

23 December 2016
Our Ref: 8167G.1KO_SEARS



planning consultants

Ms Carolyn McNally
Secretary
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms McNally

PROPOSED EXPANSION OF FAIRFIELD SUSTAINABLE RESOURCE CENTRE

Request for Secretary's Environmental Assessment Requirements

1.0 Introduction

DFP has been engaged by Fairfield City Council to prepare a development application for an expansion of the Fairfield Sustainable Resource Centre (SRC). The SRC is located at the corner of Hassall Street and Widemere Road, Wetherill Park.

The Fairfield SRC was established in 1997 and accepts construction and demolition waste including roof tiles, clay bricks, concrete and asphalt. The construction waste is crushed or milled to produce recycled materials such as sand, roadbase, cement stabilised sands and aggregates for use in civil construction, landscaping and domestic building applications. The SRC will store waste materials and stockpile recycled products.

The proposal for an expanded SRC (the Proposal) meets the criteria for State Significant Development (SSD) pursuant to Clause 23(3) of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 (SEPP SRD). Clause 23(3) identifies *Development for the purpose of resource recovery or recycling facilities that handle more than 100,000 tonnes per year of waste, as SSD.*

Accordingly, the purpose of this letter is to request the Secretary's Environmental Assessment Requirements (SEARs) as required under Section 78A(8A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation).

Matters relating to the proposed development, permissibility, planning context, associated impacts and justifications are discussed in detail below.

2.0 Site Description

The SRC is located in the Fairfield Local Government Area, in the Wetherill Park industrial precinct, south of the Prospect Reservoir (see **Figure 1**).

The SRC is located at the corner of Hassall Street and Widemere Road, Wetherill Park and comprises the following lots:

- Lot 1 DP 515773;
- Lots 34, 35 and 37 in DP 657040;
- Lots 100 DP 1220637;
- Lots 1 and 2 in DP 620755; and
- Lot 1 DP 368374.

To the north and east the site is bounded by Prospect Creek. North of Prospect Creek is Boral Quarry and a new industrial development known as Quarry at Greystanes, providing industrial buildings for logistics, warehousing, manufacturing and storage uses. To the north and east of Prospect Creek is the Gipps Road sports grounds. To the south and west is the Wetherill Park industrial complex. An aerial photograph of the site is shown at **Figure 2** and included at **Attachment 1**.

