

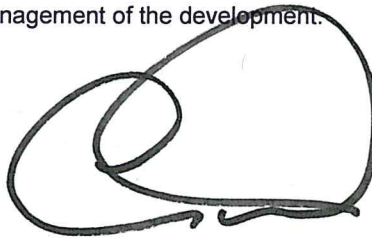
# Development Consent

## Section 89E of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 27 February 2013, I approve the development application referred to in Schedule 1, subject to the Conditions in Schedules 2 to 4.

These conditions are required to:

- prevent, minimise, and/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.



Executive Director  
Development Assessment Systems & Approvals

Sydney

25 July

2014

### SCHEDULE 1

Application Number:	SSD 5267
Applicant:	Glass Recovery Services Pty Ltd
Approval Authority:	Minister for Planning
Land:	126 Andrews Road, Penrith (Lot 1 DP 747153)
Development:	The fitout of an existing industrial building and operation of a glass recycling facility

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## DEFINITIONS

Applicant	Glass Recovery Services Pty Ltd
AS	Australian Standard
BCA	Building Code of Australia
Construction	The demolition of buildings or works, carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure covered by this Consent
Council	Penrith City Council
Day	The period from 6am to 6pm
Department	Department of Planning and Environment
Development	The fitout of an existing warehouse and operation of a glass recycling facility
EIS	The Environmental Impact Statement titled ' <i>Environmental Impact Statement for Glass Recovery Services Pty Ltd 126 Andrews Road, Penrith</i> ' and accompanying appendices, prepared by Benbow Environmental and dated May 2013
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPA	Environment Protection Authority
EPL	Environmental Protection Licence
Evening	The period from 6pm to 10pm
Facility	Has the same meaning as development (see above)
Feasible	Feasible relates to engineering considerations and what is practical to build
Heavy Vehicle	Any vehicle with a gross mass of 5 tonnes or more
Management and Mitigation Measures	The Applicant's management and mitigation measures contained in the EIS
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Minister	Minister for Planning, or delegate
Night	The period from 10pm to 5am
NOW	NSW Office of Water within the Department of Primary Industries
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements.
RMS	Roads and Maritime Services
RTS	The Response to Submissions report titled ' <i>Response to Submissions to Proposed Glass Beneficiation Plant Environmental Impact Statement 126 Andrews Road, Penrith</i> ' and accompanying appendices, prepared by Benbow Environmental Pty Ltd and dated August 2013; addendum report provided to the Department on 30 October 2013 and Noise Validation Report dated May 2014, prepared by National Integrated Creative Solutions and provided to the EPA on 9 May 2014
Secretary	Secretary of the Department, or nominee
Site	The land referred to in Schedule 1
Shoulder	The period from 5am to 6am

**SCHEDULE 2  
ADMINISTRATIVE CONDITIONS**

**OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT**

1. The Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction and/or operation of the development.

**TERMS OF CONSENT**

2. The Applicant shall carry out the development generally in accordance with the:
  - (a) EIS;
  - (b) RTS;
  - (c) Management and Mitigation Measures (Appendix A) and in the EIS;
  - (d) Site Plans and Elevations (Appendix B) and in the EIS; and
  - (e) conditions of this consent.
3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.
4. The Applicant shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:
  - (a) any audits, reports, plans, programs, strategies, studies or correspondence that are submitted in accordance with this consent; and
  - (b) the implementation of any actions or measures contained in these audits, reports, plans, programs, strategies, studies or correspondence submitted by the Applicant.

**LIMITS OF CONSENT**

5. The Applicant shall ensure that the development does not process more than 150,000 tonnes of glass material per annum.
6. The Applicant shall only receive pre-sorted and pre-processed glass products, as described within the EIS, from an appropriately licenced material recycling facility or as otherwise expressly allowed for under an EPL for the Development.

**STATUTORY REQUIREMENTS**

7. The Applicant shall ensure that all licences, permits and approval/consents are obtained as required by law and maintained as required throughout the life of the Development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approval/consents.

**MANAGEMENT PLANS AND MONITORING PROGRAMS**

8. With the approval of the Secretary, the Applicant may:
  - (a) submit any management plan or monitoring program required by this consent on a progressive basis; and
  - (b) combine any management plan or program required by this consent with any similar management plan or program that have been approved under previous consents or approvals.

**STRUCTURAL ADEQUACY**

9. The Applicant shall ensure that all new structures, and any alterations or additions to existing buildings and structures on the site are constructed in accordance with the relevant requirements of the BCA.

*Notes:*

- *Under Part 4A 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.*
10. Within two (2) months from the date of this consent, the Applicant shall:
    - (a) obtain and provide copies to the Secretary of all necessary building certificate(s) from Council for any structures proposed as part of SSD 5267 that have been constructed or partially constructed prior to the approval of SSD 5267; and

- (b) ensure that all new structures, and any alterations or additions to existing structures, are constructed in accordance with the relevant requirements of the Building Code of Australia.

#### **PROTECTION OF PUBLIC INFRASTRUCTURE**

- 11. The Applicant shall:
  - (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by 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.

