NSW GOVERNMENT | Planning & Environment

STATE SIGNIFICANT DEVELOPMENT ASSESSMENT:
Bingo Recycling Pty Ltd
Minto Resource Recovery Facility
SSD 7462

Assessment Report
Section 4.40 of the
Environmental Planning and Assessment Act 1979

June 2018

Cover photo: Aerial photograph of site location

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ABBREVIATIONS AND DEFINITIONS

ACM	Asbestos-containing material
AHD	Australian Height Datum
Applicant	Bingo Recycling Pty Ltd
AS	Australian Standard
BCA	Building Code of Australia
C&D	Construction and Demolition
C&I	Commercial and Industrial
CEMP	Construction Environmental Management Plan
CIV	Capital Investment Value
Construction	The demolition of buildings or works, carrying out of works, including earthworks, erection of buildings and other infrastructure covered by this consent
Council	Campbelltown City Council
CWMP	Construction Waste Management Plan
DA	Development Application
Demolition	The removal of buildings, sheds and other structures on the site
Department	Department of Planning and Environment
Development	The development as described in the EIS and RTS for the construction and operation of the Minto Resource Recovery Facility
DPI	Department of Primary Industries
EIS	Environmental Impact Statement titled *Environmental Impact Statement – Minto Resource Recovery Facility* prepared by AAP Corporation dated May 2017
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	*Environmental Planning and Assessment Regulation 2000*
EPA	Environment Protection Authority
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999*
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW
ha	Hectares
CLEP	Campbelltown Local Environment Plan 2015
LGA	Local Government Area
LPG	Liquified petroleum gas
Minister	Minister for Planning (or delegate)
MNES	Matter of National Environmental Significance
MRV	Medium Rigid Vehicles
NCW	Non-conforming waste
OEH	Office of Environment and Heritage
OEMP	Operations Environmental Management Plan
POEO	*Protection of the Environment Operations Act 1997*
RFS	Rural Fire Service
RMS	Roads and Maritime Services
RRF	Resource Recovery Facility
RTS	Response to Submissions titled *Minto Resource Recovery Facility - Response to Submissions – SSD 7426* prepared by Arcadis Australia Pacific Pty Limited dated 15 December 2017
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment, or nominee
SEPP	State Environmental Planning Policy
Sensitive receiver	A location where people are likely to work or reside, this may include a dwelling, school, hospital, office or public recreational area
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State significant development
TCP	Traffic Control Plan
TIA	Traffic Impact Assessment
TMP	Traffic Management Plan
Tpa	Tonnes per annum
WARR	Waste Avoidance and Resource Recovery Strategy
Waste	As defined in the *Protection of Environment Operations Act 1997*
WMP	Waste Management Plan

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EXECUTIVE SUMMARY

Bingo Recycling Pty Ltd (the Applicant) has lodged a Development Application (DA) and accompanying Environmental Impact Statement (EIS) seeking consent to increase the operating capacity of its resource recovery facility (RRF) at 13 Pembury Road, Minto (the site) in the Campbelltown local government area (LGA).

The site is located 40 kilometres (km) south-west of the Sydney city centre and 5 km north-east of the Campbelltown town centre. The site comprises approximately 0.89 hectares (ha) of IN1 General Industrial zoned land. In 2004, Campbelltown City Council (Council) granted development consent for a waste transfer station, however the site has been operating as a RRF since 2016. Currently, the site comprises three sheds used for waste processing, storage and tipping, an office and amenity building, a weighbridge, a diesel fuel tank, car parking spaces and landscaping. The site is located in an established industrial precinct, near the Hume Motorway. The nearest residences are located to the west of the site on Stromeferry Road, 340 metres (m) away.

The Applicant proposes to increase the site's currently approved maximum waste processing capacity of 30,000 tonnes per annum (tpa) to 220,000 tpa. Waste streams to be processed at the expanded RRF would be dry non-putrescible construction and demolition (C&D), commercial and industrial (C&I) and domestic (council clean-up) waste. The waste processed would include metals, timber, paper, cardboard, green waste, glass, plastics, plasterboard, asphalt, soils, bricks, concrete and rubber. The Applicant seeks to operate the RRF during the hours of 6 am to 10 pm, Monday to Saturday.

The proposed development (the development) also includes enclosing and upgrading the existing buildings and structures, relocation of the diesel fuel tank, installation of new office and staff amenities buildings, parking, a weighbridge, drainage works and landscaping. All waste processing activities, including tipping of incoming waste, would occur indoors within the processing building.