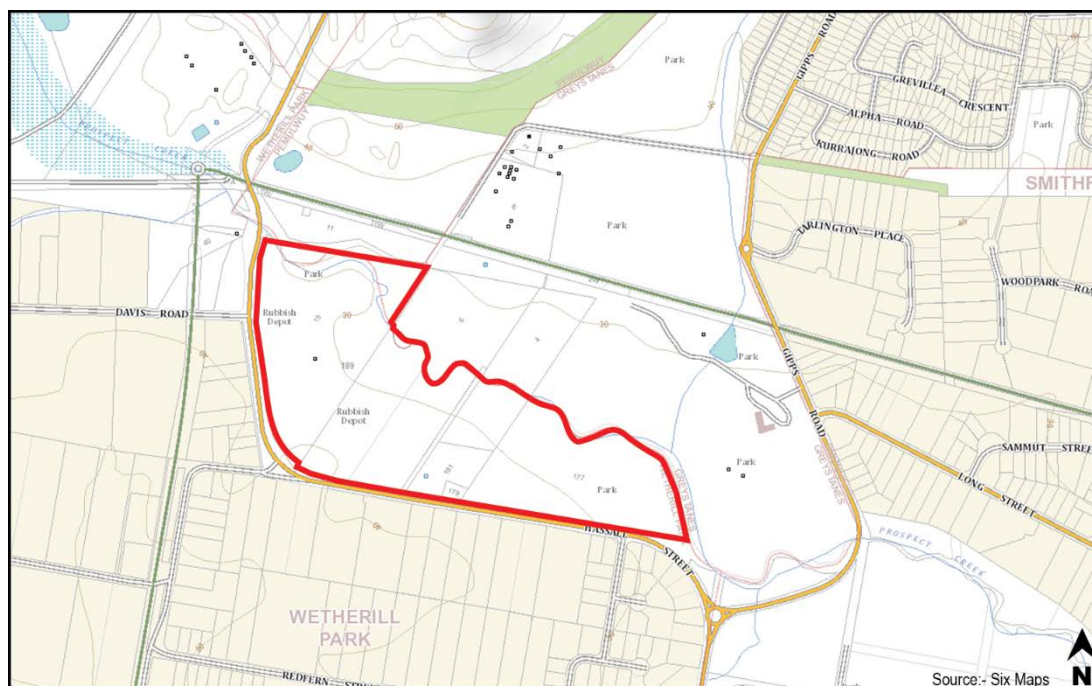


Figure 1 Locality Plan

The site was used for land-fill during the 1980s and as a result has a modified and raised land mass which is generally flat and drops to natural ground level to the north and northeast of the site where the land adjoins Prospect Creek. Due to previous land uses, the majority of the vegetation on the site has been removed, with the exception of vegetation proximate to Prospect Creek, along the Canal Road gully and within the landscaped setbacks to Widemere Road and Hassall Street. As discussed under heading 7.5 Flora and Fauna, some of this vegetation may be remnant forest.

The SRC operation comprises the majority of the site and includes the following development:

- Single storey office building;

- weighbridge;
- car parking areas;
- Concrete materials storage bays;
- Materials crushing and mixing plant machinery;
- Pug mill;
- Water retention dams;
- Trucks, utility vehicles, and earthmoving and road building equipment;
- Vehicle circulation roadways; and
- Stockpiles of crushed materials.

The site has two access points off Widemere Road, including a primary entrance for the SRC site and a secondary entrance providing access to the waste depot and recycling facility in the northern end of the site.



Figure 2: Aerial photograph of the site

3.0 Existing Development

In December 1996 development consent was granted for a Roads Materials Recycling Centre and the application was approved with a processing capacity of 180,000 tonnes per annum. The SRC accepts construction and demolition waste including roof tiles, clay bricks, concrete and asphalt. The construction waste is crushed or milled to produce recycled materials such as sand, road base, cement stabilised sands and aggregates for use in civil construction, landscaping and domestic building applications.

In December 2003, Council granted development consent for office buildings and concrete storage bins and in November 2013, Council granted development consent for site improvements including replacement of the weighbridge, associated wheel wash facility and alterations to the existing car parking facility.

In 2013, a section 96 modification application was also approved to modify development consent No. 478/95 to replace the pug mill (blending/ mixing) plant on the Site. This work been undertaken and the new pug mill is operational.

The SRC is a scheduled resource recovery and waste storage facility licensed by the Environmental Protection Authority under the *Protection of Environment Operations Act 1997* (PoEO Act). A copy of the current licence is included at **Attachment 2**. The SRC operates under the Licence Conditions issued by the Environmental Protection Authority. Ongoing site improvement have been made to ensure the SRC operates in compliance the Environment Protection Licence (EPL).

Under the terms of EPL No. 5713, the facility can store and process the following waste for resource recovery:

- Virgin excavated natural material (VENM);
- Building and demolition waste;
- Asphalt waste (including asphalt resulting from road construction and waterproofing);
- Soils.

The EPL does not impose a limit on the volume of resource recovery material that can be received and processed nor limit waste storage. However, the EPL licence sets the height of any waste stockpile at a maximum of 8m.

Since the commencement of the SRC, it has continued to grow and now processes in excess of 180,000 tonnes of material per annum and accepts demolition and construction waste in addition to excavated material from road construction and maintenance activities.

The SRC hours of operation are:

- Monday to Friday 7am – 4pm; and
- Saturday 7am – 4pm.

4.0 Development Description

The proposed development is for an expansion of the SRC to increase its processing capacity to up to 750,000 tonnes of recycled materials per year. The concrete crushing plant has the capacity to process up to 600,000 tonnes of waste material per annum and the pug mill has the capacity to process up to 150,000 tonnes of waste material per annum.

The proposal is also seeking to fill a gully running north-south through the centre of the site, known locally as 'Canal Road'. The old reserve for Canal Road has been extinguished and the land (now Lot 100 1220637) is under the ownership of Fairfield Council. The gully will be filled with VENM and potentially stockpiled material.

The filling of the 'Canal Road' (an unmade road) will create a more level site and operational efficiencies. This will ensure that the SRC is also capable of accommodating future industrial activities on the Site.

The area of the proposed expansion is shown in **Figure 3**. Some of this area has been used for temporary stockpiling of excess material. A small water retention dam is also located on this part of the site and the water used for dust suppression watering.