#### **OPERATION OF PLANT AND EQUIPMENT**

- 12. The Applicant shall ensure that all plant and equipment used for the development is:
  - (a) maintained in a proper and efficient condition; and
  - (b) operated in a proper and efficient manner.

#### **DISPUTE RESOLUTION**

- 13. In the event that a dispute arises between the Applicant and a public authority other than the Department, in relation to a specification or requirement applicable under this consent, the matter shall be referred by either party to the Secretary, or if not resolved, to the Minister, whose determination of the dispute shall be final and binding to all parties. For the purpose of this condition, 'public authority' has the same meaning as provided under Section 4 of the EP&A Act.

**SCHEDULE 3  
SPECIFIC ENVIRONMENTAL CONDITIONS**

**AIR QUALITY**

**Offensive Odours**

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

**Odour Management Plan**

2. The Applicant shall prepare and implement an Odour Management Plan to the satisfaction of the Secretary. This plan must:
  - (a) be prepared by a suitably qualified and experienced expert in consultation with the EPA;
  - (b) be submitted to the Secretary for approval within three (3) months from the date of this consent or as otherwise agreed to by the Secretary;
  - (c) describe the measures that would be implemented on site to minimise the odour impacts of the Development;
  - (d) identify triggers for contingency action; and
  - (e) include a program for monitoring the odour impacts of the Development.

**Odour Verification**

3. The Applicant shall prepare an Odour Verification Report for the development to the satisfaction of the Secretary. The report shall:
  - (a) be submitted to the Secretary when the Development is operating at full capacity or no later than six (6) months from the date of this consent;
  - (b) be prepared by a suitably qualified and experienced expert;
  - (c) measure all key odour sources of the development during a period of normal operations;
  - (d) determine whether the development is complying with the requirements in this consent to protect off-site sensitive receivers against offensive odour;
  - (e) determine if odour emissions from the development meet the EPA's applicable odour criterion at the nearest sensitive receiver; and
  - (f) if deemed necessary, outline reasonable and feasible measures that may be required to improve odour control at the site and prioritise recommendations for implementation.

**Dust Minimisation**

4. The Applicant shall ensure that:
  - (a) all vehicles on site do not exceed a speed limit of 20 kilometres per hour;
  - (b) all loaded vehicles entering or leaving the site have their loads covered;
  - (c) all loaded vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking these materials on public roads;
  - (d) all crushing and processing must occur inside a fully enclosed building;
  - (e) water sprays/foggers are used to control particle emissions at all times when crushed cullet is transferred to the external storage bunkers;
  - (f) all roller shutter doors on the eastern side of the building are to remain closed between the hours of 6pm and 6am; and
  - (g) all roller shutter doors on the southern side of the building are to be automated and remain closed between the hours of 6pm and 6am except to allow ingress/egress for mobile equipment.

**Dust Management**

5. The Applicant shall implement all reasonable and feasible measures to minimise dust emissions including, but not limited to:
  - (a) the use of water sprays around external storage areas during the loading/unloading activities;
  - (b) the use of water misters at doorways and within the building;
  - (c) ensuring all truck loads are covered to prevent spillage of glass waste; and
  - (d) maintaining trafficable areas to minimise wheel dust emissions and to ensure heavy vehicles leaving the site do not track dirt onto public roads.
6. The Applicant shall prepare and implement an Air Quality Management Plan for the Development to the satisfaction of the Secretary. The Plan must:
  - (a) be prepared by a suitably qualified and experienced expert in consultation with the EPA,
  - (b) be submitted to the Secretary for approval within three (3) months from the date of this consent;
  - (c) describe the measures that would be implemented to:
    - ensure all reasonable and feasible dust mitigation measures are employed to prevent and minimise dust emissions from construction and operation of the development;

- ensure compliance with the relevant conditions of this consent and the EPL; and
  - prevent and minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events;
- (d) include a cleaning regime protocol which:
- details the procedures to be undertaken to routinely maintain and clean the internal surfaces of the premises to ensure operating conditions inside the facility minimise the potential to generate odour, dust and the carriage of waste outside the facility; and
  - describes how all external surfaces would be routinely maintained so as to be kept free of dust, crushed glass and other contaminants; and
- (e) include a protocol to determine the occurrence of an exceedance of the criteria in the EPL should an exceedance occur.

### Dust Impact Validation Report

7. The Applicant shall prepare Dust Impact Validation Report for the Development, to the satisfaction of the Secretary. The reports shall:
- be prepared by a suitably qualified and experienced expert approved by the Secretary and in consultation with the EPA;
  - be undertaken when the Development is operating under normal conditions or no later than six (6) months from the date of this consent;
  - be submitted to the Secretary within one (1) month of completion of the reports;
  - validate air emissions from the Development against predictions made in the EIS and the criteria in the EPL;
  - audit the effectiveness of the dust controls on-site in regard to protecting receivers off-site;
  - review the air quality management plan; and
  - if necessary, recommend, prioritise and implement measures to improve dust controls on-site and/or the Air Quality Management Plan, to ensure the Development meets relevant criteria and protects off-site receivers from dust emissions.