The development is consistent with the NSW Government's direction in achieving the targets in the Waste and Avoidance and Resource Recovery Strategy 2014-2021. In particular, the development would assist in the recovery of C&D and C&I wastes.

The development has a capital investment value of $4,187,000 and is expected to generate 30 full-time equivalent construction jobs and 30 new operational jobs.

The development is classified as State significant development (SSD) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it meets the criteria in Clause 23(3) of Schedule 1 in State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP), because it involves development for the purposes of a RRF that handles more than 100,000 tpa of waste. Consequently, the Minister for Planning is the consent authority for the development. As there were less than 25 public submissions in the nature of objections, Council did not object and no political donations were made in the last two years, the Executive Director, Key Sites and Industry Assessments, can determine the application under delegation.

The Department of Planning and Environment (the Department) exhibited the EIS for the development from Thursday 29 June 2017 until Monday 14 August 2017. A total of 17 submissions were received, including 6 from government agencies and 11 from the general public. Of the 17 submissions received, 10 objected to the development.

The key concerns raised in the public submissions on the EIS related to the suitability of the site for the proposed volume of waste to be processed, traffic impacts including queuing in the street outside the site entrance, dust impacts and impact to businesses. Government agencies raised significant concern in relation to the ability of the site to operate at the proposed throughput and requested further assessment of the ability of the site to operate without adverse dust, traffic and other environmental impacts.

The Applicant submitted a Response to Submissions (RTS) and an amended SSD application on 22 December 2017 to address and clarify matters raised in the submissions.

Amendments to the Development Application

Originally, the Applicant had proposed to unload, process and stockpile waste in semi-enclosed sheds on the site. In response to the public and government agency concerns, the Applicant amended the application, in accordance with Clause 55 of the *Environmental Planning and Assessment Regulation 2000* and with the agreement of the Secretary. The amendments included:

- construction of a roof structure to enclose the waste tipping, processing and storage area
- removal of non-structural internal walls and cladding
- removal of the above-ground wheel wash and installation of a weighbridge and in-ground wheel wash at the vehicle egress point
- extensions to the dust suppressions and sprinkler system
- adjustments to the location of the site office and amenities buildings, the fuel tank and landscaping
- increase the provision of parking on site from 10 to 17 car spaces
- revisions to the internal infrastructure and operational layout
- update the Capital Investment Value (CIV) from $2,466,000 to $4,187,000.

The Department reviewed the RTS and amended DA in consultation with the agencies and Council and deemed that further information was required regarding traffic, air quality, fire suppression, stormwater management and the management of non-conforming waste (NCW). In particular, the Department, Council and the EPA were concerned the site was too small to handle the volume of traffic and waste proposed without impacts to quality control measures. Subsequently, a further RTS was requested to address these outstanding matters.

The additional information submitted in the further RTS satisfied the government agencies that the impacts of the development would be reduced and acceptable with the implementation of recommended conditions.

The Department's assessment of the application has fully considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ecologically sustainable development. The Department has identified the following key issues for assessment:

- traffic
- site and operational management.

The Department's assessment concluded the impacts of the development can be mitigated and/or managed to ensure an acceptable level of environmental performance, subject to the recommended conditions of consent. In summary, the development would:

- be capable of handling 220,000 tpa of waste from receipt through to dispatch
- satisfy the EPA's draft Standards for C&D Recycling Facilities (primarily by enclosing the RRF)
- positively contribute to the State's Waste Avoidance and Resource Recovery Strategy performance for C&D and C&I waste
- meet the relevant air quality and noise criteria at sensitive receivers
- generate traffic, which could be accommodated on the local and regional road network without any significant impacts on safety, capacity or efficiency
- provide a range of environmental and economic benefits for the region, through resource recovery and the provision of 30 new long term operational jobs.

Consequently, the Department considers the development is in the public interest and is recommended for approval, subject to the recommended conditions of consent.

1. BACKGROUND

1.1. The Department's Assessment

This report details the Department of Planning and Environment's (the Department) assessment of the State significant development (SSD 7462) for the Minto Resource Recovery Facility. The proposed development (the development) involves the redevelopment and increase in processing capacity of an existing resource recovery facility (RRF). The site is currently operating as an RRF however, was approved as a waste transfer station in 2004.

The Department's assessment considers all documentation submitted by Bingo Recycling Pty Ltd (the Applicant), including the Environmental Impact Statement (EIS) and the amended development application and two Response to Submissions (RTS), as well as submissions received from government agencies and the general public. The Department's assessment also considers the legislation and planning instruments relevant to the site and the development.