Figure 3: Proposed expansion area

Consistent with its current operations, the SRC proposes to receive, recycle and store the following waste:

- Virgin excavated natural material;
- Building and demolition waste including roof tiles, clay bricks, concrete;
- Asphalt waste (including asphalt resulting from road construction and waterproofing);
- Soils.

The construction waste is crushed or milled to produce recycled materials such as sand, road base, and aggregates for use in civil construction, landscaping and domestic building applications. The SRC will store waste materials and stockpile recycled products.

No change to the SRC operating hours is proposed. The facility will accept and deliver recycled material 6 days per week as per the existing operating hours

5.0 Relevant Environmental Planning Instruments

5.1 State Environmental Planning Policy (State and Regional Development) 2011

As noted above the proposed expanded of the SRC meets the criteria for SSD pursuant to Clause 23(3) of Schedule 1 of SEPP SRD. Clause 23(3) identifies development for the purpose of resource recovery or recycling facilities that handle more than 100,000 tonnes per year of waste as SSD.

A resource recovery facility is defined as a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.

In accordance with Section 89(D) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) the Minister for Planning (or his delegate) is the consent authority for the proposed development.

The proposed intensification of the SRC is also considered to be within the classification of Designated Development, pursuant to Part 2 of Schedule 3 of the EP&A Regulation, being a waste management facility or work that stores and recycles more than 30,000 tonnes per year of building demolition material. However, in accordance with Section 77A of the EP&A Act designated development does not include SSD, despite it being declared in the EP&A Regulation. Both SSD and Designated development require the preparation of an EIS.

5.2 State Environmental Planning Policy (Infrastructure) 2007

Part 3, Division 23 of the State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure) provides that a waste of resource management facility (including a resource recovery facility) is permissible with consent in a prescribed zone. The site is zoned IN1 General Industrial which is a prescribed zone and accordingly the proposal is permissible with consent.

5.3 State Environmental Planning Policy No.55 – Remediation of Contaminated Land

The site is a former landfill site and therefore there is potential for contaminants from previous landfill to be located on the site and potential for leaching from the previous landfill. In addition, there is the potential for demolition and construction waste to be contaminated, including the presence of asbestos.

A Detailed Site Investigation will be undertaken to identify areas of environmental concern, if any. Subject to the findings of the Detailed Site Investigation, a Remediation Action Plan (if required) will be prepared.

5.4 Fairfield Local Environmental Plan 2013

The land on which the SRC is located is zoned IN1 General Industrial under Fairfield Local Environmental Plan 2013 (FLEP). A waste or resource management facility, including a resource recovery facility is permissible with consent in the IN1 General Industrial zone

The objectives of the IN1 General Industrial Zone are as follows:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*
- *To ensure development is not likely to detrimentally affect the viability of any nearby business centre.*

The proposed development is consistent with the relevant zone objectives as the SRC is an industrial activity that provides employment opportunities and the facility offers services in high demand.

Land along Prospect Creek on the site is zoned E2 Environmental Conservation and part of the site at its eastern extent is zoned RE 1 Public Recreation. No works are proposed in the E2 Environmental Conservation or RE1 Public Recreation zoned land.

The site zoning is shown in **Figure 4**.

