

Development Consent

Section 4.38 of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces under delegation executed on 26 April 2021, I approve the Development Application referred to in Schedule 1, subject to the conditions specified in Schedule 2.

These conditions are required to:

- prevent, minimise, or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development



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A/Director
Industry Assessments

Sydney

30 September 2021

File: EF20/23514

SCHEDULE 1

Application Number:	SSD-10474
Applicant:	ReDirect Recycling Pty Ltd
Consent Authority:	Minister for Planning and Public Spaces
Site:	Lot 143 in DP 1013185 25 Dunheved Circuit, St Marys
Development:	Operation of a resource recovery facility with a capacity to process up to 150,000 tonnes per annum of wood and timber, plasterboard and metal waste and installation of additional waste processing equipment

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DEFINITIONS

Applicant	ReDirect Recycling Pty Ltd, or any person carrying out any development to which this consent applies
BCA	Building Code of Australia
Calendar year	A period of 12 months commencing on 1 January
Certifier	A council or an accredited certifier (including principal certifiers) who is authorised under section 6.5 of the EP&A Act to issue Part 6 certificates
Conditions of this consent	Conditions contained in Schedule 2 of this document
Construction	The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and other infrastructure permitted by this consent.
Council	Penrith City Council
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Decommissioning	The controlled process of safely retiring a facility from service, including decontamination, dismantling and disposal after the cessation of operations.
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning, Industry and Environment
Development	The development described in Schedule 1, the EIS, Response to Submissions and Supplementary Information, including the works and activities comprising the fit out and operation of a resource recovery facility, as modified by the conditions of this consent.
Development layout	The plans at C1 of this consent
EIS	The Environmental Impact Statement titled ' <i>Proposed Increased Throughput at Existing Resource Recovery Facility - Wood/Plasterboard Recycling, 25 Dunheved Circuit, St Marys, SSD 10474</i> ' prepared by ReDirect Recycling, dated 25 February 2021, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
Environment	As defined in section 1.4 of the EP&A Act
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPL	Environment Protection Licence under the POEO Act
Evening	The period from 6 pm to 10 pm
FRNSW	Fire and Rescue NSW
Incident	An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance Note: "material harm" is defined in this consent
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Material harm	Is harm that: <ul style="list-style-type: none"> a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)
Minister	NSW Minister for Planning and Public Spaces (or delegate)
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring

Monitoring	Any monitoring required under this consent must be undertaken in accordance with section 9.40 of the EP&A Act
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
Non-compliance	An occurrence, set of circumstances or development that is a breach of this consent
OEMP	Operational Environmental Management Plan
Operation	The receipt, processing and storage of wood, plasterboard and metal waste as described in the EIS and RTS
Principal Certifier	The certifier appointed as the principal certifier for the building work under section 6.6(1) of the EP&A Act or for the subdivision work under section 6.12(1) of the EP&A Act.
Planning Secretary	Planning Secretary under the EP&A Act, or nominee
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Means applying judgement in arriving at a decision, taking into account: mitigation benefits, costs of mitigation versus benefits provided, community views, and the nature and extent of potential improvements.
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting.
Response to submissions	The Applicant's response to issues raised in submissions received in relation to the application for consent for the development under the EP&A Act and includes the document <i>Proposed Increased Throughput at an Existing Resource Recovery Facility - Wood/Plasterboard Recycling 25 Dunheved Circuit, St Marys, SSD 10474, Response to Submissions Report</i> prepared by Jackson Environment and Planning and dated 27 July 2021
Sensitive receivers	A location where people are likely to work, occupy or reside, including a dwelling, school, hospital, office or public recreational area.
Site	The land defined in C1.
Supplementary Information	The documents provided by the Applicant titled 'Re: Response to Agency Comments – Wood and Plasterboard Recycling Facility, 25 Dunheved Cct, St Marys (SSD-10474)' prepared by Jackson environment and Planning and dated 8 September 2021
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
Year	A period of 12 consecutive months

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development, and any rehabilitation required under this consent.

TERMS OF CONSENT

- A2. The development may only be carried out:
- (a) in compliance with the conditions of this consent;
 - (b) in accordance with all written directions of the Planning Secretary;
 - (c) in accordance with the EIS, Response to Submissions and Supplementary Information;
 - (d) in accordance with the Development Layout in Appendix 1; and
 - (e) in accordance with the management and mitigation measures in Appendix 2.
- A3. Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:
- (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and
 - (b) the implementation of any actions or measures contained in any such document referred to in condition A3(a).
- A4. The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c) or A2(e). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c) or A2(e), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

LIMITS OF CONSENT

Lapsing

- A5. This consent lapses five years after the date from which it operates unless the development has physically commenced on the land to which the consent applies before that date.

Waste

- A6. The Applicant must not receive or process more than 150,000 tonnes of general solid waste (non-putrescible) per year, comprising:
- (a) 110,000 tonnes per year of wood and timber waste;
 - (b) 30,000 tonnes per year of plasterboard; and
 - (c) 10,000 tonnes per year of metal waste.
- A7. The Applicant must not store more than 704 tonnes of general solid waste (non-putrescible) at any one time.

NOTIFICATION OF COMMENCEMENT

- A8. The date of commencement of each of the following phases of the development must be notified to the Department in writing, at least one month before that date, or as otherwise agreed with the Planning Secretary:
- (a) construction;
 - (b) operation;
 - (c) cessation of operations; and
 - (d) decommissioning.
- A9. If the construction or operation or decommissioning of the development is to be staged, the Planning Secretary must be notified in writing, at least one month before the commencement of each stage (or other timeframe agreed with the Planning Secretary), of the date of commencement and the development to be carried out in that stage.