This report describes the development, surrounding environment, relevant strategic and statutory planning provisions and the issues raised in submissions. The report evaluates the key issues associated with the development and provides recommendations for managing any impacts during construction and operation. The Department's assessment of the development has concluded the development can be approved, subject to conditions of consent.

1.2. Development Background

The Applicant is seeking development consent to increase the capacity of the existing RRF to enable processing of up to 220,000 tpa of construction and demolition (C&D), construction and industrial (C&I) and domestic (council clean-up) waste at a site in Minto in the Campbelltown Local Government Area (LGA) (see **Figure 1**). At the RRF, the incoming mixed waste streams would be separated into recyclable materials that would be transported off site to other facilities for reuse or recycling. Any remaining, non-recyclable waste (residual waste) would be removed for disposal at an appropriately licensed landfill.

The development includes alterations to existing buildings, construction of a roof structure to enclose the tipping, processing and storage shed, a new weighbridge and wheel wash, car parking, drainage works and landscaping. The existing fuel tank, office and staff amenities will be relocated adjacent to the storage shed (Shed A). Operational plant and equipment would include grab machinery, various waste screens, magnets, conveyors, density separators, a de-stoner, air separation units, and excavators/front end loaders. The proposed hours of operation are 6 am-10 pm Monday to Saturday.

Originally, the Applicant had proposed waste would be unloaded, processed and stockpiled in semi-enclosed sheds on the site. However, due to concerns raised by the Department, agencies and general public regarding site suitability, traffic and dust impacts, the Applicant formally amended the development application to enclose the proposed processing operations and revised the peak operating period to mitigate dust and traffic impacts. The amendment was made in accordance with Clause 55 of the *Environmental Planning and Assessment Regulation 2000*, and with the agreement of the Secretary.

The Applicant is a large waste management company that predominantly specialises in C&D and C&I waste processing. The Applicant has been operating RRFs throughout New South Wales for over 10 years, and currently operates twelve facilities in Sydney, the Hunter and Illawarra regions. The Applicant wishes to increase the site's processing capacity to cater for Sydney's recent growth in the construction industry and the resulting rise in need for C&D waste recycling.

1.3. Site Description

The site comprises 0.89 hectares (ha) of IN1 General Industrial zoned land at 13 Pembury Road, Minto in south-western Sydney (see **Figure 1**). The site is legally described as Lot 1 in DP 1013852 and is owned by Bingo Property Pty Ltd.

The site is irregular in shape and features two driveways off Pembury Road comprising a 11.5 metre (m) wide eastern entrance/exit driveway and a disused 6 m wide western driveway. The land is relatively flat, but features a gentle fall of approximately 1.5 m towards Pembury Road. While no remnant

vegetation exists on the site, a number of established native and non-native shrubs grow along the Pembury Road site boundary and in the north-western corner of the site.

Figure 1: *Site Location*

The site operated as a waste transfer station from December 2004 to June 2016. Following this, Bingo commenced operating a RRF at the site. A development consent approved by Campbelltown City Council (Council) in 2004 allowed the site to operate as a waste transfer station. In 2008, Council approved a modification to this development consent which allowed up to 30,000 tpa of general solid waste (non-putrescible) to be received, sorted, compacted and stored temporarily on site prior to being distributed for further processing or to landfill. The site comprises three metal clad sheds with a combined floor area of 6,534 m². The sheds are identified as:

- Shed A: Waste storage (comprising a floor space area of 930 m² and a ridge height of 11 m)
- Shed B: Waste tipping (comprising a floor space area of 1,150 m² and a ridge height of 11.8 m)
- Shed C: Waste processing (comprising a floor space area of 962 m² and a ridge height of 11.8 m).

The site also comprises a demountable site office and an amenity building, a weighbridge, a 30,000 L diesel fuel tank and three car parking spaces (see **Figure 2**).

1.4. Surrounding Land Uses

The site is located in the centre of the Minto industrial area. The site's western boundary adjoins Bow Bowing Creek Reserve which flows into the Georges River, approximately 9.5 km downstream of the site. The portion of Bow Bowing Creek which adjoins the site features a concrete lined channel with a bund to separate the channel from industrial properties to the east and west (see **Figure 1**).

Immediately surrounding land uses are industrial in nature, including a mix of warehouses, manufacturing and repair industries, automotive services industries, food wholesalers and transport and logistic uses. A concrete batching plant is located approximately 70 m to the east of the site.