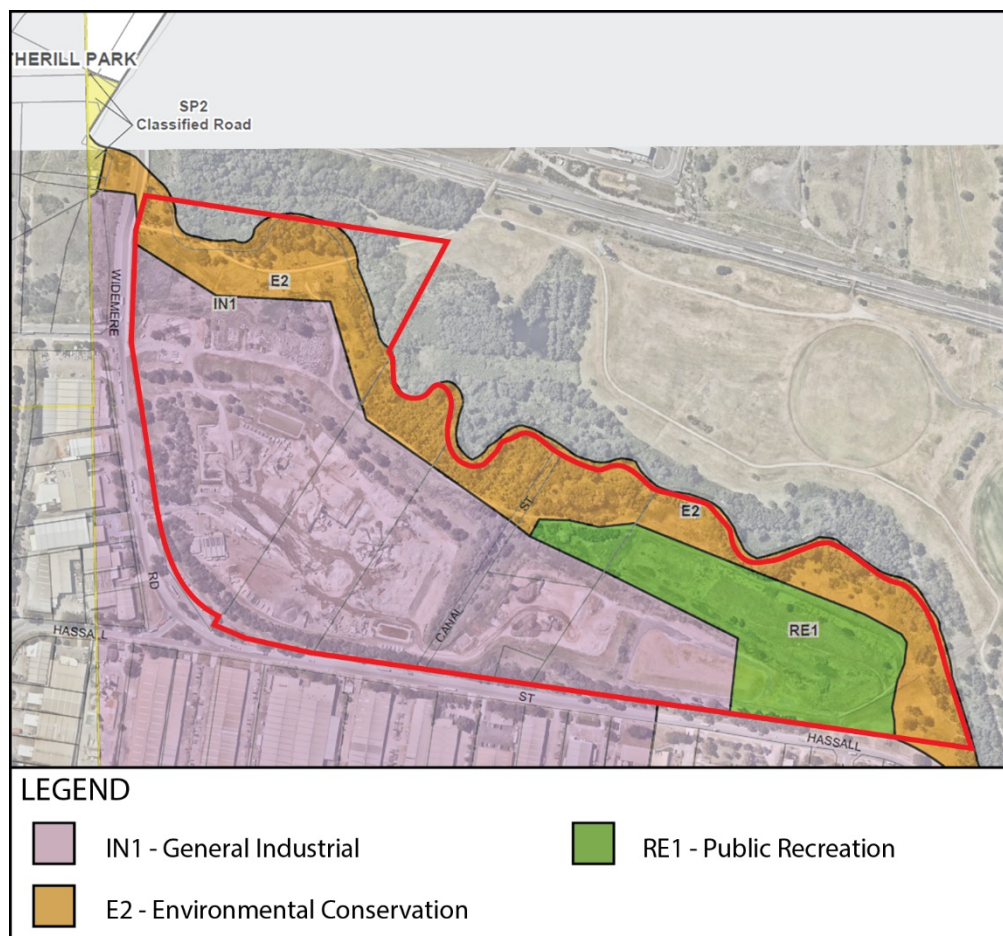


Figure 4: Zoning on aerial overlay

6.0 Fairfield Development Control Plan

There are no specific development controls for developments waste management facilities however there are general controls relating to industrial development, which where relevant, will be addressed in the EIS. However, it is noted that DCPs do not apply to SSD.

7.0 Potential Environment Impacts

An Environmental Impact Statement (EIS) for the development will be prepared in accordance with the requirements of Clauses 6 and 7 of Schedule 2 of the EP&A Regulation and include a detailed description of the development and summary of existing and proposed operation.

The likely impacts of the Proposal are discussed below and will be addressed in detail within the EIS required to accompany the SSD DA submission. In summary, the proposal is for an expansion of existing activities on the site and the key environmental issues associated with the expansion of the facility include:

- Air quality;
- Noise and vibration;
- Traffic and transport impacts;
- Flora and fauna impacts;
- Water quality, flooding and drainage;

- Visual impact;
- Waste management; and
- Site Contamination.

These issues are briefly discussed below.

7.1 Air Quality

Waste for recycling and processing will be stockpiled on site and therefore there is the potential for airborne dust. The processing and crushing of waste material and moving of stockpiles also has the potential to generate dust. Dust is also potentially generated from vehicles entering and exiting the site.

Dust control mitigation and management measures include:

- Limiting the maximum height of stockpiles;
- Regular watering of internal roads and trafficked areas;
- Regular site maintenance;
- Monthly dust monitoring; and
- No stockpiling or screening activities during excessively windy weather conditions.

The site currently has five dust monitors located throughout the site.

7.2 Noise

Site related noise emissions are generated from fixed and mobile plant and equipment and include:

- Vehicle movements such as trucks, front end loaders, excavators and dozers;
- Pug mill (note the pug mill operation has an existing approval);
- Reversing alarms on trucks, excavators etc.

The nearest residential receivers to the site are located approximately 900m to the north-east and south-east. Whilst the residential development is relatively remote from the site there is potential for the site operations to generate noise. An Acoustic Assessment will be prepared and submitted with the EIS.

7.3 Water Quality, Flooding and Stormwater Drainage

It is envisaged that the proposal will increase the demand for water due to the additional dust suppression measures required on internal roads and stockpile areas and as well as the water used by the pug mill during processing of materials. The SRC currently has a licence to draw water from Prospect Creek for use in the pug mill and for dust suppression and the SRC will continue to draw water from the creek under the terms of its licence.