SURRENDER OF EXISTING CONSENTS OR APPROVALS

- A10. Within 12 months of the date of commencement of development to which this consent applies, or within another timeframe agreed by the Planning Secretary, the Applicant must surrender the following existing development consents for the site in accordance with the EP&A Regulation:
- (a) DA01/1034 granted by Penrith Council on 24 July 2001; and

(b) DA15/1042 granted by Penrith Council on 20 June 2016.

A11. Upon the commencement of development to which this consent applies, and before the surrender of existing development consents or project approvals required under condition A109, the conditions of this consent prevail to the extent of any inconsistency with the conditions of those consents or approvals.

Note: *This requirement does not extend to the surrender of construction and occupation certificates for existing and proposed building works under Part 6 of the EP&A Act. The surrender should not be understood as implying that works legally constructed under a valid consent or approval can no longer be legally maintained or used.*

EVIDENCE OF CONSULTATION

A12. Where conditions of this consent require consultation with an identified party, the Applicant must:

- (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and
- (b) provide details of the consultation undertaken including:
 - (i) the outcome of that consultation, matters resolved and unresolved; and
 - (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

A13. With the approval of the Planning Secretary, the Applicant may:

- (a) prepare and submit any strategy, plan or program required by this consent on a staged basis (if a clear description is provided as to the specific stage and scope of the development to which the strategy, plan or program applies, the relationship of the stage to any future stages and the trigger for updating the strategy, plan or program);
- (b) combine any strategy, plan or program required by this consent (if a clear relationship is demonstrated between the strategies, plans or programs that are proposed to be combined); and
- (c) update any strategy, plan or program required by this consent (to ensure the strategies, plans and programs required under this consent are updated on a regular basis and incorporate additional measures or amendments to improve the environmental performance of the development).

A14. If the Planning Secretary agrees, a strategy, plan or program may be staged or updated without consultation being undertaken with all parties required to be consulted in the relevant condition in this consent.

A15. If approved by the Planning Secretary, updated strategies, plans or programs supersede the previous versions of them and must be implemented in accordance with the condition that requires the strategy, plan or program.

PROTECTION OF PUBLIC INFRASTRUCTURE

A16. Before the commencement of construction, the Applicant must:

- (a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure.

A17. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:

- (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and
- (b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

DEMOLITION

A18. All demolition must be carried out in accordance with *Australian Standard AS 2601-2001 The Demolition of Structures* (Standards Australia, 2001).

STRUCTURAL ADEQUACY

A19. All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in accordance with the relevant requirements of the BCA.

Note:

- *Under Part 6 of the EP&A Act, the Applicant is required to obtain construction and occupation certificates for the proposed building works.*
- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the development.*

COMPLIANCE

A20. The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the conditions of this consent relevant to activities they carry out in respect of the development.

OPERATION OF PLANT AND EQUIPMENT

- A21. All plant and equipment used on site, or to monitor the performance of the development, must be:
- (a) maintained in a proper and efficient condition; and
 - (b) operated in a proper and efficient manner.

EASEMENTS

- A22. Within six months of the commencement of operation of the development, an easement, or an alternative arrangement as agreed by the Planning Secretary, under section 88A and/or restriction or public positive covenant under section 88E of the *Conveyancing Act 1919* naming the Council as the prescribed authority, which can only be revoked, varied or modified with the consent of the Council, and which provides for access at the driveway to 21 Dunheved Circuit for vehicles entering and exiting the site must be registered on title of Lot 9 DP 31908.
- A23. Within six months of the commencement of operation of the development, a boundary adjustment between the site (Lot 143 DP 1013185) and Lot 9 DP 31908, or an alternative arrangement as agreed by the Planning Secretary, is to be undertaken so that all on-site detention tanks servicing the site located on Lot 9 DP 31908, are located on the site.

UTILITIES AND SERVICES

- A24. Before the construction of any utility works associated with the development, the Applicant must obtain relevant approvals from service providers.
- A25. Before the commencement of operation, the Applicant must lodge a Feasibility study with Sydney Water for the development which accurately details water and wastewater demands, prepared by a Water Servicing Coordinator. Approval from Sydney Water is also required if it is proposed to discharge trade wastewater to Sydney Water's sewerage system.
- A26. Before the commencement of operation of the development, the Applicant must obtain a Compliance Certificate for water and sewerage infrastructure servicing of the site under section 73 of the *Sydney Water Act 1994*.

APPLICABILITY OF GUIDELINES

- A27. References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.
- A28. However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.

ADVISORY NOTES

- AN1. All licences, permits, approvals and consents as required by law must be obtained and maintained as required for the development. No condition of this consent removes any obligation to obtain, renew or comply with such licences, permits, approvals and consents.

PART B SPECIFIC ENVIRONMENTAL CONDITIONS

TRAFFIC AND ACCESS

Parking

- B1. The Applicant must provide sufficient parking facilities on-site, including for heavy vehicles and for site personnel, to ensure that traffic associated with the development does not utilise public and residential streets or public parking facilities.