Low density residential areas in the suburbs of Minto and St Andrews surround the Minto industrial area. The St Andrews residential area is located 340 m north-west of the site. The nearest residential receiver is located at 37 Stromeferry Crescent, St Andrews (340 m west of the site) (see **Figure 3**).

The road network surrounding the site includes Pembury Road (a no-through, unmarked 2 lane local road), Airds Road (a 2 lane collector road), Ben Lomond Road (a 4 to 5 lane sub-arterial road) and Rose Payten Drive (a 4 lane sub-arterial road). The nearest State road within the vicinity of the site is Campbelltown Road (a 4 lane road) which intersects with Ben Lomond Road to the north of the site and Rose Payton Drive to the south. Campbelltown Road provides connection to Sydney's arterial road network, including the Hume Motorway, located 750 m to the west.

Figure 2: *Existing Site Layout*

1.5. Other Development Approvals

On 14 December 2004, Council granted development consent for a waste transfer station. On 29 May 2008, the existing development consent was modified (DA 1/2002/DA-DE/C) to increase the annual handling capacity of the waste transfer station from 15,000 tpa to 30,000 tpa of general solid waste (non-putrescible). Operations on the site are also regulated under an Environment Protection Licence (EPL) issued by the Environment Protection Authority (EPA) (EPL 20638), which permits resource recovery, waste processing and waste storage of listed non-putrescible wastes.

2. PROPOSED DEVELOPMENT

2.1. Description of the Development

The Applicant proposes alterations and additions at 13 Pembury Road, Minto to facilitate an RRF with a processing capacity of up to 220,000 tpa of non-putrescible waste. The major components of the development are summarised in **Table 1**, shown in **Figure 4** and **Figure 5**, and described in full in the Environmental Impact Statement (EIS) and the RTS documents, included in **Appendix D**.

Table 1: *Key Development Components*

Aspect	Description
Development Summary	**Alterations to the existing buildings to facilitate the construction and operation of an RRF with a processing capacity of up to 220,000 tpa of mixed non-putrescible waste. Operation of the RRF during the hours of 6 am to 10 pm, Monday to Saturday.**
Site area	• the site is approximately 0.89 hectares in area.
Demolition	• minor demolition of non-structural walls and cladding in the storage shed (Shed A) and processing shed (Shed C) to accommodate a proposed extension to the building structure • removal of the existing above-ground wheel wash.
Construction works	• construction of a shed and roof structure to enclose the waste tipping, processing and storage area • construction of a demountable site office building and amenities building • relocation of the existing self-bunded 30,000 L diesel fuel tank • construction of a new weighbridge and in-ground wheel wash.
Plant and equipment	• continued use of processing equipment in the processing building including grab machinery, various waste screens, magnets, conveyors, density separators, a de-stoner, and air separation units • continued use of an enclosed conveyor to transport soil from the processing shed (Shed C) to the storage shed (Shed A).
Ancillary infrastructure	• 1 x 20 metre weighbridge and in-ground wheel wash at the vehicle egress point • 600 kilowatt (kW) electrical substation • internal cool-fog dust suppression system • external dust suppression sprinklers • water pollution control equipment • leachate collection sumps • 17 onsite carparking spaces.
Waste storage	• unprocessed waste to be stored in the waste tipping shed (Shed B) • temporary storage of processed waste in 10 bays in the waste processing shed (Shed C) • separated waste to be in the stored in the seven waste storage bays in the waste storage shed (Shed A) or in skip bins adjacent to the waste tipping area (for any non-conforming waste such as asbestos and dangerous goods) (see **Figure 5**).
Traffic	At full capacity, the site would generate up to 331 traffic movements per day.
Road and intersection works	No road or intersection works are proposed.
Landscaping	• removal of some of the existing garden bed and trees to allow for additional car parking • installation of additional soft landscaping and planting along southern and western site boundaries.
Construction timeframe	• demolition and construction – 4 months.
Hours of operation	• 6 am to 10 pm, Monday to Saturday • No operations (waste processing or waste deliveries/removal) on Sundays or Public Holidays.
Capital investment value	$4,187,000
Employment	30 full-time equivalent construction jobs and 30 operational jobs, with up to 15 employees per shift.

2.2. Process Description

The primary purpose of the RRF would be to receive incoming, non-putrescible waste material and separate it into:

- reusable outputs for further recycling offsite – soil, brick and concrete, timber, scrap metal, plastic, paper and cardboard, plasterboard, and green waste
- residual waste requiring disposal.