The recently replaced pug mill plant is capable of a higher blending/mixing capacity than the previous pug mill. The blending/mixing capacity of the pug mill was increased so that replacement of the pug mill plant is not required, should consent for intensification of the SRC be approved. The pug mill operates for approximately 8 hours per day, 5 days per week.

The site is adjacent to Prospect Creek and is at the upper end of a flood detention basin known as the Hassall Street basin. The northern part of the site is potentially affected by flooding from Prospect Creek. The area subject to flooding includes a small area of the Canal Road gully. A flood assessment will be undertaken to assess the potential impacts and ensure that there is no loss in flood storage volume as a result of the proposed works.

A water quality report will also be prepared and submitted with the EIS to address potential water quality impacts resulting from the filling of the Canal Road gully and stormwater runoff. Drainage through the gully will be considered and designed as necessary. Erosion and sediment control measures for the expanded site will be detailed in the EIS and will include the use of the existing sediment basins.

7.4 Traffic Impacts

The site has two access points off Widemere Road, including a primary entrance for the SRC site and a secondary entrance providing access to the waste depot and recycling facility in the northern end of the site. No change to site access arrangements is currently proposed.

The expanded capacity of the SRC has the potential to generate additional truck and vehicle movements as the site will have the capacity to store and generate higher volumes of recycled material. A Traffic Impact Assessment will be prepared and submitted with the EIS.

7.5 Flora and Fauna

The majority of the site is substantially cleared of vegetation, with some scattered trees along the Widemere Road and Hassall Street frontages. The 'Canal Road' gully is also vegetated and generally comprises a mix of exotic and weed species. Some remnant native vegetation and regrowth native vegetation is present on the site, generally in the vicinity of Prospect Creek. Prospect Creek and associated riparian vegetation traverse the site along its northern boundary which is zoned E2 Environmental Conservation.

Previous ecological studies have identified scattered patches of remnant and regrowth Forest Red Gum, which may be considered to be part of the Cumberland Plain Endangered Ecological Community.

A few patches of remnant Cabbage Gum, Cabbage Gum/Swamp Oak, Rough-barked Apple/Forest Red Gum, Rough-barked Apple/Swamp Oak and pure Swamp Oak vegetation which may constitute River-flat Eucalypt Forest on Coastal Floodplains (RFEF) were observed in the north western portion of the site. RFEF is an Endangered Ecological Community.

The site provides only limited flora habitat, however birds, frogs, mammals, reptiles and amphibians have been recorded on the site. No threatened species have previously been recorded on the site.

The majority of vegetation on the site is highly modified, and has been significantly altered from its original condition by earthworks, clearing, disturbances to natural soil and weed-infestation. As the vegetated area of the site will be impacted a flora and fauna report will be prepared and submitted with the EIS. The flora and fauna report will include a 7-part test (if necessary) to determine whether there will be a significant impact on threatened species.

7.6 Visual Impact

There are no residences within immediate proximity to the site, with the closest residential areas approximately 900m from the site. Due to the topography, surrounding vegetation and other industrial developments adjacent to the site, the site cannot be seen from the closest nearby residences.

There are local playing fields adjoining to the site to the north, on the northern side of Prospect Creek. From the playing fields there are views across to the site, however the playing fields sit well below the level of the SRC and are views are partially screened by vegetation.

A Visual Impact Assessment will be prepared and submitted with the EIS.

7.7 Waste Management

The proposed expansion of the SRC will seek to process and recycle the majority (TBC) of building and demolition waste brought onto the site and therefore there should be minimal solid waste generated by the development.

Waste brought onto the site is visually inspected to identify the presence of asbestos and other potentially contaminating material. Material brought onto the site that is not processed through the pug mill or crushed by the crushing plant may be used to fill the canal road gully or will be disposed of at another appropriate waste management facility. All waste will be classified (where required), stored and disposed in accordance with the Waste Classification Guidelines, Part 1: Classifying Waste (OEH, 2008). The requirements of the POEO Act will also be met during filling works and the operation of the SRC.

Domestic and general waste generated by on-site workers will be removed from the site by normal Council waste collection services.

7.8 Site Contamination

The site is a former landfill that has been capped and the integrity of the capping needs to be maintained and carefully managed during the site filling work. The site also includes stockpiles of recycled and recovered waste and a contamination assessment of the stockpiled material will be undertaken prior to its use as landfill. If necessary, a Remediation Action Plan will be prepared and site remediation undertaken.

