point within 30 metres of a dwelling (rural situations) where the dwelling is more than 30 metres from the boundary, to determine compliance with the L_{Aeq} (15 minute) noise limits. Where it can be demonstrated that direct measurement of noise from the project is impractical, the DECC may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.
- b) The noise emission limits identified apply under meteorological conditions of:
 - Wind speed up to 3m/s at 10 metres above ground level; or
 - Temperature inversion conditions of up to 3°C/100m and wind speed up to 2m/s at 10 metres above the ground.

AIR EMISSIONS

Air Quality

Prior to the issue of an Environment Protection Licence, the proponent must develop, in consultation with the DECC (and to the satisfaction of the DG of Planning), an air quality management plan to be incorporated into the Operational Environmental Management Plan. The plan shall include, but not be limited to:

- a) The number and location of continuous monitoring points for fine particulates (PM_{10}) during each stage of works, ensuring sufficient representation of the relevant sensitive receptors at each stage of the proposed works;
- b) The development and identification of PM_{10} concentration trigger levels at which:
 - viii. Dust management actions must be taken, and specification of the relevant actions; and
 - ix. Works at the site must cease.

Note: The location and operation of monitoring stations must be conducted in accordance with the requirements of the DECC's *Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales*.

- c) A list of key operational measures to be implemented to minimise odour impacts. For example, some of the following measures may be appropriate:
 - x. Ensuring that no more than 20,000 tonnes of garden wastes are stockpiled on site at any one time.
 - xi. Any non complying putrescible wastes received at the facility to be quarantined and disposed of at the appropriate off site facility within 24 hours.

Annual Audit

The proponent must provide an annual audit of the design, operation and odour management practices of the operation with the primary aim of identifying improvements that lead to attainment of best practice in regard to minimising odour emitted from the premises. The proponent must implement all reasonable audit recommendations. The scope of such an audit to be regularly reviewed in consultation with the DECC;

Odour Emissions

The DECC may require the proponent to conduct assessments or investigations that identify the extent of any potentially offensive odour emissions beyond the boundary of the premises. The scope of such investigations to be agreed to by the DECC and may include revised air dispersion modelling based on actual site emissions data, well designed field investigations according to German standards, and/ or use of field olfactometers, and analysis of detailed complaints records and on-site meteorological data.

Except as otherwise expressly provided in any Environment Protection licence condition for the project, the Proponent must comply with section 129 of the *Protection of the Environment Operations Act 1997*. Section 129 of the *Protection of the Environment Operations Act 1997* provides that the licensee must not cause or permit the emission of any offensive odour from the premises.

Dust & Particulate Matter

The Proponent must maintain the premises in a condition which prevents the emission of dust. All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises. The DECC may require the proponent to conduct dust monitoring to identify the extent and any potential for dust emission beyond the boundary of the Premises.

For each ambient monitoring point specified below (by a point number), the proponent must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in the table below in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

Pollutant	Units of measure	Frequency	Sampling Method
Particulate Matter (PM10)	ug/m3	Continuous	AM-22

Monitoring meteorological parameters

The Proponent will be required to install a weather station to monitor parameters in the table below, the proponent must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The applicant must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.

Parameter	Units of measure	Frequency	Averaging Period	Sampling Method
Rainfall	mm	Continuous	1 hour	AM-4
Wind speed @ 10 metres	m/s	Continuous	15 minute	AM-2 & AM-4
Wind direction @ 10 metres	°	Continuous	15 minute	AM-2 & AM-4
Temperature @ 2 metres	°C	Continuous	15 minute	AM-4
Temperature @ 10 metres	°C	Continuous	15 minute	AM-4
Sigma theta @ 10 metres	°	Continuous	15 minute	AM-2 & AM-4
Solar radiation	W/m2	Continuous	15 minute	AM-4
Additional requirements - Siting - Measurement				AM-1 & AM-4 AM-2 & AM-4

BIODIVERSITY AND ABORIGINAL HERITAGE

Vegetation Management

Cumberland Plain Woodland at the Premises must not be disturbed.

Hollow bearing trees at the premises must not be removed without the written consent of Blacktown City Council.

Clean Up Notices issued by the Environment Protection Authority to the Proponent in relation to creek rehabilitation and restatement work within Lot 2 or DP 262213 must be complied with at all times.

Aboriginal & Cultural Heritage

Should any Aboriginal cultural artefact matter be detected on site, the Proponent must ensure that work cease immediately and the DECC and the Local Aboriginal Land Council be contacted prior to work commencing again.

ATTACHMENT B

FURTHER CONDITIONS FOR ENVIRONMENT PROTECTION LICENCES - LANDFILLS

Administrative conditions

A1. Information supplied to the EPA

- A1.1** Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in EA and the associated documents

A2. Other activities

- A2.1** These recommended approval conditions apply to all activities carried on at the premises, including:
- a) waste storage, disposal and processing;
 - b) wastewater and/or leachate treatment systems.