### NOISE

#### Noise Limits

8. The Applicant shall ensure that noise generated by the operations on-site do not exceed the limits in Table 1.

Table 1: Noise Limits dB(A)

Location	Day	Shoulder	Evening	Night	
	L <sub>Aeq</sub> (15 minute)		L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>Amax</sub>
R1 – R11 Residential Receivers	46		42	35	45
R12 and R13 Active Recreational Areas	55 dB(A) When in use.				

**Notes:**

- To identify the sensitive receiver locations, refer to Appendix C of this consent;
- Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy;
- For the purposes of this condition
  - Shoulder is defined as the period from 5am to 6am;
  - Day is defined as the period from 6am to 6pm;
  - Evening is defined as the period 6pm to 10pm; and
  - Night is defined as the period from 10pm to 5am.

#### Hours of Work

9. The Applicant shall comply with the hours of work in Table 2, unless otherwise agreed to in writing by the Secretary.

Table 2: Hours of Work

Activity	Day	Hours
Construction	Monday - Friday	7.00am – 6.00pm
	Saturdays	8.00am – 1.00pm
	Sundays and Public Holidays	Nil
Operations	24 hours	

### Operating Conditions

10. The Applicant shall:

- (a) implement best management practice, including all reasonable and feasible measures to prevent and minimise noise and vibration during construction and operation of the development (including low frequency noise and traffic noise);
- (b) minimise the noise impacts of the development during adverse meteorological conditions when noise criteria do not apply;
- (c) ensure non-tonal reversing alarms must be installed on all items of mobile equipment;
- (d) ensure an acoustic enclosure for the external dust collector is constructed to minimise noise impacts on surrounding receivers;
- (e) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired;
- (f) regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the relevant conditions of this consent;
- (g) ensure all roller shutter doors on the eastern side of the building remain closed between the hours of 6pm and 6am;
- (h) ensure that no activities are carried out on the eastern side of the building between 6pm and 6am except in cases of emergency; and
- (i) ensure all roller shutter doors on the southern side of the building are automated and remain closed between the hours of 6pm and 6am, except to allow ingress/egress for mobile equipment.

### SOIL AND WATER

#### Pollution of Waters

11. The Applicant shall comply with Section 120 of the POEO Act which prohibits the pollution of waters, except as expressly provided for in an EPL.

#### Bunding

12. The Applicant shall store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards and the EPA's *Storing and Handling Liquids: Environmental Protection – Participants Handbook*.

#### Rainwater Harvesting

13. The Applicant shall prepare and implement a rainwater reuse/harvesting system for the development within six (6) months from the date of this consent, in consultation with Council.

#### Hardstand Management

14. The Applicant shall, to the satisfaction of the Secretary:
- (a) construct all hardstand areas required for the Development, as described in the EIS, within six (6) months from the date of this consent; and
  - (b) consult with the EPA and Council during the detailed design of all hardstand areas.

#### Stormwater and Flood Management

15. The Applicant shall prepare and implement a Stormwater Management Plan for the development to the satisfaction of the Secretary. The plan shall:
- (a) be submitted to the Secretary within three (3) months from the date of this Consent;
  - (b) be prepared in consultation with EPA, Council and NOW by a suitably qualified and experienced expert;

- (c) detail all the stormwater improvement devices on the site and how they would ensure that stormwater run-off from the site would be restricted to pre-development rates or less;
- (d) ensure that any stormwater to be discharged off-site meets the stormwater quality (pollution retention) criteria outlined in Section C3 (Table C3.2) of *Penrith City Council Development Control Plan 2010*;
- (e) detail any stormwater and floodwater containment bunds around the external storage bay areas;
- (f) detail the stormwater management measures that would be implemented, including details of how the hardstand areas would be integrated into the stormwater system; and
- (g) describe the measures that would be implemented to monitor stormwater quality and maintain stormwater infrastructure for the life of the development.

## TRAFFIC AND ACCESS

### Site Access Upgrade Works

- 16. Within six (6) months from the date of this consent, unless otherwise agreed to by the Secretary, the Applicant must provide a type CHR – Protected Turn treatment on Andrews Road at the site access, in consultation with Council and RMS and to the satisfaction of the Secretary. All works associated with the upgraded site access, including regulatory signposting, are to be undertaken at no cost to Council or RMS.
- 17. Detailed design plans for the intersection upgrade works must be submitted to the RMS for review and endorsement prior to the commencement of construction. The Applicant will be required to enter into a Works Authorisation Deed (WAD) with RMS for the works. The WAD will need to be executed prior to the RMS's assessment of the detailed design plans.
- 18. The Applicant must be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.