Operating Conditions

- B2. The Applicant must ensure:
- (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the development are constructed and maintained in accordance with the latest version of *AS 2890.1:2004 Parking facilities Off-street car parking* (Standards Australia, 2004) and *AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities* (Standards Australia, 2002);
 - (b) all car spaces are to be line marked and dedicated for the parking of vehicles only and not be used for storage of materials;
 - (c) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
 - (d) the site is not to be serviced or accessed by any vehicle greater than 19m in length;
 - (e) all heavy vehicles that are 12.5 metres long or greater access the site by left-in enter and left-out exit only from the Dunheved Circuit driveway;
 - (f) the development does not result in any vehicles queuing on the public road network;
 - (g) heavy vehicles and bins associated with the development are not parked on local roads, footpaths, reserves, parks or vacant land in the vicinity of the site;
 - (h) all vehicles associated with the development are prohibited from parking along Dunheved Circuit, Links Road and the surrounding road network;
 - (i) signage, which is clearly visible from the public road, is placed within the development site to indicate entry and exit at the driveway access on Dunheved Circuit;
 - (j) all vehicles are wholly contained on site before being required to stop;
 - (k) all vehicles are to enter and exit the site in a forward direction;
 - (l) all loading and unloading of materials is carried out on-site;
 - (m) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network;
 - (n) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times; and
 - (o) that the mitigation measures proposed in the memorandum prepared by The Transport Planning Partnership and dated 3 September 2021, included in the Supplementary Information, are installed prior to commencement of operations.

Operational Traffic Management Plan

- B3. Prior to the commencement of operation, the Applicant must prepare an Operational Traffic Management Plan for the development to the satisfaction of the Planning Secretary. The plan must form part of the OEMP required by Condition C2 and must:
- (a) be prepared by a suitably qualified and experienced person(s), in consultation with Council;
 - (b) detail the numbers and frequency of vehicle movements, including light and heavy vehicles, size of heavy vehicles, routes and peak movements and internal pedestrian routes;
 - (c) detail the measures to be implemented to ensure road safety and network efficiency throughout operation, including:
 - (i) ensuring no queuing or parking of heavy vehicles occurs in Dunheved Circuit, the adjacent reserve, footpaths or the surrounding road network.
 - (ii) redirecting incoming trucks to other facilities to prevent traffic build up and queuing in Dunheved Circuit; and
 - (iii) ensuring there is no conflict of vehicles entering and exiting the site at the driveway entrance, including the mitigation measures proposed in the memorandum prepared by The Transport Planning Partnership and dated 3 September 2021, included in the Supplementary Information;

- (d) detail measures to minimise noise from development related traffic, including procedures for receiving and addressing complaints from the community about development related traffic and noise;
- (e) include a Driver Code of Conduct and induction training that includes procedures for:
 - (i) ensuring drivers implement safe driving practices and adhere to designated routes including prioritising the use of arterial roads and avoiding residential streets;
 - (ii) minimising road traffic noise, particularly during night-time operations;
 - (iii) ensuring drivers adhere to site-specific speed limits.
- (f) include a program to monitor the effectiveness of these measures;
- (g) include procedures for ensuring all heavy vehicles that are 12.5 metres long or greater access the site by left-in enter and left-out exit only from the Dunheved Circuit driveway;
- (h) restrict access to vehicles that are over 19.0 metres long;
- (i) include a Traffic Control Plan (TCP) detailing the onsite measures to be implemented to control the manoeuvring of vehicles in designated areas, and the installation of signage,
- (j) recommend and implement additional traffic management measures where necessary, that have been developed in consultation with Council and to the satisfaction of the Planning Secretary, to maintain road safety and network efficiency throughout operation; and
- (k) include a Workplace Travel Plan detailing measures to promote public transport usage and describing pedestrian and bicycle linkages and end of trip facilities available on site.

B4. The Applicant must:

- (a) not commence operation until the Operational Traffic Management Plan required by Condition B3 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Operational Traffic Management Plan approved by the Planning Secretary for the duration of operation.

WASTE MANAGEMENT

Waste Monitoring Program

B5. From the commencement of operation of the development, the Applicant must implement a Waste Monitoring Program for the development. The program must:

- (a) be prepared by a suitably qualified and experienced person(s) prior to the commencement of operation;
- (b) include suitable provision to monitor the:
 - (i) quantity, type and source of waste received on site; and
 - (ii) quantity, type and quality of the waste outputs produced on site; and
- (c) ensure that:
 - (i) all waste that is controlled under a tracking system has the appropriate documentation prior to acceptance at the site; and
 - (ii) staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos.

Waste Management Plan

B6. Prior to the commencement of operation of the development, the Applicant must prepare a Waste Management Plan for the development to the satisfaction of the Planning Secretary. The Waste Management Plan must form part of the OEMP and be prepared in accordance with Condition C22. The Plan must:

- (a) be prepared in consultation with SafeWork NSW;
- (b) detail the type and quantity of waste to be generated during operation of the development;
- (c) describe the handling, storage and disposal of all waste streams generated on site, consistent with the *Protection of the Environment Operations Act 1997*, Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guideline (Environment Protection Authority, 2014);
- (d) describe the management of any non-conforming waste received at the site, consistent with the 'Standards for managing construction waste in NSW' (EPA, 2019);
- (e) describe the processes and procedures for managing asbestos received at the site;
- (f) detail the materials to be reused or recycled, either on or off site; and
- (g) include the Management and Mitigation Measures included in Appendix 2.

B7. The Applicant must:

- (a) not commence operation until the Waste Management Plan is approved by the Planning Secretary;

- (b) implement the most recent version of the Waste Management Plan approved by the Planning Secretary.

Statutory Requirements

- B8. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.
- B9. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the latest version of EPA's Waste Classification Guidelines Part 1: Classifying Waste (EPA, 2014) and dispose of all wastes to a facility that may lawfully accept the waste.
- B10. The Applicant must retain all sampling and waste classification data for the life of the development in accordance with the requirements of EPA.