A3. Administrative Licensing Conditions

- A3.1** Prior to commencing any activity associated with the proposal, including construction activities the applicant must apply for and have granted an Environment Protection Licence from the EPA
- A3.2** Waste must not be received and/or disposed of at the premises until the EPA has granted the applicant with an Environment Protection Licence which approves the receipt and disposal of waste at the premises.
- A3.3** The licence application referred to in condition A3.1 of this instrument must be accompanied by a report which provides:
- (a) a schedule of any wastes classified as "hazardous", "restricted solid", "putrescible" or "liquid" wastes that are proposed to be stored at the site, including estimates of the quantities involved and how the wastes will be stored for transfer to another facility as soon as practicable.
- A3.4** The licence application referred to in condition A3.1 must also be accompanied by a groundwater monitoring program report which:
- a) details a proposed groundwater monitoring network and a proposed groundwater monitoring program for the facility;
 - b) demonstrates that the proposed measures referred to in a) would be suitable to enable detection of leachate groundwater pollution, if any; and
 - c) provides a proposed installation and implementation schedule for the measures referred to in A3.4a).

Note: The EPA's intention is to review the report required by conditions under A3.4 with a view to attaching conditions to the applicant's environment protection licence requiring installation and monitoring of the proposed network.

Discharges to air and water and applications to land

P1. Location of monitoring/discharge points and areas

- P1.1** The following points referred to in the table below are identified in this general terms of approval for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

Air

EPA identification no.	Type of monitoring point	Type of discharge point	Description of location
1	Air emissions monitoring		Surface gas monitoring in progressively capped areas of landfill conducted in accordance with Benchmark Technique 17 of the EPA: Environmental Guidelines, Solid Waste Landfills
2	Air emissions monitoring		Gas accumulation monitoring in buildings on landfill premises and all premises within 250m of landfilled waste, conducted in accordance with Benchmark Technique 18 of the EPA: Environmental Guidelines, Solid Waste Landfills

- P1.2** The following points referred to in the table below are identified in this general terms of approval for the purposes of monitoring and/or the setting of limits for the emission of pollutants to water from the point.

Water and land

EPA identification no.	Type of monitoring point	Type of discharge point	Description of location
3	Leachate quality monitoring		Grab sample for leachate pond/s (exact location to be determined)
4	Surface water discharge quality monitoring	Surface water discharge quality	Overflow from sediment pond/s (exact location to be determined)
5	Surface water quality monitoring		Upstream and Downstream of the landfill in unnamed creek (exact location to be determined)
6	Surface water quality monitoring		Surface of any sedimentation ponds at the premises (exact location to be determined)
Number to be determined	Groundwater quality monitoring bores		To be determined based on information required by c) of condition A3.4

Limit conditions

L1. Pollution of waters

L1.1 Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with in connection with the carrying out of the development.

L1.2 The applicant must ensure that the level of leachate above the basal liner is maintained less than 300mm, or another depth approved by the EPA, unless the leachate dam has a freeboard capacity less than or equal to the volume of leachate generated from the 1:25 year 24 hour rainfall event.

L2 Load Limits

L2.1 Not applicable

L3 Concentration limits

L3.1 For each monitoring/discharge point or utilisation area specified in the table\ below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

L3.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L3.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\.

Water and Land

POINT 4

Pollutant	Units Measure	of 50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Total suspended solids	mg/L				50
Nitrogen ammonia	mg/L				0.9
pH	pH Units				6.5 – 8.5

L3.4 The licensee is not taken to have exceeded a concentration limit specified in this licence for the discharge of Total Suspended Solids from point 4 if:

- the pond/s overflow is caused by a rainfall event exceeding the 90th percentile 5 day rainfall event at the premises; and
- the licensee has taken all practical measures to avoid or minimise water pollution.

L4 Volume and mass limits

L4.1 Not applicable

L5. Waste

L5.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

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

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

Condition L5.1 does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
N/A	General Waste (non-putrescible)	Solid As defined in Schedule 1 of the POEO Act, as in force from time to time.	Waste Disposal (application to land) Waste Storage Waste Processing Resource Recovery	N/A
N/A	Asbestos Waste	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Waste Disposal (application to land)	Asbestos Waste must also be disposed of in accordance with C. 42 of the POEO (Waste) Reg. 2005
N/A	Waste Tyres	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Waste Disposal (application to land) Waste Storage	

L5.2 The total tonnage of waste defined in condition L5.1 disposed of at the premises must not exceed 600,000 tonnes per year.

L5.4 Tyres stockpiled on the premises must:

- (a) not exceed fifty (50) tonnes of tyres at any one time; and
- (b) be located in a clearly defined area away from the tipping face; and
- (c) be managed to control vermin; and
- (d) be managed to prevent any tyres from catching fire.

L6 Noise limits

L7 Hours of operation

L7.1 All construction work at the premises must only be conducted between:

- 7:00am to 6:00pm Monday to Friday;
- 8:00am to 4:00pm Saturday, Sunday and Public Holidays.

- L7.2** This condition does not apply to the delivery of material outside the hours of operation if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered.

L8 *Potentially offensive odour*

- L8.1** No condition in this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

Note: Section 129 of the Protection of the Environment Operations Act 1997 provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

L9 *Minimise odours from leachate dams and leachate irrigation*

- L9.1** To minimise odours the period of time leachate is stored in leachate ponds must be kept to a minimum.

Operating conditions

O1. Activities must be carried out in a competent manner

- O1.1** Licensed activities must be carried out in a competent manner.

This includes:

- the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2. Maintenance of plant and equipment

- O2.1** All plant and equipment installed at the premises or used in connection with the licensed activity:

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

O3. Dust

- O3.1** All operations and activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

- O3.2** Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

O4. Leachate management

- O4.1** Water which contacts waste, other than virgin excavated natural material, must be managed as leachate.