### Traffic Management Plan

- 19. The Applicant shall prepare and implement a Traffic Management Plan for the Development, to the satisfaction of the Secretary. The plan must:
  - (a) be prepared in consultation with RMS and Council by a suitably qualified and experienced person;
  - (b) be submitted for approval by the Secretary within three (3) months of the issue of this consent;
  - (c) include construction traffic management measures detailing:
    - access and parking arrangements for the site;
    - procedures to notify residents of traffic movements; and
    - measures to ensure traffic movements are managed to minimise the impact on the local road network.
  - (d) include a plan showing the designated haulage route/s to be used by heavy vehicles during operation;
  - (e) include a driver code of conduct;
  - (f) describe the measures that will be implemented to ensure:
    - the nominated haulage route/s used;
    - conflicts with other road users are minimised;
    - haulage is minimised or routes altered to avoid impact on the local traffic network and in particular, school buses;
    - drivers adhere to the code of conduct; and
    - compliance with the relevant conditions of this consent.
  - (g) include a program to monitor the effectiveness of these measures.

### Operating Conditions

- 20. The Applicant shall ensure that:
  - (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 versions of AS 2890.1 and AS 2890.2;
  - (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with *AUSTROADS – Guide to Road Design*;
  - (c) the development does not result in any vehicles queuing on the public road network;
  - (d) heavy vehicles associated with the development do not park or stand on local roads or footpaths in the vicinity of the site;
  - (e) all vehicles are wholly contained on site before being required to stop;
  - (f) all loading and unloading of materials is carried out on site; and
  - (g) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

## WASTE

### Classification

21. The Applicant shall ensure that any waste generated on the site is classified in accordance with the EPA's *Waste Classification Guidelines* and disposed of to a facility that may lawfully accept the waste.

### Waste Management

22. The Applicant shall ensure that:
- (a) best possible measures are implemented to ensure that external surfaces are kept free of contaminants including crushed glass;
  - (b) externally stored material must be stored under cover and on sealed areas; and
  - (c) finished glass cullet stockpiles are to be maintained below the 5m height of the bunkers at all times, to ensure the effective containment of finished glass cullet and to reduce the potential to generate wind born dust.
23. The Applicant shall prepare and implement a Waste Management Plan for the development, in consultation with the EPA and to the satisfaction of the Secretary. The plan shall:
- (a) be prepared by a suitably qualified and experienced expert;
  - (b) be submitted to the Secretary within three (3) months from the date of this Consent;
  - (c) include final details of the waste management system implemented at the site;
  - (d) ensure that appropriate waste storage facilities are included in the final design of the waste management system;
  - (e) detail the type and quantity of waste to be generated by the operation of the development;
  - (f) detail the quality of waste to be received on site and the measures to be implemented to ensure that odour will be managed;
  - (g) detail the materials to be reused or recycled, either on or off site;
  - (h) detail the procedures for handling, storage, collection of recycling and disposal of all waste in accordance with best practice industry standards and guidelines;
  - (i) detail the procedures for the management of waste material, excluding glass waste, to ensure:
    - the waste material is regularly removed from the site to an appropriately licensed facility; and
    - any stockpiles of waste material are stored on sealed areas.
  - (j) if deemed necessary, outline reasonable and feasible measures that may be required to improve waste management at the site and prioritise recommendations for implementation.

## VISUAL IMPACT

### Lighting

24. The Applicant shall ensure that the lighting associated with the development:
- (a) complies with the latest version of *AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting*; 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.

### Signage

25. The Applicant shall not install any advertising signs on site without obtaining written approval from Council.

### Landscaping and Vegetation Management

26. The Applicant shall prepare and implement a Landscaping and Vegetation Management Plan for the development to the satisfaction of the Secretary. The plan shall:
- (a) be prepared in consultation with Council;
  - (b) be submitted to the Secretary within three (3) months from the date of this Consent;
  - (c) detail any revegetation works at the site, with particular attention to minimising the visibility of the site from residences and public vantage points, minimising bushfire risk and the use of indigenous plant species;
  - (d) ensure that the development is undertaken generally in accordance with the Landscape Plans contained at Appendix 11 of the EIS; and
  - (e) describe the on-going measures (e.g. weed control and regular pruning) that would be implemented to maintain landscaping and vegetation on the site for the life of the development.
27. The Applicant shall ensure that no trees are to be removed, ringbarked, cut, topped, lopped or wilfully destroyed without the prior consent of Council and in accordance with Council's Tree Preservation Order and Policy.

## **FIRE MANAGEMENT**

28. The Applicant shall:
- (a) implement suitable measures to minimise the risk of fire on-site;
  - (b) extinguish any fires on-site promptly; and
  - (c) maintain adequate fire-fighting capacity on-site.

### **Bushfire Risk**

29. The Applicant shall ensure that the development complies with all recommendations outlined in the Bushfire Hazard Assessment Report prepared by Bushfire Code and Bushfire Hazard Solutions at Appendix 8 of the EIS. Evidence of compliance with these recommendations shall be submitted to the Secretary within three (3) months from the date of this Consent.

## **BIODIVERSITY**

30. The Applicant shall ensure that the development complies with all recommendations outlined in the Tree Report prepared by BioDesign & Associates Pty Ltd at Appendix 4 of the EIS.

## **HERITAGE**

31. If during the course of construction the Applicant becomes aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the OEI informed in accordance with section 89A of the *National Parks and Wildlife Act 1974*.