Waste Reveal, Loading, Unloading and Storage

- B11. The Applicant must only receive waste on site that is authorised for receipt by an EPL.
- B12. All waste must be stored wholly within the designated waste storage areas.
- B13. All waste must be loaded and unloaded within the designated loading and unloading areas.

SOILS, WATER QUALITY AND HYDROLOGY

Discharge Limits

- B14. The development must comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided for in an EPL.

Stormwater Management System

- B15. Prior to the commencement of operation of the development, the Applicant must design, install and operate a stormwater management system for the development. The system must:
- (a) be designed by a suitably qualified and experienced person(s);
 - (b) be in accordance with the Stormwater Management Plan Report (ref. 10113-002-smp) prepared by Eclipse Consulting Engineers Pty Ltd, dated 13 May 2021, and the Remedial Stormwater Drainage Plan (Drg No. C04-A) prepared by Consulting Engineers Pty Ltd, dated 23 February 2021.
 - (c) be in accordance with applicable Australian Standards; and
 - (d) ensure that the system capacity has been designed in accordance with *Australian Rainfall and Runoff* (Engineers Australia, 2016) and *Managing Urban Stormwater: Council Handbook* (EPA, 1997) guidelines.
- B16. Prior to the commencement of operation of the development, the existing rainwater tank on site is to be replaced or supplemented with an additional tank in order to meet Council's water conservation requirements, to the satisfaction of Council. The tank(s) are to be designed and managed in accordance with the Australian Guidelines for Water Recycling Stormwater Harvesting and Reuse, July 2009.

Surface Water Management Plan

- B17. Prior to the commencement of operation of the development, the Applicant must prepare a Surface Water Management Plan (SWMP) to the satisfaction of the Planning Secretary. The SWMP must be prepared by a suitably qualified and experienced person(s), form part of the OEMP required by Condition C22, and must include:
- (a) a program to monitor surface water flows, quality, storage and use;
 - (b) a maintenance schedule for all stormwater devices and treatment measures;
 - (c) detail the management of wastewater streams on the site, including leachate;
 - (d) surface water impact assessment criteria, including trigger levels for investigating potential adverse surface water impacts; and
 - (e) a protocol for the investigation and mitigation of identified exceedances of the surface water impact assessment criteria.
- B18. The Applicant must:
- (a) not commence operation until the Surface Water Management Plan required by condition B1714 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the Surface Water Management Plan approved by the Planning Secretary for the duration of the development.

AIR QUALITY

Dust Minimisation

- B19. The Applicant must take all reasonable steps to prevent and minimise dust generated during all works authorised by this consent.

- B20. During operation, the Applicant must ensure:
- (a) all loading, unloading, materials handling, sorting, sampling, processing and storage operations are undertaken within a fully enclosed building;
 - (b) no waste, waste derived products and/or finished products, are stored outside of the building at any time;
 - (c) the roller doors of the processing building are kept closed at all times, except when vehicles are entering or exiting the building;
 - (d) a wheel wash at the vehicle egress point is operational and used at all times by trucks exiting the site;
 - (e) all trucks entering and exiting the premises have their loads covered;
 - (f) the following areas are sealed with concrete or asphalt:
 - (i) roads and carparking areas;
 - (ii) operating, storage, unloading and loading areas; and
 - (iii) any unused external surfaces;
 - (g) the site is maintained in a manner that prevents and minimises the emission of air pollutants, including dust;
 - (h) no material, including sediment, is tracked off site;
 - (i) vehicles and plant are switched off when not in use, fitted with pollution reduction devices where reasonably practicable and maintained in accordance with manufacturer's specifications; and
 - (j) a dust suppression system is operational and used at all times when processing materials that create dust.

Air Quality Discharges

- B21. The Applicant must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.

Air Quality Management Plan

- B22. Prior to the commencement of operation of the development, the Applicant must prepare an Air Quality Management Plan (AQMP) to the satisfaction of the Planning Secretary. The AQMP must form part of the OEMP required by Condition C22. The AQMP must:
- (a) be prepared by a suitably qualified and experienced person(s);
 - (b) detail and rank all emissions from all sources of the development, including particulate emissions;
 - (c) describe a program that is capable of evaluating the performance of the operation and determining compliance with key performance indicators;
 - (d) identify the control measures that that will be implemented for each emission source; and
 - (e) nominate the following for each of the proposed controls:
 - (i) key performance indicator;
 - (ii) monitoring method;
 - (iii) location, frequency and duration of monitoring;
 - (iv) record keeping;
 - (v) complaints register;
 - (vi) response procedures; and
 - (vii) compliance monitoring.

- B23. The Applicant must:
- (a) not commence operation under this consent until the AQMP required by condition B22 is approved by the Planning Secretary; and
 - (b) implement the most recent version of the AQMP approved by the Planning Secretary for the duration of the development.

Odour Management

- B24. The Applicant must ensure the development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

NOISE

Hours of Work

- B25. The Applicant must comply with the hours detailed in Table 1, unless otherwise agreed in writing by the Planning Secretary.

Table 1 Hours of Work

Activity	Day	Time
Construction / Fit Out	Monday – Friday	7 am to 6 pm
	Saturday	8 am to 1 pm
Operation	Monday - Sunday	24 hours

- B26. Works outside of the hours identified in condition B25 may be undertaken in the following circumstances:
- works that are inaudible at the nearest sensitive receivers;
 - works agreed to in writing by the Planning Secretary;
 - for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
 - where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Operational Noise Limits

- B27. The Applicant must ensure that noise generated by operation of the development does not exceed the noise limits in Table 2.

