

Modification of Minister's Approval

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

As delegate for the Minister for Planning, under the Instrument of Delegation executed on 11 October 2017, I approve the modification of the project approval referred to in Schedule 1, subject to the conditions outlined in Schedule 2.



Chris Ritchie
Director
Industry Assessments

Sydney 11 APRIL

2018

File: OBJ17/11546

SCHEDULE 1

Project Approval MP 11_0094 granted by the former Minister for Planning on 3 April 2013 for the Whytes Gully Landfill Extension Project at Part Lot 501 DP 1079122, Lot 502 DP 1079122, Lot 2 DP 240557, Lot 51 1022266, Lot 52 1022266 and 53 DP 1022266 in the Wollongong local government area.

SCHEDULE 2

This approval is modified as follows:

1. Replace all references to "Director-General" with "Secretary".
2. Delete the definitions for Department and Minister, and insert the following definitions in alphabetical order:

Department	Department of Planning and Environment
Minister	Minister for Planning (or delegate)

3. Insert the following definitions in alphabetical order:

MOD 1	Modification Application titled <i>Whytes Gully Resource Recovery Park s75W Report</i> prepared by Golder Associates, report number 1528284_165_R_Rev0, dated 26 July 2017 and Response to Submissions dated 18 October 2017
Other Operational Activities	Construction works or repair and/ or maintenance of the weighbridge, weighbridge office, internal roads and haul routes, internal drainage and/ or ancillary infrastructure works
Secretary	Secretary of the Department (or nominee)

In Schedule 3: Administrative Conditions

4. Delete Condition 2 and replace with the following:
 2. The Proponent shall carry out the project generally in accordance with the:
 - (a) EA;
 - (b) PPR;
 - (c) Statement of Commitments (see Appendix 1);
 - (d) site layout plans and drawings in the EA (see Appendix 2);
 - (e) modification application MOD 1; and
 - (f) conditions of this approval.

In Schedule 4: Specific Environmental Conditions

5. Delete Table 7 and replace with the following:

Table 7: Construction and Operating Hours

Activity	Day	Time
Construction	Monday to Friday	7:00 AM to 6:00 PM
	Saturday	8:00 AM to 4:00 PM
	Sunday and Public Holidays	Nil
Operation	Monday to Friday	7:30 AM to 4:30 PM
	Saturday, Sunday and Public Holidays	8:00 AM to 4:00 PM
Other Operational Activities	Monday to Friday	7:00 AM to 6:00 PM
	Saturday, Sunday and Public Holidays	8:00 AM to 4:00 PM

6. Delete Condition 34 and replace with the following:

34. The Proponent shall prepare and implement a Noise Management Plan for the project in consultation with the EPA and to the satisfaction of the Secretary. The plan must:
- be prepared and implemented by a suitably qualified and experienced person whose appointment has been approved by the Secretary;
 - be approved by the Secretary prior to the commencement of construction;
 - describe the measures that will be implemented to minimise noise from the construction and operation of the project and ensure:
 - best management practice is employed on site;
 - implementation of traffic noise management measures;
 - the noise impacts of the project are minimised during adverse meteorological conditions; and
 - compliance with the relevant conditions (including noise limits) of this approval.
 - describe the noise management system;
 - includes a noise monitoring program that:
 - is capable of evaluating the performance of the project;
 - includes a protocol for determining exceedances of the noise limits in this approval and responding to complaints;
 - adequately supports the noise management system; and
 - evaluates and reports on the effectiveness of the noise management system.
 - include a description of the remedial actions that may be implemented in the event of a noncompliance with the noise limits in this approval;
 - be updated and resubmitted to the Secretary for approval within three months following the approval MOD 1. The CNMP shall be updated prior to the commencement of the conditions of any such approval; and
 - include management and mitigation measures developed in consultation with the sensitive receivers identified in Appendix 6.

This plan must be documented in the CEMP and Landfill EMP (see Conditions 2 and 3 in Schedule 5).