## **HAZARD AND RISK**

32. Dangerous Goods, as defined by the Australian Dangerous Goods Code, shall be stored and handled strictly in accordance with:
- (a) all relevant Australian Standards;
  - (b) for liquids, a minimum bund volume requirement of 110% of the volume of the largest single stored volume within the bund; and
  - (c) the *Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin* (Environment Protection Authority, 1997).
- In the event of an inconsistency between the requirements listed from a) to c) above, the most stringent requirement shall prevail to the extent of the inconsistency.

## **Emergency Response**

33. The Applicant shall maintain and implement, as necessary a current emergency response plan for the site. The emergency response plan shall:
- (a) be submitted to the Secretary within three (3) months from the date of this Consent;
  - (b) be kept on-site at all times;
  - (c) include a risk assessment of likely incidents that could occur on-site (e.g. spills, explosion, fire) based on the activities being undertaken, site risks and consequence to the receiving environment; and
  - (d) document the systems and procedures to deal with the types of incidents identified including relevant incident notification procedures.

## **ENERGY EFFICIENCY**

34. The Applicant shall, to the satisfaction of the Secretary:
- (a) Implement all reasonable and feasible measures to minimise energy use and greenhouse gas emissions during construction and operation; and
  - (b) ensure the development will continue to operate at industry best practice over time.

**SCHEDULE 4  
ENVIRONMENTAL MANAGEMENT REPORTING & AUDITING**

**ENVIRONMENTAL MANAGEMENT**

**Construction Environmental Management Plan**

1. The Applicant shall prepare and implement a Construction Environmental Management Plan for the development to the satisfaction of the Secretary. The Plan must:
  - (a) be prepared by a suitably qualified and experienced person;
  - (b) be approved by the Secretary prior to the commencement of construction;
  - (c) identify the statutory approvals that apply to the development;
  - (d) consolidate all relevant management plans and monitoring programs required in the conditions of this consent and committed to in the EIS;
  - (e) outline all environmental management practices and procedures to be followed during construction works associated with the development;
  - (f) describe all activities to be undertaken on the site during construction of the development, including a clear indication of construction stages;
  - (g) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
  - (h) describe the roles and responsibilities for all relevant employees involved in construction works associated with the development;
  - (i) include arrangements for community consultation and complaints handling procedures during construction; and
  - (j) detail the erosion and sediment control measures that will be implemented on site during the construction of the development. The erosion and sediment control measures shall be generally in accordance with the Erosion and Sediment Control Plans attached as Appendix 3 of the EIS and the relevant requirements in the latest version of the EPA's *Managing Urban Stormwater: Soils and Construction* guideline.

**Operational Environmental Management Plan**

2. The Applicant shall prepare and implement an Operational Environmental Management Plan for the development to the satisfaction of the Secretary. This Plan must:
  - (a) be prepared by a suitably qualified and experienced person;
  - (b) be submitted to the Secretary within three (3) months from the date of this Consent;
  - (c) provide the strategic context for environmental management of the development;
  - (d) identify the statutory requirements that apply to the development;
  - (e) consolidate all relevant management plans and monitoring programs required in the conditions of this consent and committed to in the EIS;
  - (f) outline the arrangements to ensure compliance with conditions of this consent for the life of the development;
  - (g) include final details of how the environmental performance of the development would be managed and monitored;
  - (h) describe the procedures that would be implemented to:
    - keep the local community and relevant agencies informed about the operation and environmental performance of the development;
    - receive, handle, respond to, and record complaints;
    - resolve any disputes that may arise during the course of the development;
    - respond to any non-compliance;
    - manage cumulative impacts;
    - respond to emergencies; and
  - (i) describe the role, responsibility, authority, and accountability of all the key personnel involved in environmental management of the development.

**ENVIRONMENTAL REPORTING & AUDITING**

**Incident Reporting**

3. The Applicant shall notify the Secretary and any other relevant agencies of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment associated with the development as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of this incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident.

## Independent Environmental Audit

4. Within one (1) year from the date of this consent, and every three (3) years thereafter, or as otherwise agreed by the Secretary, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the development. This audit must:
    - (a) be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
    - (b) include consultation with the relevant agencies;
    - (c) assess the environmental performance of the development and assess whether it is complying with the relevant requirements in this consent and any relevant EPL (including any plan or program required under these consents);
    - (d) include specialists in air quality, odour and waste management;
    - (e) review the adequacy of any plans or programs required under this consent, and, if appropriate;
    - (f) recommend measures or actions to improve the environmental performance of the development, and/or any plan or program required under this consent.
  5. Within six (6) weeks of completing any Independent Environmental Audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations.
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# APPENDIX A – MANAGEMENT & MITIGATION MEASURES

All activities will be conducted in accordance with the Environmental Impact Statement (EIS) released in May 2013, any additional information submitted to the Department as part of the Development Application, and the Environmental Management Plan (EMP) titled *“Environmental Management Plan for Glass Recovery Services – 126 Andrews Road, Penrith – Report No 137003\_EMP\_Rep\_Final”* prepared by Benbow Environmental Pty Ltd.

The applicant will commit to comply with the conditions listed below.