Table 2 Noise Limits dB(A)

Location	Day L _{Aeq} (15 minute)	Evening L _{Aeq} (15 minute)	Night L _{Aeq} (15 minute)	Night L _{AMax}
All residential receivers	49	43	38	52

Note Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the Noise Policy for Industry (EPA, 2017) (as may be updated or replaced from time to time). Refer to the plan in Appendix 2 for the location of residential sensitive receivers.

Road Traffic Noise

- B28. Prior to the commencement of operation of the development, the Applicant must prepare a Driver Code of Conduct and induction training for the development to minimise road traffic noise. The Applicant must implement the Code of Conduct for the life of the development.

Operational Noise Management Plan

- B29. Prior to the commencement of the development, the Applicant must prepare an Operational Noise Management Plan (ONMP) for the development to the satisfaction of the Planning Secretary. The ONMP must form part of the OEMP required by Condition C2 and be prepared in accordance with Condition C1. The ONMP must:
- be prepared by a suitably qualified and experienced noise expert;
 - describe the measures to be implemented to manage noise generating activities during operation; and
 - include a complaints management system that would be implemented for the duration of the development.
- B30. The Applicant must:
- not commence construction until the ONMP required by condition B25 is approved by the Planning Secretary; and
 - implement the most recent version of the ONMP approved by the Planning Secretary for the duration of construction.

HAZARDS AND RISK

- B31. The Applicant must store all chemicals, fuels and oils used on-site in accordance with:
- the requirements of all relevant Australian Standards; and
 - the NSW EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* if the chemicals are liquids.

Dangerous Goods

- B32. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with all relevant Australian Standards.

Bunding

- B33. The Applicant must store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Manual* (Department of Environment and Climate Change, 2007).

FIRE SAFETY

- B34. Prior to the commencement of operation of the development, the Applicant is to engage a fire safety engineer or other suitably qualified consultant to prepare the final fire safety design of the development, including firewater containment, in consultation with FRNSW to the satisfaction of the Planning Secretary and include suitable additional provisions for special hazards by specifically addressing Clauses E1.10 and E2.3 of the National Construction Code.
- B35. The premises must have appropriate fire services to be able to respond to a fire event at the facility in accordance with FRNSW 'Fire Safety in Waste Facilities' guidelines.
- B36. Prior to commencement of operation of the development, the Applicant must prepare a Fire Safety Study (FSS) for the development to the satisfaction of the Planning Secretary. The FSS must:
- (a) cover the relevant aspects of the *Department's Hazardous Industry Planning Advisory Paper No. 2, 'Fire Safety Study Guidelines'* and the *New South Wales Government's Best Practice Guidelines for Contaminated Water Retention and Treatment Systems* (NSW HMPCC, 1994);
 - (b) be developed in consultation with and approved by FRNSW;
 - (c) consider the operational capability of local fire agencies and the need for the facility to achieve an adequate level of on-site fire and life safety independence.
- B37. Prior to the commencement of operation of the development, the Applicant must prepare a comprehensive Emergency Response Plan (ERP) for the site in consultation with FRNSW to the satisfaction of the Planning Secretary. The ERP must:
- (a) be prepared by a suitably qualified consultant;
 - (b) specifically address foreseeable on-site and off-site fire events and other emergency incidents;
 - (c) detail the appropriate risk control measures that would need to be implemented in order to safely mitigate potential risks to the health and safety of firefighters and other first responders (including electrical hazards); and
 - (d) detail other risk control measures that could be implemented in a fire emergency caused by any unique hazards specific to the site.

VISUAL AMENITY

Lighting

- B38. The Applicant must ensure the lighting associated with the development:
- (a) complies with the latest version of AS 4282-1997 - *Control of the obtrusive effects of outdoor lighting* (Standards Australia, 1997); and
 - (b) is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

- C1. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) details of:
 - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - (ii) any relevant limits or performance measures and criteria; and
 - (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the development or any management measures;
 - (b) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (c) a program to monitor and report on the:
 - (i) impacts and environmental performance of the development; and
 - (ii) effectiveness of the management measures set out pursuant to paragraph (c) above;
 - (d) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (e) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (f) a protocol for managing and reporting any:
 - (i) incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
 - (ii) complaint;
 - (iii) failure to comply with statutory requirements; and
 - (g) a protocol for periodic review of the plan.

Note: *The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans*

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- C2. The Applicant must prepare an Operational Environmental Management Plan (OEMP) for the development in accordance with the requirements of condition C1 and to the satisfaction of the Planning Secretary.
- C3. As part of the OEMP required under Condition C2 of this consent, the Applicant must include the following:
- (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
 - (b) describe the procedures that would be implemented to:
 - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the development;
 - (ii) receive, handle, respond to, and record complaints;
 - (iii) resolve any disputes that may arise;
 - (iv) respond to any non-compliance;
 - (v) respond to emergencies; and
 - (c) include the following environmental management plans:
 - (i) Operational Traffic (see Condition B3);
 - (ii) Waste (see Condition B6);
 - (iii) Surface Water (see Condition B1715);
 - (iv) Air Quality (see Condition B22);
 - (v) Operational Noise (see Condition B29); and
 - (vi) Emergency Response Plan (see Condition B37)
- C4. The Applicant must:
- (a) not commence operation until the OEMP is approved by the Planning Secretary; and
 - (b) operate the development in accordance with the OEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

REVISION OF STRATEGIES, PLANS AND PROGRAMS

- C5. Within three months of:
- (a) the submission of a Compliance Report under condition C111;
 - (b) the submission of an incident report under condition C77;
 - (c) the submission of an Independent Audit under condition C133;
 - (d) the approval of any modification of the conditions of this consent; or
 - (e) the issue of a direction of the Planning Secretary under condition A2(b) which requires a review,
- the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary must be notified in writing of the outcomes of any review.
- C6. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review required under condition C8, or such other timing as agreed by the Planning Secretary.

Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.

REPORTING AND AUDITING

Incident Notification, Reporting and Response

- C7. The Planning Secretary must be notified in writing via the Major Projects website immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 3.

Non-Compliance Notification

- C8. The Planning Secretary must be notified in writing via the Major Projects website within seven days after the Applicant becomes aware of any non-compliance.
- C9. A non-compliance notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- C10. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Compliance Reporting

- C11. Within six months after the first year of commencement of operation of the development, and in the same month each subsequent year (or such other timing as agreed by the Planning Secretary), the Applicant must submit a Compliance Report to the Planning Secretary reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. Compliance Reports must be prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2020) and must also:
- (a) identify any trends in the monitoring data over the life of the development;
 - (b) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
 - (c) describe what measures will be implemented over the next year to improve the environmental performance of the development.
- C12. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Planning Secretary and notify the Planning Secretary in writing at least seven days before this is done.

Independent Audit

- C13. Within one year of the commencement of operation of the development, and every three years after, unless the Planning Secretary directs otherwise, the Applicant must commission and pay the full cost of an Independent Environmental Audit (Audit) of the development. Audits must:
- (a) be prepared in accordance with the Independent Audit Post Approval Requirements (Department 2020)
 - (b) be led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary; and
 - (c) be submitted to the satisfaction of the Planning Secretary within three months of commissioning the Audit (or within another timeframe agreed by the Planning Secretary).

- C14. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2020), the Applicant must:
- (a) review and respond to each Independent Audit Report prepared under condition C13 of this consent;
 - (b) submit the response to the Planning Secretary and any other NSW agency that requests it, together with a timetable for the implementation of the recommendations;
 - (c) implement the recommendations to the satisfaction of the Planning Secretary; and
 - (d) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Planning Secretary and notify the Planning Secretary in writing at least 7 days before this is done.

Monitoring and Environmental Audits

- C15. Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

Note: For the purposes of this condition, as set out in the EP&A Act, “monitoring” is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an “environmental audit” is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.

ACCESS TO INFORMATION

- C16. At least 48 hours before the commencement of the development and for the life of the development (or such other time as agreed by the Planning Secretary), the Applicant must:
- (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - (i) the documents referred to in condition A2 of this consent;
 - (ii) all current statutory approvals for the development;
 - (iii) all approved strategies, plans and programs required under the conditions of this consent;
 - (iv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;
 - (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
 - (vi) a summary of the current stage and progress of the development;
 - (vii) contact details to enquire about the development or to make a complaint;
 - (viii) a complaint register, updated monthly;
 - (ix) the Compliance Report of the development;
 - (x) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
 - (xi) any other matter required by the Planning Secretary; and
 - (b) keep such information up to date, to the satisfaction of the Planning Secretary.