8.0 Justification

The SRC has been operating for approximately 20 years and is experiencing ongoing demand for both the disposal of recyclable construction waste and for the purchase of recycled material. The proposal will allow for the filling on a narrow gully within the site and provide a small area of additional landfill capacity. The filling of the gully will provide operational efficiencies and allow for longer terms growth in the recycling and recovering of construction waste materials.

The concrete crushing plant and pug mill have the operational capacity to process 750,000 tonnes of waste material and the Proposal will allow the SRC to increase its handling and processing of construction waste. The pug mill has recently been replaced and the expansion of the resource recovery facility is on a former landfill site that has been highly disturbed. The services provided by the SRC help reduce the volume of construction and demolition waste that would otherwise be disposed of at landfill sites in Sydney. The proposal to expand the SRC will contribute to its economic viability and creation of local employment opportunities.

9.0 Conclusion

The Proposal is classified as SSD on the basis that it falls within the requirements of Clause 23(3) of Schedule 1 of SEPP SRD, being a resource recovery or recycling facility that handles more than 100,000 tonnes per year of waste.

DFP trusts that the information contained in this submission is sufficient to enable the Secretary to issue the environmental assessment requirements for an EIS. Should there be any further queries please do not hesitate to contact Kirk Osborne or Stephen Earp on 9980 6933.



Yours faithfully
DFP PLANNING PTY LTD

A handwritten signature in black ink that reads 'K. Osborne'.

KIRK OSBORNE
PRINCIPAL PLANNER

Reviewed: A handwritten signature in black ink that reads 'W. Gosling'.

Encl: Attachment 1 – Site Map
Attachment 2 – Environment Protection Licence



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ATTACHMENT I



Water Storage

Main Site Entry

Car Parking Area

Weighbridge

Office Building

Maintenance Shed

Material Storage Bays

Pug Mill

Crushing Plant

Stockpile Area

Canal Rd Fill Area

Water Storage



Source: Nearmap



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ATTACHMENT 2

Environment Protection Licence



Licence - 5713

Licence Details	
Number:	5713
Anniversary Date:	04-September

Licensee
FAIRFIELD CITY COUNCIL
PO BOX 21
FAIRFIELD NSW 1860

Premises
SUSTAINABLE RESOURCE CENTRE
HASSALL STREET
WETHERILL PARK NSW 2164

Scheduled Activity
Resource Recovery
Waste Storage

Fee Based Activity	Scale
Recovery of general waste	> 0 T recovered
Waste storage - other types of waste	> 0 T stored

Region
Waste & Resources - Waste Management
59-61 Goulburn Street
SYDNEY NSW 2000
Phone: (02) 9995 5000
Fax: (02) 9995 5999
PO Box A290 SYDNEY SOUTH
NSW 1232

Environment Protection Licence



Licence - 5713

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Environment Protection Licence

Licence - 5713



Information about this licence

Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

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The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

This licence is issued to:

FAIRFIELD CITY COUNCIL
PO BOX 21
FAIRFIELD NSW 1860

subject to the conditions which follow.

Environment Protection Licence

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1 Administrative Conditions

A1 What the licence authorises and regulates

- A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

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

Scheduled Activity	Fee Based Activity	Scale
Resource Recovery	Recovery of general waste	> 0 T recovered
Waste Storage	Waste storage - other types of waste	> 0 T stored

A2 Premises or plant to which this licence applies

- A2.1 The licence applies to the following premises:

Premises Details
SUSTAINABLE RESOURCE CENTRE
HASSALL STREET
WETHERILL PARK
NSW 2164
LOT 35 DP 3082, LOT 37 DP 3082, LOT 1 DP 368374, LOT 1 DP 515773, PART LOT 1 DP 620755, LOT 2 DP 620755, LOT 34 DP 657040

A3 Information supplied to the EPA

- A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

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- P1.1 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

3 Limit Conditions

L1 Pollution of waters

- L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

L2 Waste

- L2.1 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.