## 1 Construction activities

### 1.1 Hours of Construction activities

All construction activities will be conducted between the hours of:

Monday to Friday	7.00am and 6.00 pm
Saturday	7.00am and 1.00 pm

### 1.2 Construction Noise Criteria

During the construction hours specified in 1.1 above, the applicant will comply with the noise criteria specified in Table 1 below.

Table 1: Project Specific Noise Limits for Construction Noise (dB(A))		
Receptors	Time Period	Noise Level $L_{Aeq}(15 \text{ minute})$
Residential Receptors <b>R1 – R11</b>	Monday to Friday 7.00 am - 6.00 pm Saturday 7.00 am - 1.00 pm	51
Active Recreational Areas <b>R12 and R13</b>	When in Use	65

1.3 Erosion and sediment control measures will be implemented during the construction activities in accordance with the Construction Environmental Management Plan.

## 2 Operation activities

### 2.1 Hours of operation

All operation activities will be conducted on a 24 hours per day seven days per week basis subject to the following conditions:

2.1.1 The activities comply with the Project Specific Noise Levels (PSNL) determined in the EIS and included in Table 2 below during the time periods specified in Table 2.

Table 2: Project Specific Noise Levels dB(A)				
Location	Day	Shoulder	Evening	Night
	L <sub>Aeq</sub> (15 minute)		L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute) L <sub>Amax</sub>
Residential Receptors R1 – R11	46		42	35 45
Active Recreational Areas R12 and R13	55 dB(A) When in use			

For the purposes of Table 2 above the time periods are defined as follow:

- Shoulder is defined as the period from 5am to 6am;
- Day is defined as the period from 6am to 6pm;
- Evening is defined as the period 6pm to 10pm; and
- Night is defined as the period from 10pm to 5am.

2.1.2 All external bunkers will be constructed to a height of 5 metres,

2.1.3 An acoustic enclosure will be installed around the noisy sections of the dust collector located on the eastern side of the building to ensure that the activities comply with the PSNL,

2.1.4 The roller shutter doors on the Eastern side of the building will be manually operated and will be closed between the hours of 6.00 pm and 6.00 am,

2.1.5 Highly visible signs to reflect the requirements of condition 2.1.4 should be placed on both sides of the doors and on both the inside and outside walls of the building (4 signs per door),

2.1.6 The roller shutter doors on the southern side will be left open between the hours of 6.00 am and 6.00 pm but will be automatically operated between the hours of 6.00 pm and 6.00 am,

2.1.7-The reverse beepers installed on the mobile machineries will be of low volume non-tonal types. These alarms/beepers will be consistent and comply with the alarms/beepers specified in the document titled: *“Review of alternative to ‘beeper’ alarms for construction equipment – For Department of Environment and Climate Change NSW Government”*, dated 8 May 2009 and prepared by Marion Burgess and Mathew McCarty, and

2.1.8 Only one front-end loader with low-volume non-tonal reverse beeper installed will operate between the hours of 6.00 pm and 6.00 am at the southern side of the building.