APPENDIX 1 DEVELOPMENT LAYOUT PLANS

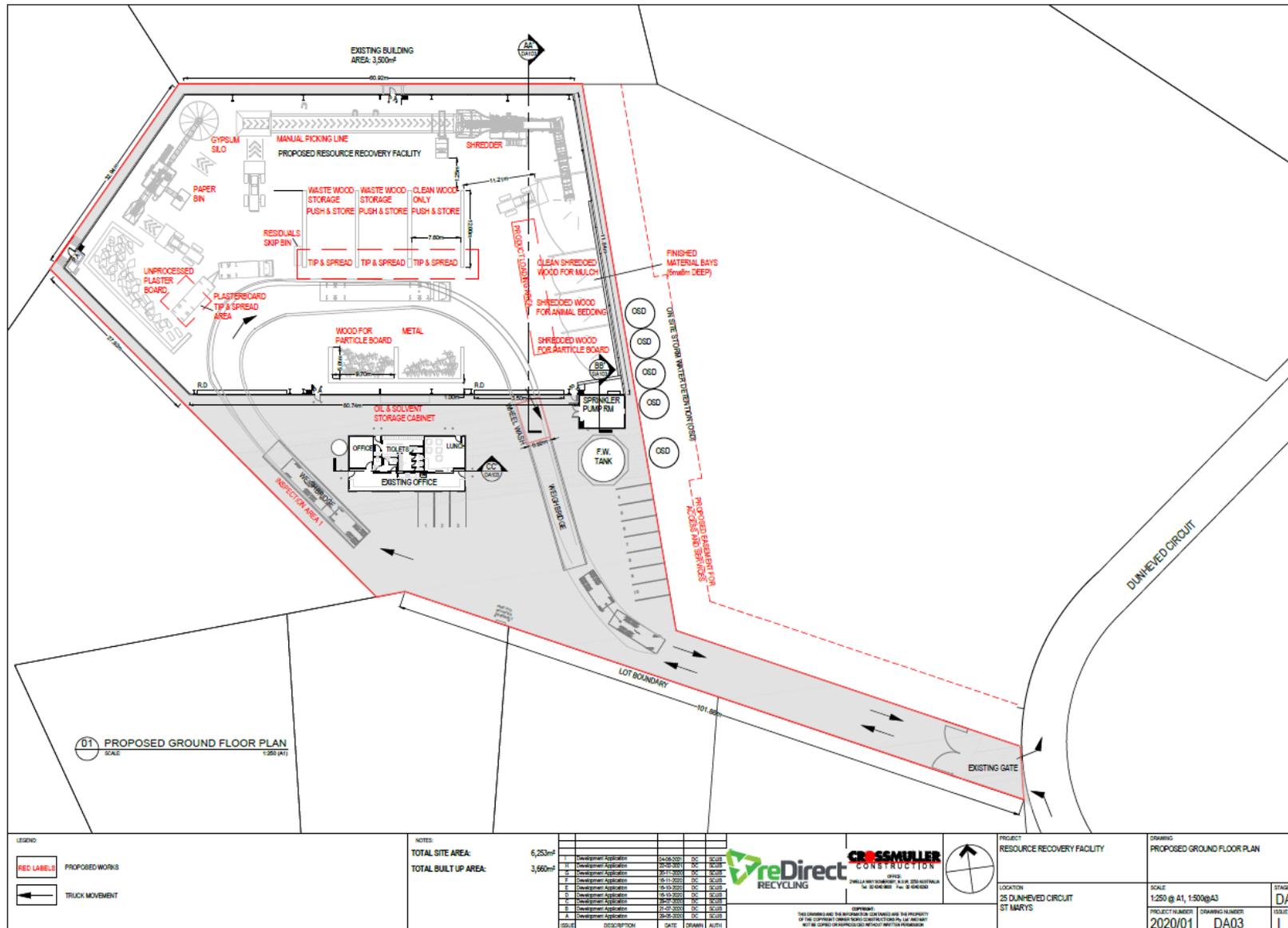
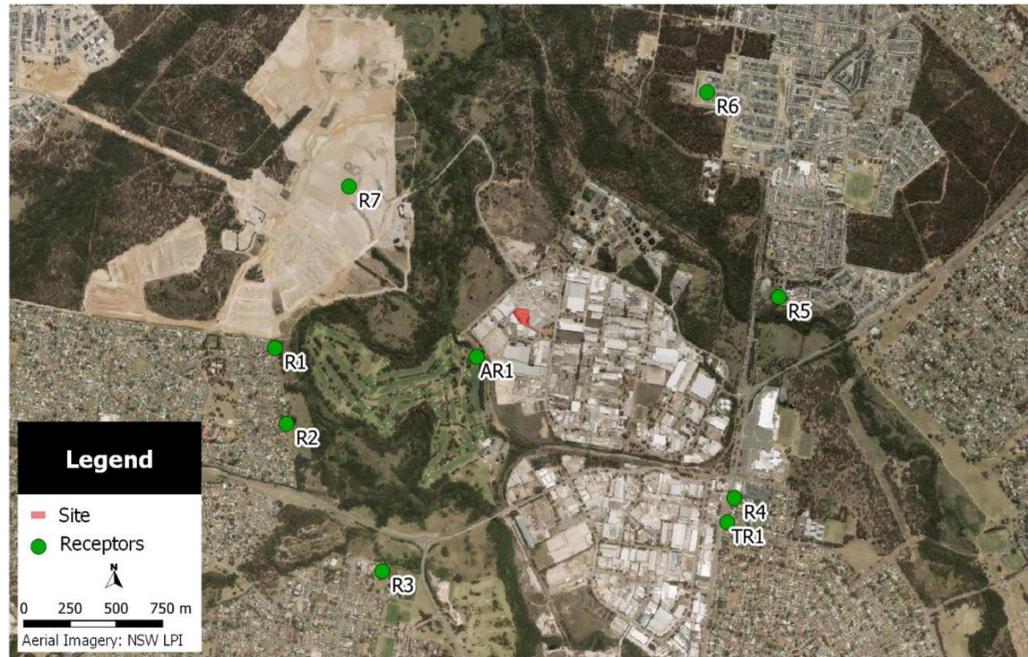


Figure 1: Site Plan



Receiver ID	Land use	Address	Approx. Distance to site
R1	Residential	21 Hartog Drive Werrington County	1,290 m
R2	Residential	12 Poole Street Werrington County	1,390 m
R3	Residential	66 Reid Street Werrington	1,500 m
R4	Residential	199 Forrester Road, North St Marys	1,375 m
R5	Residential	12 Townsend Crescent, Ropes Crossing	1,245 m
R6	Residential	50 Rafter Parade, Ropes Crossing	1,430 m
R7	Residential	St Marys ADI Site Central Precinct	825 m
AR1	Active Recreation (Golf Course)	118-176 Links Road, St Marys	300 m
TR1	Residential	185 Forrester Road, North St Marys	1,440 m

Figure 2: Sensitive Receivers

APPENDIX 2 APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Impact	Potential impact	Mitigation measures	Residual Impact
Air quality	Dust from processing and handling materials	<ul style="list-style-type: none"> All processing and handling will occur inside the warehouse Minimise drop heights for processed and dusty materials Dampen dusty stockpiles, if required Trafficable areas to be swept regularly.] 	The modelling shows any dust will be contained within the warehouse and not impact surrounding areas.
	Emissions from vehicles and fuel-run plant	<ul style="list-style-type: none"> Engines and plant to be switched off when not in use Vehicles and plant to be fitted with pollution reduction devices where practicable Vehicles and plant to be maintained in accordance with manufacturer's specifications Vehicles restricted to designated routes On-site speed limits enforced Vehicle loads to be covered when travelling off-site. 	The mitigation measures will ensure the impact on surrounding areas will be minimal.
Noise and vibration	Noise from processing waste materials	<ul style="list-style-type: none"> All processing and handling will occur inside the warehouse Warehouse roller doors will be kept shut as much as possible. 	Noise modelling shows that the noise impact on surrounding areas is within acceptable levels, even when operating with roller doors open at all times. Closing the roller doors will further reduce noise outside the warehouse.
	Noise from vehicles	<ul style="list-style-type: none"> Engines and plant to be switched off when not in use Vehicles and plant to be fitted with pollution reduction devices where practicable Vehicles and plant to be maintained in accordance with manufacturer's specifications Vehicles restricted to designated routes On-site speed limits enforced 	Vehicle movements were included in the noise modelling, which showed acceptable noise levels from the facility.