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

Code	Waste	Description	Activity	Other Limits
NA	Virgin excavated natural material	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Waste storage Resource recovery	NA
NA	Building and demolition waste	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Waste storage Resource recovery	NA
NA	Asphalt waste (including asphalt resulting from road construction and waterproofing works)	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Waste storage Resource recovery	NA
NA	Soils	Soil that meet the CT1 thresholds for General Solid Waste in Table 1 of the Waste Classification Guidelines as in force from time to time with the exception of the maximum threshold values for contaminants specified in the 'Other Limits' column	Waste storage Resource recovery	Arsenic 40mg/kg; Cadmium 2mg/kg; Copper 200mg/kg; Mercury 1.5mg/kg; Zinc 600mg/kg; Petroleum Hydrocarbons C6-C9 150mg/kg; Petroleum Hydrocarbons C10-C36

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1600mg/kg;
Polycyclic aromatic hydrocarbons
80mg/kg;
Polychlorinated biphenyls (individual)
1mg/kg. No Acid Sulfate Soil or Potential Acid Sulfate Soil is to be received at the Premises. Soil thresholds will be subject to review from time to time.

NA	Waste	Any waste received on site that is below licensing thresholds in Schedule 1 of the POEO Act, as in force from time to time	-	NA
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- L2.2 The height of any stockpile of waste at the premises must not exceed the height limit of eight (8) metres.
- L2.3 The licensee must install and maintain stockpile height markers at the premises. The markers must show the stockpile height limit of eight (8) metres and be positioned so that a visual check can be made of all stockpiles at the premises.

Note: Asbestos

The licensee must comply with the conditions as specified in this licence or where no specific conditions are outlined in this licence, the licensee must comply with the Protection of the Environment Operations (Waste) Regulation 2005.

L3 Noise limits

- L3.1 Noise from the premises must not exceed:
 - a) an LA10 (15 minute) noise emission criterion of 65 dB(A) (7am to 10pm); and
 - b) at all other times, an LA10 (15 minute) noise emission criterion of 55 dB(A).

Noise from the premises is to be measured at any point within one metre of the plant boundary to determine compliance with this condition. 5 dB(A) must be added to the measured level if the noise is substantially tonal or impulsive in character.

- L3.2 Noise from the premises must not exceed an LA10 (15 minute) noise emission criterion of 49dB(A).

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Noise from the premises is to be measured at any point within one metre of any residential boundary or other noise sensitive area to determine compliance with this condition. 5 dB(A) must be added to the measured level if the noise is substantially tonal or impulsive in character.

L3.3 The crushing, grinding and separating must not be operated on the premises:

- a) between the hours of 4:30pm and 7am, Monday to Friday;
- b) before 7am and after 4:00pm Saturdays, and
- c) on Sundays or Public Holidays.

L4 Potentially offensive odour

L4.1 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

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.

L5 Other limit conditions

L5.1 The authorised amount of waste permitted on the premises cannot exceed 250,000 tonnes at any time.

4 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:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) 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

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- O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

O4 Emergency response

- O4.1 The licensee must maintain, and implement as necessary, a current emergency response plan for the premises. The licensee must keep the emergency response plan on the premises at all times. The emergency response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. If a current emergency response plan does not exist at the date on which this condition is attached to the licence, the licensee must develop an emergency response plan within three months of that date.

O5 Processes and management

- O5.1 The licensee must ensure that any general solid waste (non-putrescible) for storage or resource recovery at the premises is assessed and classified in accordance with the DECC Waste Classification Guidelines as in force from time to time.
- O5.2 The licensee must ensure that each waste for recovery/recycling is stockpiled separately.

5 Monitoring and Recording Conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- a) in a legible form, or in a form that can readily be reduced to a legible form;
 - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
 - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- a) the date(s) on which the sample was taken;
 - b) the time(s) at which the sample was collected;
 - c) the point at which the sample was taken; and
 - d) the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

M2.1 Monitor Dust Deposition

The licensee must monitor and record deposited particulate matter in accordance with Australian

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Standard 3580.10.1 (1991) at each monitoring site identified in Figure 7.1 of the Environmental Management Plan for the Road Materials Recycling Centre, November 1996.