04.2 Leachate must only be disposed of by:

- a) evaporation from the surface of dams,
- b) disposal at a facility licensed to accept such waste,
- c) disposal to sewer via a trade waste agreement.

05 Management of surface waters

05.1 The perimeter of the area where waste has been landfilled must be contoured to prevent stormwater running on to these surfaces from all storm event less than or equal to a 1 in 10 year 24 hour duration storm event.

05.2 Surface drainage must be diverted away from any area where waste is being or has been landfilled.

05.3 The drainage from all areas at the premises which will liberate suspended solids when stormwater runs over these areas must be diverted into sedimentation ponds.

05.4 All practicable measures must be undertaken to manage all sediment ponds such they have sufficient capacity to store run-off from the 90th percentile 5 day rainfall event.

06. Fire risk reduction works

06.1 The applicant must have in place and implement procedures to minimise the risk of fire at the premises.

07 Burning or Exhumation of waste

07.1 There must be no incineration or burning of any waste at the premises.

07.2 The licensee must not exhume any landfilled waste at the premises unless approved in writing by the EPA.

08. Screening of waste

08.1 The applicant must have in place and implement procedures to identify and prevent the disposal of any waste not permitted by this general terms of approval to be disposed of at the premises.

09 Filling Plan

09.1 The licensee must submit a filling plan for the disposal of waste sequentially in each landfill cell(s). This Filling plan must be submitted to the EPA prior to any waste being received at the Premises.

010 Disposal of Waste in Landfill Cells

O10.1 The licensee must only dispose of waste in landfill cell (Reference TBA – Stage 1 cell) unless the EPA varies this licence to permit the disposal of waste elsewhere at the premises.

O11 Final Landfill Contours

O11.1 The final contours of the landfill must be in accordance with the approved Closure Plan.

O12. Completion of landfill cells

O12.1 The applicant must ensure that the landfill cells are capped progressively when waste reaches final heights.

O12.2 Final capping must be installed in accordance with Benchmark Technique 28 of the *EPA Environmental Guidelines: Solid Waste Landfills* (1996) or an equivalent approved by the EPA..

O13. Unauthorised entry

O13.1 The applicant must take all practicable steps to control entry to the premises.

O13.2 The applicant must install and maintain a stockproof perimeter fence around the premises.

O10.3 The applicant must install and maintain lockable security gates at all access and departure locations.

O10.4 The applicant must ensure that all gates are locked whenever the landfill is unattended.

O14. Degradation of local amenity

O14.1 The applicant must have in place and implement a litter management program.

O15. Tracking of mud and waste

O15.1 The applicant must minimise the tracking of waste and mud by vehicles leaving the premises.

O16. Covering of waste

O16.1 Cover material must be "virgin excavated natural material" as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 and must be applied in accordance with the following requirements:

(a) Daily cover

Cover material must be applied to a minimum depth of 15 centimetres over all exposed landfilled waste prior to ceasing operations at the end of each day.

(b) Intermediate cover

Cover material must be applied to a depth of 30 centimetres over surfaces of the landfilled waste at the premises which are to be exposed for more than 90 days.

(c) Cover material stockpile

At least two weeks cover material must be available at the premises under all weather conditions. This material may be won on site, or alternatively a cover stockpile must be maintained adjacent to the tip face.

O16.2 Alternative cover options may be considered and approved by the EPA if the licensee can demonstrate that the alternative technology meets the performance goals of the "Environmental Guidelines: Solid Waste Landfills" (EPA 1996.)

O17. Control of pests and vermin

O17.1 The applicant must control pests and vermin at the premises.

O18. Fire extinguishment

O18.1 The applicant must extinguish any fires at the premises as soon as possible.

O19. Fire fighting capability

O19.1 The applicant must have in place and implement fire prevention measures at the premises.

O20. Staff training

O20.1 The applicant must ensure that adequately trained staff are available at the premises in order to administer the requirements of this general terms of approval.

O21. Closure Plan

O21.1 The licensee must submit to the EPA within twelve months prior to the last load of waste being landfilled a closure plan in accordance with Section 76 of the Protection of the Environment Operations Act 1997.

Monitoring and recording conditions

M1 Monitoring records

M1.1 All records required to be kept by the general terms of approval must be:

- in a legible form, or in a form that can readily be reduced to a legible form;
- kept for at least 4 years after the monitoring or event to which they relate took place; and
- produced in a legible form to any authorised officer of the EPA who asks to see them.

M1.2 The following records must be kept in respect of any samples required to be collected: the date(s) on which the sample was taken;

- the time(s) at which the sample was collected;
- the point at which the sample was taken; and
- the name of the person who collected the sample.

M2. Requirement to monitor concentration of pollutants discharged

M2.1 For each monitoring/ discharge point or utilisation area specified below (by a point number), the applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The applicant must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

Air

POINTS 1 AND 2 - Methane gas monitoring

Pollutant	Units of measure	Frequency	Sampling Method
Methane & CO2	%by volume	Quarterly	Special Method 1

For the purposes of the table above Special Method 1 means sampling is to be undertaken in accordance with Benchmark technique No. 17 (Surface Gas Emission Monitoring) and Benchmark technique No. 18 (Gas Accumulation monitoring) defined in the document "Environmental Guidelines: Solid Waste Landfills, NSW EPA 1996."