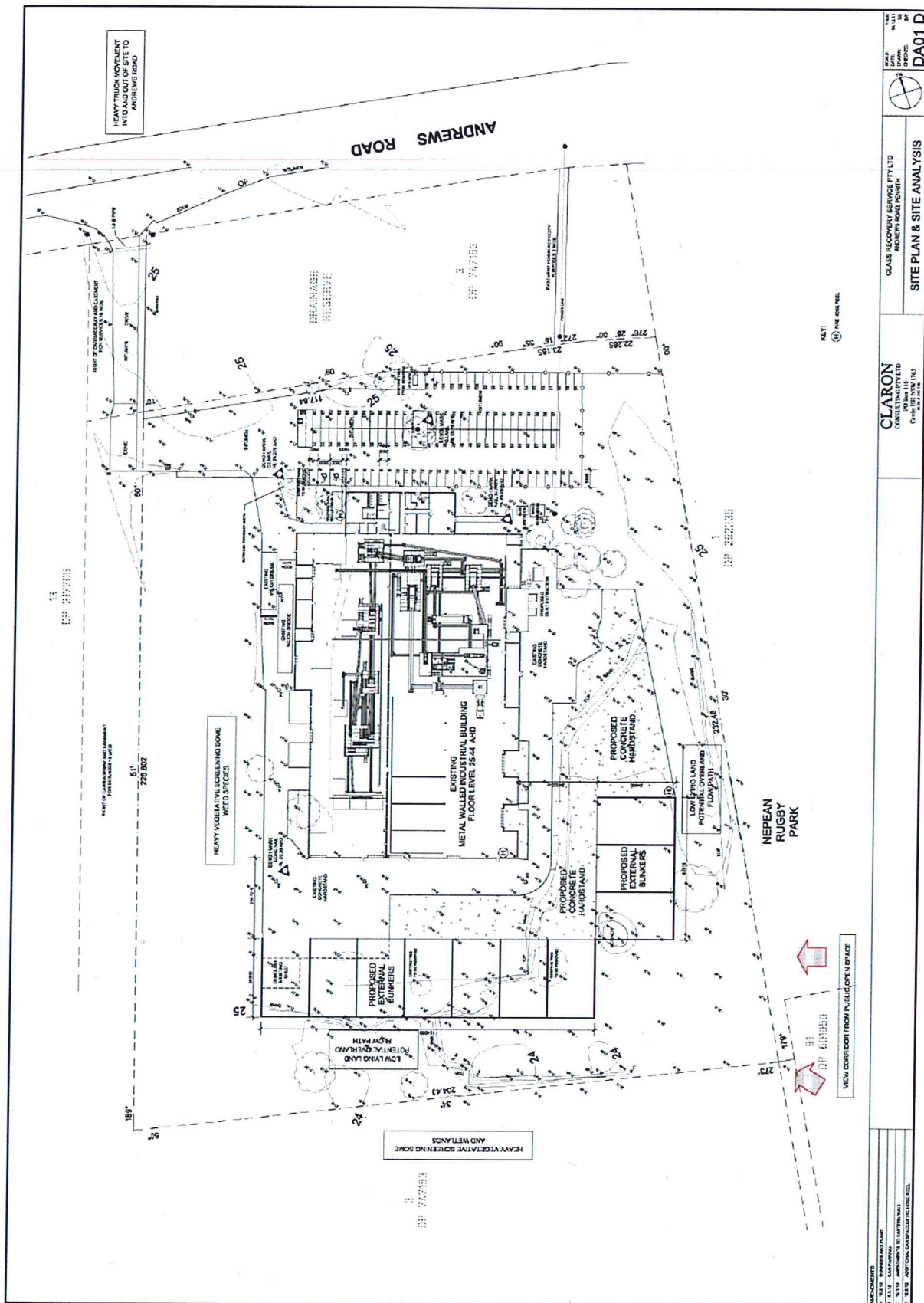
2.2 During all operating hours, the applicant commits to install and maintain all dust and noise mitigation measures, and stormwater management and treatment measures in accordance with EIS, the EMP and the additional information submitted to the Department. In the case that the recommended measures are inconsistent, the latest information submitted to the Department should prevail;

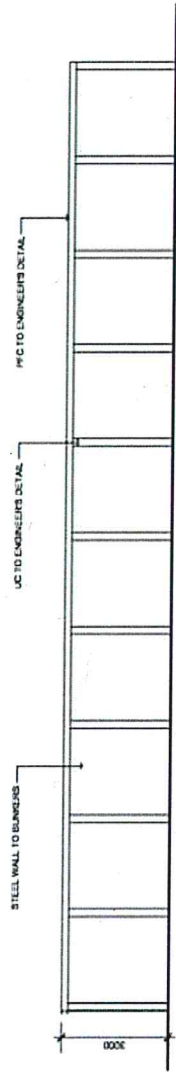
2.3 The applicant will provide all employees with appropriate training on environmental aspects; and

2.4 The applicant will develop and implement an EMP for the site. The EMP will follow the ISO14001 standard and provide a comprehensive set of procedures to manage all aspects of the operation that could potentially impact on the environment.

## **APPENDIX B – SITE PLANS AND ELEVATIONS**

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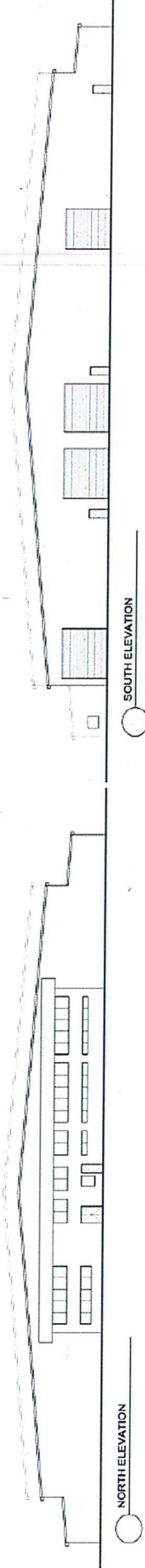




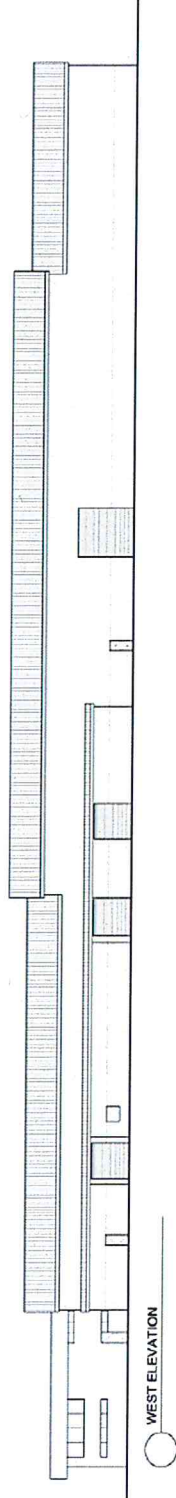
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SCALE 1:100