M3 Recording of pollution complaints

- M3.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M3.2 The record must include details of the following:
- a) the date and time of the complaint;
 - b) the method by which the complaint was made;
 - c) 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 licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - f) if no action was taken by the licensee, the reasons why no action was taken.
- M3.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M3.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M4 Telephone complaints line

- M4.1 The licensee 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.
- M4.2 The licensee 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.
- M4.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

M5 Other monitoring and recording conditions

- M5.1 The licensee must keep a record of each load of Soil, as referred to under Condition L3.1, that is received at the premises. The record must include, but not necessarily be limited to, the following:
- a) a copy of the waste classification report in accordance with the Waste Classification Guidelines, including the classification and the limits specified in the L3.1 table;
 - b) the quantity (in tonnes) of the Soil received;
 - c) the date and time that the Soil were received;
 - d) the registration number of the vehicle transporting the Soil to the premises;
 - e) the name and contact details of the company or individual delivering the Soil to the premises;
 - f) the source(s) and address from where the Soil were received;

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The record must be retained at the premises for at least 4 years after the receipt of the load of the soil.
The record must be produced to any authorised officer of the EPA upon request.

6 Reporting Conditions

R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
- a) a Statement of Compliance; and
 - b) a Monitoring and Complaints Summary.

At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

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

- R1.3 Where this licence is transferred from the licensee 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.

- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee 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.

- 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').

- R1.6 The licensee 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.

- 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.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

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

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R2 Notification of environmental harm

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- a) where this licence applies to premises, an event has occurred at the premises; or
 - b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, 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 licensee 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) the cause, time and duration of the event;
 - b) the 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 licensee, 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 licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
 - e) action taken by the licensee 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 licensee. The licensee must provide such further details to the EPA within the time specified in the request.

7 General Conditions

G1 Copy of licence kept at the premises or plant

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

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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.

8 Special Conditions

E1 Environmental Obligations of Licensee

E1.1 While the licensee's premises are being used for the purpose to which the licence relates, the licensee must:

- a) Clean up any spill, leak or other discharge of any waste(s) or other material(s) as soon as practicable after it becomes known to the licensee or to one of the licensee's employees or agents.
- b) In the event(s) that any liquid and non-liquid waste(s) is unlawfully deposited on the premises, such waste(s) must be removed and lawfully disposed of as soon as practicable or in accordance with any direction given by the EPA.
- c) Provide all monitoring data as required by the conditions of this licence or as directed by the EPA.

E1.2 In the event of an earthquake, storm, fire, flood or any other event where it is reasonable to suspect that a pollution incident has occurred, is occurring or is likely to occur, the licensee (whether or not the premises continue to be used for the purposes to which the licence relates) must:

- a) make all efforts to contain all firewater on the licensee's premises,
- b) make all efforts to control air pollution from the licensee's premises,
- c) make all efforts to contain any discharge, spill or run-off from the licensee's premises,
- d) make all efforts to prevent flood water entering the licensee's premises,
- e) remediate and rehabilitate any exposed areas of soil and/or waste,
- f) lawfully dispose of all liquid and solid waste(s) stored on the premises that is not already securely disposed of,
- g) at the request of the EPA monitor groundwater beneath the licensee's premises and its potential to migrate from the licensee's premises,
- h) at the request of the EPA monitor surface water leaving the licensee's premises; and
- i) ensure the licensee's premises is secure.

E1.3 After the licensee's premises cease to be used for the purpose to which the licence relates or in the event that the licensee ceases to carry out the activity that is the subject of this licence, that licensee must:

- a) remove and lawfully dispose of all liquid and non-liquid waste stored on the licensee's premises; and
- b) rehabilitate the site, including conducting an assessment of and if required remediation of any site contamination.

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Dictionary

General Dictionary

3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

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TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste

Mr Tim Gilbert

Environment Protection Authority

(By Delegation)

Date of this edition: 19-June-2000

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End Notes

- 1 Licence varied by notice 1015000, issued on 14-Feb-2002, which came into effect on 11-Mar-2002.
- 2 Typographical error
- 3 Licence varied by notice 1027570, issued on 26-Jun-2003, which came into effect on 21-Jul-2003.
- 4 Licence varied by notice 1040466, issued on 10-Nov-2004, which came into effect on 05-Dec-2004.
- 5 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 6 Licence varied by notice 1093309, issued on 02-Mar-2009, which came into effect on 02-Mar-2009.
- 7 Licence varied by notice 1113286, issued on 14-Jul-2010, which came into effect on 14-Jul-2010.
- 8 Licence varied by notice 1504792 issued on 26-Apr-2012
- 9 Licence varied by notice 1517502 issued on 15-Sep-2014
- 10 Licence varied by notice 1532945 issued on 15-Oct-2015
- 11 Licence format updated on 09-Feb-2016