Water and Land

POINT 3 - Leachate at leachate collection dam/s (exact location to be determined)

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as HCO ₃ ⁻ and CO ₃ ²⁻)	mg/L	Annually	Grab sample
Aluminium	mg/L	Annually	Grab sample
Arsenic	mg/L	Annually	Grab sample
Barium	mg/L	Annually	Grab sample
Benzene	mg/L	Annually	Grab sample
Cadmium	mg/L	Annually	Grab sample
Calcium	mg/L	Annually	Grab sample
Chloride	mg/L	Annually	Grab sample
Chromium (total)	mg/L	Annually	Grab sample
Cobalt	mg/L	Annually	Grab sample
Conductivity	uS/cm	Annually	Grab sample
Copper	mg/L	Annually	Grab sample
Ethylbenzene	mg/L	Annually	Grab sample
Fluoride	mg/L	Annually	Grab sample
Lead	mg/L	Annually	Grab sample
Magnesium	mg/L	Annually	Grab sample
Manganese	mg/L	Annually	Grab sample
Mercury	mg/L	Annually	Grab sample
Nitrate + Nitrite (oxidised nitrogen)	mg/L	Annually	Grab sample
Nitrogen - ammonia	mg/L	Annually	Grab sample
Organochlorine pesticides	mg/L	Annually	Grab sample
Organophosphate pesticides	mg/L	Annually	Grab sample
pH	pH	Annually	Grab sample
Polycyclic aromatic hydrocarbons	mg/L	Annually	Grab sample
Potassium	mg/L	Annually	Grab sample
Sodium	mg/L	Annually	Grab sample
Sulfate	mg/L	Annually	Grab sample
Toluene	mg/L	Annually	Grab sample
Total dissolved solids	mg/L	Annually	Grab sample
Total organic carbon	mg/L	Annually	Grab sample
Total Petroleum Hydrocarbons	mg/L	Annually	Grab sample
Total phenolics	mg/L	Annually	Grab sample

Pollutant	Units of measure	Frequency	Sampling Method
Xylene	mg/L	Annually	Grab sample
Zinc	mg/L	Annually	Grab sample

POINT 4 - Sediment pond/s overflow (*exact location to be determined*)

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	uS/cm	Special Frequency 1	Grab sample
Nitrogen – ammonia	mg/L	Special Frequency 1	Grab sample
pH	pH	Special Frequency 1	Grab sample
Total Suspended Solids	mg/L	Special Frequency 1	Grab sample

For the purposes of the table above Special Frequency 1 means the collection of samples on the first day of discharge and daily during continual discharge.

POINTS 5, 6 - Sediment ponds & downstream ambient monitoring (*exact locations to be determined*)

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	uS/cm	Quarterly	Grab sample
Nitrogen – ammonia	mg/L	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Total Suspended Solids	mg/L	Quarterly	Grab sample

Groundwater monitoring

POINTS 5 to ? - Groundwater monitoring (*exact numbers and locations to be determined subject to the report required by condition A3.4*)

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as HCO ₃ and CO ₃ ²⁻)	mg/L	Quarterly	Groundwater sample – grab
Aluminium	mg/L	Annually	Groundwater sample – grab
Arsenic	mg/L	Annually	Groundwater sample – grab
Barium	mg/L	Annually	Groundwater sample – grab
Benzene	mg/L	Annually	Groundwater sample – grab
Cadmium	mg/L	Annually	Groundwater sample – grab
Calcium	mg/L	Quarterly	Groundwater sample – grab
Chloride	mg/L	Quarterly	Groundwater sample – grab
Chromium (total)	mg/L	Annually	Groundwater sample – grab
Cobalt	mg/L	Annually	Groundwater sample – grab
Conductivity	uS/cm	Quarterly	In situ
Copper	mg/L	Annually	Groundwater sample – grab
Ethylbenzene	mg/L	Annually	Groundwater sample – grab

Pollutant	Units of measure	Frequency	Sampling Method
Fluoride	mg/L	Annually	Groundwater sample – grab
Lead	mg/L	Annually	Groundwater sample – grab
Magnesium	mg/L	Quarterly	Groundwater sample – grab
Manganese	mg/L	Annually	Groundwater sample – grab
Mercury	mg/L	Annually	Groundwater sample – grab
Nitrate + Nitrite (oxidised nitrogen)	mg/L	Quarterly	Groundwater sample – grab
Nitrogen - ammonia	mg/L	Quarterly	Groundwater sample - grab
Organochlorine pesticides	mg/L	Annually	Groundwater sample – grab
Organophosphate pesticides	mg/L	Annually	Groundwater sample – grab
pH	pH	Quarterly	In situ
Polycyclic aromatic hydrocarbons	mg/L	Annually	Groundwater sample - grab
Potassium	mg/L	Quarterly	Groundwater sample – grab
Sodium	mg/L	Quarterly	Groundwater sample – grab
Standing water level	m AHD	Quarterly	In situ
Sulfate	mg/L	Quarterly	Groundwater sample – grab
Toluene	mg/L	Annually	Groundwater sample – grab
Total dissolved solids	mg/L	Quarterly	Groundwater sample - grab
	mg/L	Quarterly	Groundwater sample – grab
Total organic carbon			
Total Petroleum Hydrocarbons	mg/L	Annually	Groundwater sample – grab
Total phenolics	mg/L	Annually	Groundwater sample – grab
Xylene	mg/L	Annually	Groundwater sample – grab
Zinc	mg/L	Annually	Groundwater sample – grab

Note: The monitoring requirements may be varied by the EPA subject to ongoing review and assessment of monitoring results.