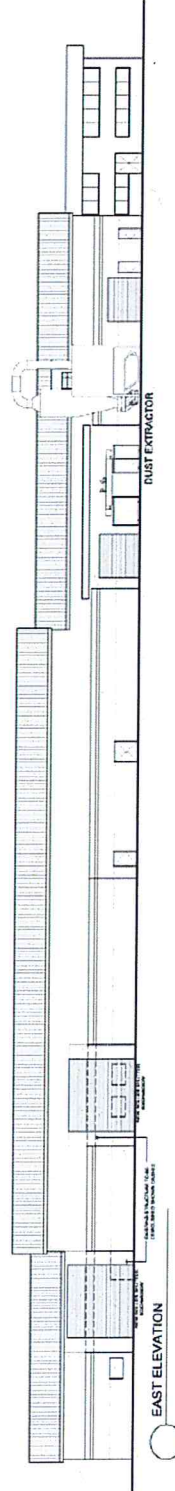
2 SECTION - EXTERNAL BUNKER  
SCALE 1:100



NORTH ELEVATION

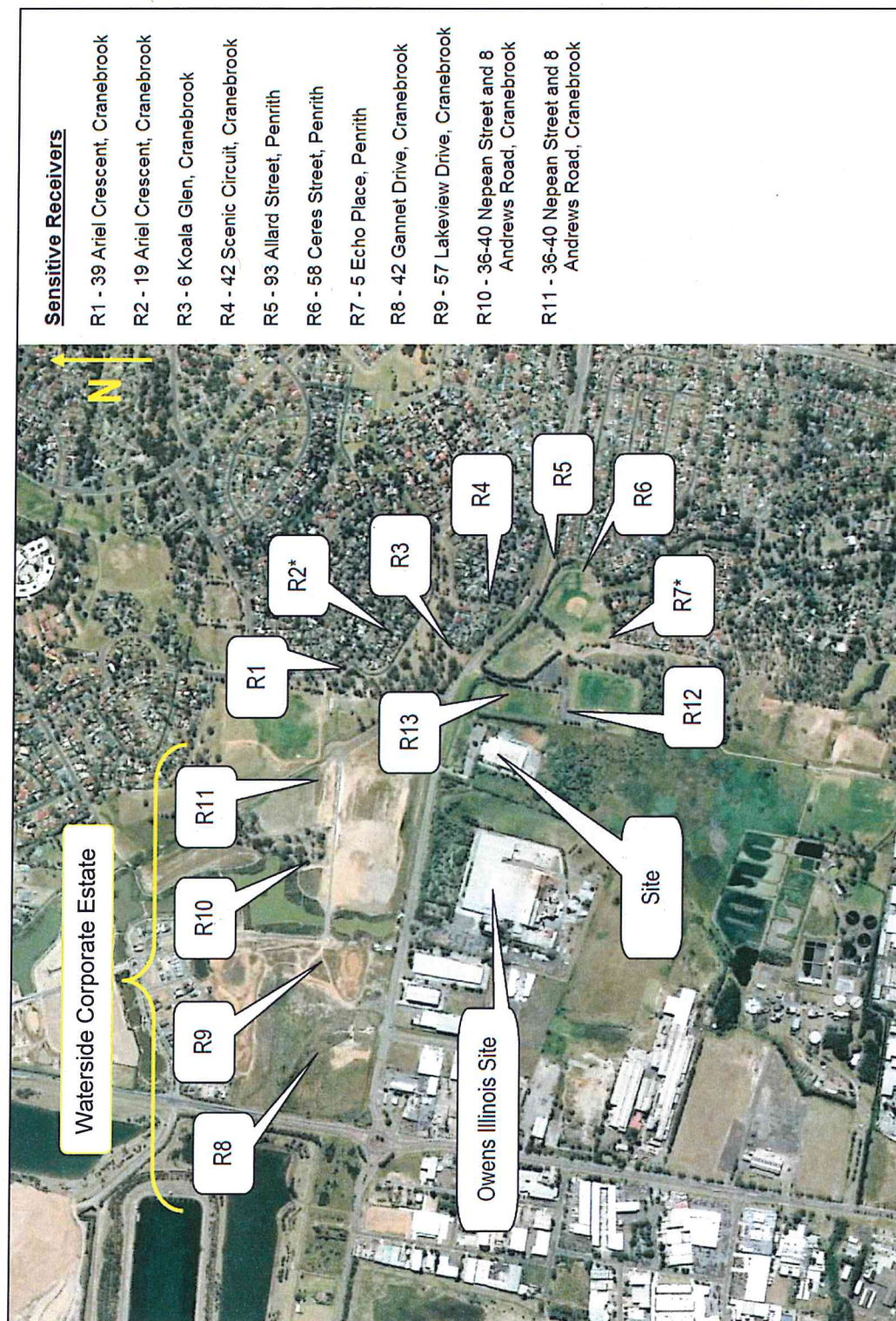


WEST ELEVATION



EAST ELEVATION

## APPENDIX C – SENSITIVE RECEIVER LOCATIONS



Note: Receptors R8 to R11 represent potential light industrial development whilst Receptors R12 and R13 represent the Nepean Rugby Park.