Impact	Potential impact	Mitigation measures	Residual Impact
Waste management	Large quantities of wood waste and plasterboard will be processed at the site.	<ul style="list-style-type: none"> All vehicles will be weighed arriving and leaving the facility. Data required for the required monthly waste data reporting will be collected at the gatehouse. The waste receiving and inspection procedures will conform to the NSW EPA's Standards for Managing Construction Waste in NSW. For loads with small quantities of contaminants, the contaminants will be picked out either in the Tip and Spread area, or on the picking station. Loads found to have a large proportion of non-conforming waste during the inspection process will be re-loaded and removed from site. "Clean" timber suitable for processing into mulch will be received, stored and processed separately to other waste wood and wood products. Wood products will be sampled and tested to ensure they meet specifications required for the specific end use, e.g. The Mulch Order 2014 and the Borg specific Urban Waste Residues Order. Plasterboard will be processed to meet the requirements of the Recovered Plasterboard Resource Recovery Order 2014. Recovered gypsum will be regularly sampled and tested to ensure it complies with the order. The office waste management system will be expanded to include a co-mingled recycling bin and a paper/cardboard bin. 	The residual waste from the site will be minimal. The waste management impacts will be very low.

Impact	Potential impact	Mitigation measures	Residual Impact
Traffic	92 heavy vehicle trips and 34 light vehicle trips per day, spread over the 24hour operational period. The traffic monitoring found the facility will have negligible effect on surrounding traffic.	<ul style="list-style-type: none"> reDirect Recycling will continue to monitor the traffic issues on and near the site. 	Traffic impacts will be minimal.
Water use and conservation	No impacts	<ul style="list-style-type: none"> A 10 kL rainwater tank collects from the office building roof and uses it for toilet flushing. 	No impacts.
Stormwater management	Dust and sediment contamination of stormwater.	<ul style="list-style-type: none"> All processing and handling will occur inside the warehouse The site already has GPTs and stormwater is collected in OSD tanks. An Ocean Protect StormFilter will be installed in the stormwater treatment train after the Ecosol GPT. This will ensure the pollution reduction requirements are met. A wheel wash will be installed in the outbound lane of the driveway to remove dust and sediment from heavy vehicles leaving the site. A maintenance schedule will be established to ensure the GPT and wheel wash is cleared regularly and that the StormFilter cartridges are changed at appropriate intervals 	The development will result in improved stormwater treatment at the site.
Cultural heritage	No impacts. There are no heritage or Aboriginal items or sites near the facility.	No mitigation measures are required	No impact.

Impact	Potential impact	Mitigation measures	Residual Impact
Fire safety	Flammable materials will be stockpiled inside the warehouse. A fire would result in smoke and potential stormwater contamination.	<ul style="list-style-type: none"> • The building was constructed to NCC standards in 2017. A Fire Engineering Report was completed for the Construction Certificate. • The facility is fitted with fire safety systems; <ul style="list-style-type: none"> ○ Fire hydrants ○ Fire hose reels ○ Automatic sprinkler system ○ Portable fire extinguishers ○ Building occupant warning system ○ Emergency lighting and exit signage ○ Smoke vents • Two-way radios will be issued to staff • Fire suppression system to be installed above and below manual picking line • Spray dust suppression system to maintain moisture within the warehouse and stockpiles • Vehicles fitted with extinguishers • Emergency Control Procedures, including an Emergency Response Plan and Emergency Management Plan • Ongoing consultation and communication with FRNSW • Contaminated fire water will be collected in the OSD tanks. 	The risk of fire is minimal, with no ignition sources. Any fire will be quickly detected and extinguished. The amount of smoke and risk of stormwater contamination will be minimal.
Greenhouse gas emissions	Contribution to greenhouse gas inventory	reDirect is committed to installing solar panels on the warehouse roof to offset electricity use.	Reduced electricity use.
Soil	No impact	The site is covered in pavement.	No impact.
Visual impact	No impact	The view from the street and surrounding properties will not change.	No impact.

APPENDIX 3 INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven days after the Applicant becomes aware of an incident. Notification is required to be given under this condition even if the Applicant fails to give the notification required under condition C7 or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - (a) identify the development and application number;
 - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - (c) identify how the incident was detected;
 - (d) identify when the applicant became aware of the incident;
 - (e) identify any actual or potential non-compliance with conditions of consent;
 - (f) describe what immediate steps were taken in relation to the incident;
 - (g) identify further action(s) that will be taken in relation to the incident; and
 - (h) identify a project contact for further communication regarding the incident.

INCIDENT REPORT REQUIREMENTS

3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Applicant must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - (a) a summary of the incident;
 - (b) outcomes of an incident investigation, including identification of the cause of the incident;
 - (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - (d) details of any communication with other stakeholders regarding the incident.