M3. Testing methods - concentration limits

M3.1 Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997 must be done in accordance with the Approved Methods Publication unless another method has been approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

M4. Recording of pollution complaints

M4.1 The applicant must keep a legible record of all complaints made to the applicant or any employee or agent of the applicant in relation to pollution arising from any activity to which this general terms of approval applies.

M4.2 The record must include details of the following:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;

- d) the nature of the complaint;
- e) the action taken by the applicant in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken by the applicant, the reasons why no action was taken.

M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M5. Telephone complaints line

M5.1 The applicant must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M5.2 The applicant must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

M6. Requirement to monitor rainfall

M6.1 Rainfall at the premises must be measured and recorded in millimetres per 24 hour period, at the same time each day.

M7. Requirement to monitor wind

M7.1 Wind strength and wind direction at the premises must be measured and recorded in degrees and knots/kmh at least every 15 minutes.

M8 Monitor remaining landfill capacity

M8.1 The licensee must monitor the remaining disposal capacity (in cubic metres) of the landfill annually.

Reporting conditions

R1. Annual Return documents

What documents must an Annual Return contain?

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

- a) Statement of Compliance; and
- b) a Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies the licence. Before the end of each reporting period the EPA will provide to the applicant a copy of the form that must be completed and returned to the EPA.

Period covered by Annual Return

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

R1.3 Where the licence is transferred from the applicant to a new licensee,

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

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

R1.4 Where the licence is surrendered by the applicant or revoked by the EPA or Minister, the applicant must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on

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

Deadline for Annual Return

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

Licensee must retain copy of Annual Return

R1.6 The applicant must retain a copy of the annual return supplied to the EPA for a period of at least 4 years after the annual return was due to be supplied to the EPA.

Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary

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

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

R1.8 A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

R2. Notification of environmental harm

Note: The applicant or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act .

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

R2.2 The applicant must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

R3. Written report

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

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

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

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

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

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

R4. Reporting of Fires

R4.1 In the event of a fire at the facility the applicant must record:

- a) the time and date when the fire was deliberately started or reported;
- b) whether the fire was authorised by the applicant, and, if not, the circumstances which ignited the fire;
- c) the time and date that the fire ceased and whether it burnt out or was extinguished;
- d) the location of fire (eg. clean timber stockpile, putrescible garbage cell, etc);
- e) the prevailing weather conditions;
- f) any observations made in regard to smoke direction and dispersion;
- g) the amount of waste that was combusted by the fire; and
- h) the action taken to extinguish the fire.

R4.2 The applicant or its employees or agents must notify the EPA in accordance with conditions R2.1 and R2.2 of all fires at the premises as soon as practical after becoming aware of the incident.

R5. Discharge reporting

R5.1 If leachate is ever discharged to surface waters from the premises the licensee must notify the event to the EPA in accordance with condition R2.1.

R5.2 The licensee must provide written details of any leachate discharge(s) which exit the premises to the EPA within 7 days of the date on which the incident occurred.

R5.3 The written details referred to in the above condition must be provided as a report. The report must include the following information:

- a) the volume of the leachate discharged and over what time period the discharge occurred;
- b) the date and time of the commencement of the overflow;
- c) the weather conditions at the time of the discharge, specifying the amount of rainfall on a daily basis that had fallen:
 - on the day(s) of the discharge; and
 - for the one week period prior to the discharge;
- d) the most recent monitoring results of the chemical composition of the leachate;
- e) an explanation as to why the discharge occurred;
- f) the location(s) of the discharge; and
- g) a plan of action to prevent a similar discharge in the future.

R5.4 If the results of surface water quality monitoring in the sediment pond(s) required by condition M2.1 indicate Nitrogen - ammonia concentrations greater than 1 mg/L the licensee must contact the EPA within 24 hours and advise it of the results of that monitoring.

Note: If ammonia concentrations are above 1mg/L the EPA will liaise with the licensee to determine an appropriate response.

R6. Landfill Gas Hazard Reporting

R6.1 If the results of Gas Accumulation Monitoring conducted at the premises required by condition M2.1 indicate Methane concentrations in any building at the premises greater than 1.25% v/v, the licensee must contact the EPA within 24 hours and advise it of the results of that monitoring. The licensee must also increase the frequency of such Gas Accumulation monitoring to "daily" until advised otherwise by the EPA.

General Conditions

G1. Copy of licence kept at the premises

G1.1 A copy of the licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

G2. Contact number of incidents and responsible employees

G2.1 A 24-hour telephone contact line(s) for the purpose of enabling the EPA to directly contact one or more representatives of the applicant who can:

- a) Respond at all times to incidents relating to the premises, and;
- b) Contact the applicant's senior employees or agents authorised at all times to:
 - i) speak on behalf of the applicant, and
 - ii) provide any information or document required under the licence.

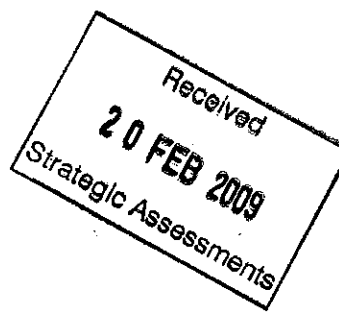
Special Conditions

E1 – Financial Assurance

E1.1 – The licensee must provide the EPA with a Financial Assurance (in the form of a Bank Guarantee) in the amount of (Amount to be calculated and submitted with licence application) before a licence will be issued by the EPA.



NSW Government
Department of Water & Energy



Submission I

Ms Felicity Greenway
NSW Department of Planning
GPO Box 39
Sydney NSW 2001

Contact: Jeff Hunt
Phone: 02 4904 2634
Fax: 02 4904 2500
Email: jeff.hunt@dnr.nsw.gov.au

File:
Our Ref: ER20124(R)

18 February 2009

Dear Ms Greenway

**Major Project (MP06-0139) – Light Horse Eastern Creek Waste Project
Review of Environmental Assessment**

Thank you for your letter of 9 December 2008 seeking comment from the Department of Water and Energy (DWE) on the Environmental Assessment (EA) for the proposed project.

The DWE has completed its review of the EA and still has concerns about the assessment for the proposal, as it has not addressed the protection and rehabilitation of vegetated riparian corridors on the site, or potential groundwater licensing, as part of the proposal.

Specific comment on the draft EA is outlined in Attachment A

Contact Details:

Should you have any queries in respect to this matter, please contact me at the Newcastle office.

Yours sincerely


Jeff Hunt
Senior Planning and Assessment Co-ordinator
Major Projects and Planning



ATTACHMENT A

Major Project – Light Horse Eastern Creek Waste Project

Review - Environmental Assessment

Department of Water and Energy – Key Issues

Protection of Watercourses and Riparian Lands

Figures 1.2 and 1.6, and Table 6.2, in the Environmental Assessment (EA) indicate that parts of the Upper Angus Creek and Ropes Creek catchments are located within the subject site.

The Department recommends the following:

- the above watercourses be remediated and/or reinstated as a natural system (not hard engineering) with fully vegetated riparian corridors.
- a Works Plan be required which includes details on all stream remediation and/or reinstatement and a Vegetation Management Plan for the rehabilitation of fully vegetated riparian corridors.

The EA does not address this issue, and ignores that the riparian corridors on the site are to be protected and enhanced in accordance with the adopted *SEPP 59 – Eastern Creek Precinct Plan (Stage 3)* which includes the following relevant controls 5.6.1 (e), 8.3.5 (b), 8.4.3 (d):

- 5.6.1 (e) Development adjoining riparian corridors and trunk drainage channels (including detention basins and wetlands) must include a **10 m buffer zone** consisting of a landscaped open space area that can tolerate occasional flooding
- 8.3.5 (b) When measured from the top of the bank on either side of the creek, development consent shall not be granted, except for development associated with the protection, enhancement and management of the riparian corridor, on land within the precinct that is within:
 - 40 m of Ropes Creek Tributary or
 - 10 m of Upper Angus Creek.
- 8.4.3 (d) APZ's are to be located wholly within the development site, outside of any conservation area or riparian corridor

The riparian corridors should be protected and rehabilitated with fully structured local native riparian vegetation (trees, shrubs and groundcover species) at a density that would occur naturally.

Groundwater

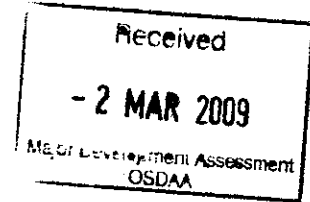
The EA does not include any requirement for existing and proposed groundwater monitoring bores to be licensed by DWE under Part 5 of the Water Act 1912 or that any water extraction from the existing groundwater resources on-site, for reuse or disposal, is likely to require a licence under Part 5 of the Water Act.



NSW GOVERNMENT

Department of Planning

LATE



Submission J

Memorandum

To Chris Ritchie, Manager – Industry, Major Development Assessment

From Matt Rose, Planner, Sydney West Regional Team,
Metropolitan Planning
Phone (02) 9873 8527 Fax (02) 9873 8599
Email matthew.rose@planning.nsw.gov.au

Date 26th February 2009 **File no** P08/00343 & **File** G:\SSW7 North West Sydney\4
9042593 Major Project
Consultation\Major Project 06
0139 - Light Horse Eastern
Creek waste Project.doc

Major Project 06/0139: Light Horse Eastern Creek Waste Project

I'm writing further to your request for details of key issues and assessment requirements for the above project, received in this office on the 10th December 2008.

I understand that the project will involve the construction of a resource recovery facility, including:

- A waste material processing centre, waste transfer station, administrative buildings, weighbridges and other associated infrastructure; and
- The progressive infilling and rehabilitation of a former quarry void,

On a 121 hectare site at Eastern Creek.

Draft Sub-Regional Strategy

The site is situated within the Eastern Creek Precinct of the Western Sydney Employment Hub (identified by the draft North West Subregional Strategy). The Western Sydney Employment Hub is a 2,450 hectare area that is well positioned to become a major new job generating precinct due to its strategic location near the M4 and M7 Motorways. This will provide businesses with direct access to major facilities such as Sydney Airport and Port Botany, along with the national highway network.

The proposal could help to achieve a number of the actions set out in the draft strategy, including:

- Actions A1.5.2: *Protect and Enhance Employment Lands in the M7 Motorway Corridor* and A1.9: *Facilitate the use of old industrial areas through the reuse and restoration of the existing quarry void*;
- The employment capacity targets for Strategic Centres that are being established under Action B1.2: *Establish Employment Capacity Targets for Strategic Centres*. The Western Sydney Employment Hub is expected to provide impetus for the growth and diversification of activity in Blacktown (a Major Centre);
- Action B5.2: *Strengthen the Economic Role of the Orbital Motorway Network* by providing an additional site and business within the corridor of the Orbital Motorway Network; and

- Action E3.4: *Minimise and Recycle Waste* through the provision of appropriate facilities.

State Environmental Planning Policy No. 59 (Central Western Sydney Economic and Employment Area) 1999:

State Environmental Planning Policy No.59 (Central Western Sydney Economic and Employment Area) 1999 (the SEPP) applies to this site. The site falls within the Eastern Creek Precinct and the relevant Precinct Plan is attached (*Tag A*). The aims of the SEPP include the encouragement of the staged rehabilitation and construction of existing quarries to facilitate their longer term use as employment lands.

Clause 10 of the SEPP sets out *Matter for Consideration*, which includes the continued extraction from and rehabilitation of the quarry.

Clause 31A; *Use of Former Quarry at Wallgrove as Non-Putrescible Waste Facility* applies to land comprised of:

- i) Lot 2, DP262213;
- ii) Lot 1, DP400697;
- iii) Lot W, DP 419612
- iv) Lot 10, DP241859; and
- v) Lot 11, DP558723.

This clause instructs that:

"Despite the other provisions of the SEPP, the land to which this clause applies may be used, with the consent of the consent authority for the purpose of a waste facility for non-putrescible material."

There are no other significant strategic issues. If you have any further queries, or would like to discuss these comments, please contact me.

Regards



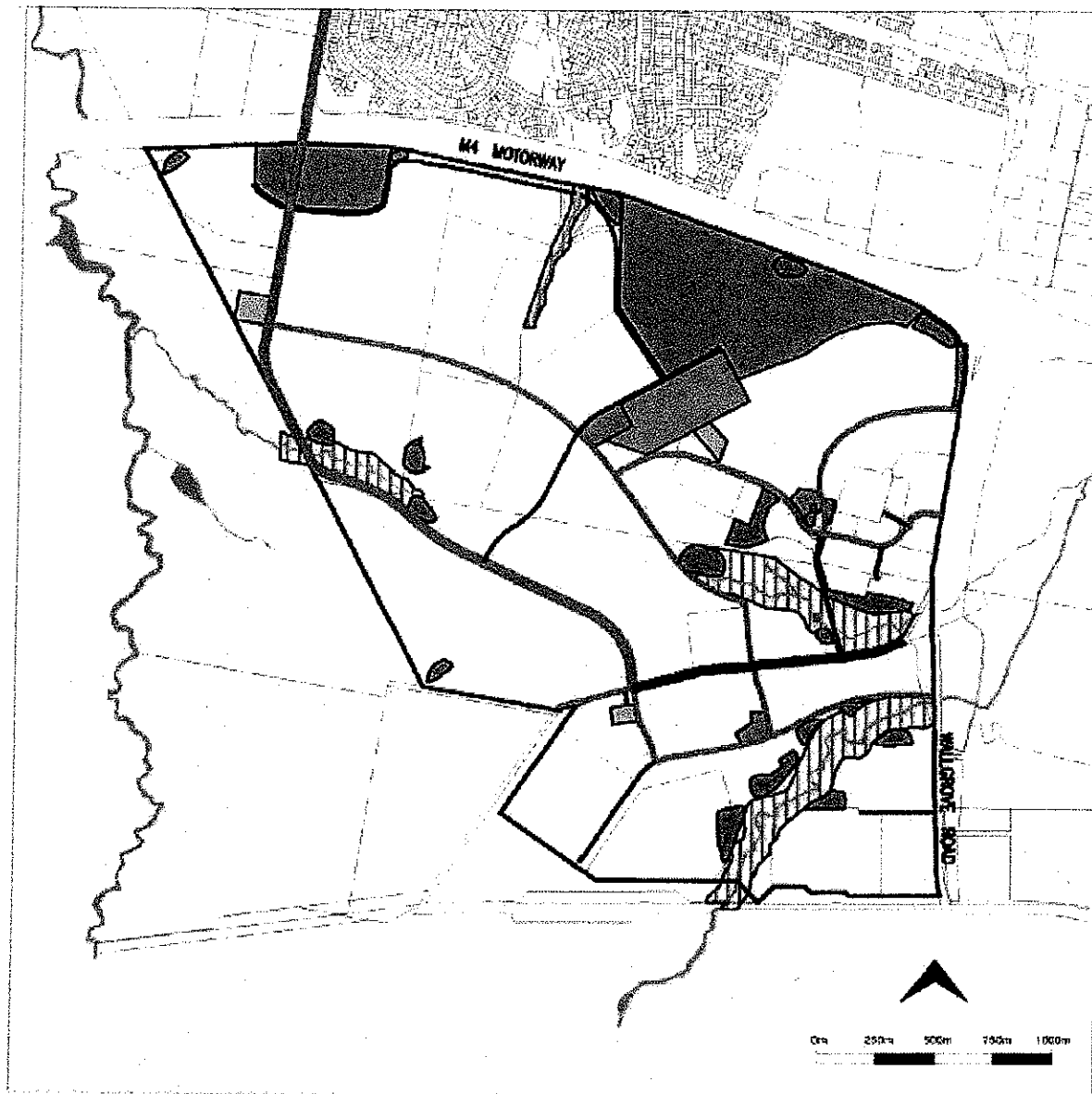
Matthew Rose







26/2/9





Endorsed
Derryn John, Team Leader

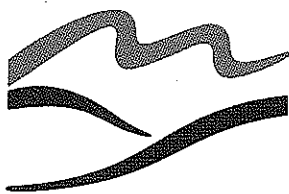

Endorsed
Peter Goth, Regional Director

27-2-09



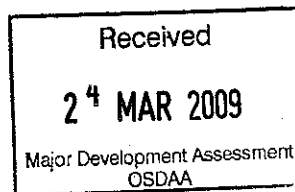
- | | |
|---|----------------------------------|
|  | Conservation Area |
|  | Neighbourhood Centre |
|  | Electricity Zone Substation |
|  | Reservoir |
|  | Drainage Detention Basin/Wetland |
|  | Riparian Corridor |

- | | |
|---|-------------------------|
|  | Sub-arterial Road |
|  | Main Collector Road |
|  | Standard Collector Road |
|  | Local Road |



Submission
LATE

Our Ref: IMS 1878752
Contact: Robert Craig
Telephone: (02) 4732 7593



20 March 2009

Ms Felicity Greenway
Major Development Assessment
NSW Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Madam,

Part 3A "Major Project" – Blacktown LGA – Application No. 06-0139
Proposed Light Horse Waste Facility
Lot 10 DP 241859, Lot 2 DP 2626213, Lot 1 DP 400697 and Lot W DP 419612
Off Old Wallgrove Road, EASTERN CREEK NSW 2766

Thank you for your referral of the Environmental Assessment (EA) for the proposed Light Horse Waste Facility at Eastern Creek in the Blacktown local government area.

It is understood that the proposed facility includes a Resource Recovery Facility (RRF) involving the importation, sorting, separating, sieving, crushing and composting of general solid (non-putrescible) waste (concrete, bricks, plastic, paper, cardboard, tiles, asphalt, sand, soil, wood, green waste), hazardous waste (batteries, coal tar, lead paint) and special waste (asbestos, tyres) for sale and re-use off-site. It is also understood that the proposal involves progressive landfilling of a former quarry with waste materials which are not capable of being separated or recycled via the RRF (e.g. asbestos).

The following comments are provided for your information and consideration as part of the Department of Planning's assessment and determination of the application. Please note that Council's review of the proposal has primarily focused on potential impacts on Penrith City residents in Erskine Park, St Clair and Colyton.

Air Quality and Odour

1. It is noted that the proposed facility will not accept putrescible waste which will significantly reduce the potential for odour impacts on surrounding land. A condition should be imposed requiring that appropriate waste screening measures are employed to ensure putrescible waste is redirected off-site to another appropriate waste facility.
2. Adequate provision appears to have been made for the management and monitoring of landfill gases and emissions from green waste stockpiles.
3. A condition should be imposed requiring the submission of a dust management strategy which includes a suitable dust monitoring method and strategies to control dust to acceptable levels pursuant to relevant Australian Standards.

Noise

4. It is noted that the suburbs of Erskine Park, St Clair and Colyton are reasonably remote from the site, with the nearest residences being approximately 1km to the west of the site. The provision of 10m high noise berms (earth mounds) on the western boundary of the site is supported and should assist in reducing any potential noise impacts on these residents.
5. Concern is raised regarding the intention to receive waste materials at the facility after 10pm (e.g. asphalt from out-of-hours roadworks). Although this is only expected to occur once per week, it is considered that these operations could potentially have adverse noise impacts on surrounding land as background noise levels at this time are considerably lower than during other times in the day.

Traffic

6. All access to the site should be via Old Wallgrove Road. No access should be permitted or entertained from Archbold Road due to the likely noise and congestion impacts this would have on residents in Minchinbury.

Visual Amenity

7. The provision of 10m high noise berms to the northern, western and southern boundaries of the site is supported. A condition should be imposed requiring that the waste stockpiles do not exceed the height of the proposed berms.

Facility Name

8. Concern is raised regarding the proposed name of the facility (Light Horse Waste Facility) in terms of the appropriateness of linking the Light Horse icon with a waste facility. It is recommended that the Australian Defence Force (ADF) and the Returned and Services League of Australia (RSL) be consulted in this regard and also to establish whether the use of this name is subject to any copyright restrictions.

Due to the limited time available to make a submission on this application, Council has not undertaken a technical assessment of the EA and related documentation. In this regard, Council recommends that the Department of Planning as the consent authority undertake a detailed technical assessment of this documentation prior to making a final determination in relation to the proposal.

Thank you for providing Council with the opportunity to comment on the development proposal at this late stage in the assessment process.

If you have any queries regarding this matter, please contact me on (02) 4732 7593.

Yours faithfully,



Robert Craig
Senior Environmental Planner