A specialised plant and equipment line (see Section 2.1) would be utilised to separate the waste.

The majority of waste would arrive at the site as mixed loads of building, demolition or domestic materials, however single-material loads (e.g. loads of brick only or concrete only or soil only) would

also be received. The sorted, recyclable output materials would be transported offsite to other facilities for reuse or recycling. Any remaining, non-recyclable waste would be removed for disposal at an appropriately licensed landfill. The target resource recovery rate for the site is 85%. A description of the waste separation process is provided below, while **Figure 6** presents a flow diagram of the process steps.

Arrival and Waste Acceptance

Waste materials would be delivered to the site using various Medium Rigid Vehicle (MRV) skip/hook trucks and larger trucks including truck-and-dog combinations, with a maximum of 32 tonnes per load. Incoming waste delivery vehicles would comprise customer, contractor and Bingo's own trucks and some light vehicles. On arrival at the facility, paperwork would be examined and the load visually inspected and weighed at the weighbridge area to determine the weight, suitability and category of waste. Trucks containing acceptable waste only would then manoeuver and reverse into the rear portion of the tipping shed (Shed B) for unloading (see **Figure 5**).

The incoming waste receival area is proposed to be approximately 1,120 m^2 in size and capable of storing up to 10,000 tonnes of unprocessed waste at any one time. A breakdown of predicted incoming waste streams is provided in **Table 2**.

Table 2: *Incoming Waste Streams*

Waste material	Tonnes per annum	% of incoming stream
Wood waste	4,400	2%
Non-chemical manufacturing waste (C&I waste)	4,400	2%
Asphalt waste	2,200	1%
Soils	22,000	10%
Paper and cardboard	1,100	0.5%
Glass, plastic and rubber	1,100	0.5%
House-hold waste (municipal clean-up of 'hard' waste)	4,400	2%
Office and packaging waste (C&I waste)	4,400	2%
Construction and demolition waste	165,000	75%
VENM	11,000	5%
TOTAL	**220,000**	**100%**

Figure 3*: Surrounding Land Uses*

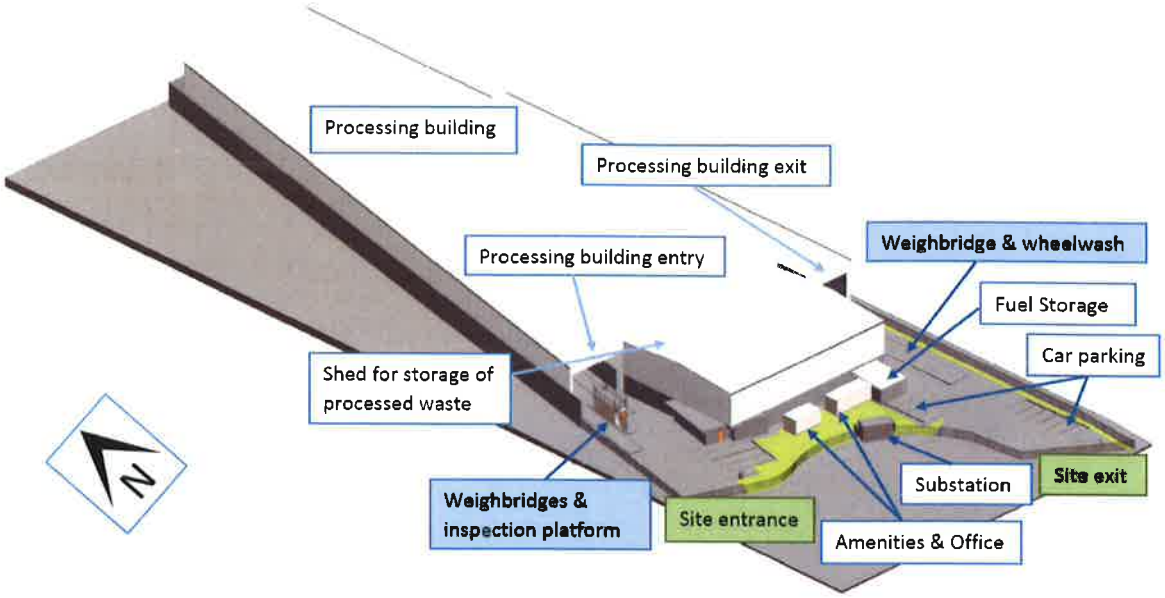

Figure 4: *3-Dimensional Representation of the Development*

Waste Rejections

Staff would inspect the waste before, during and after unloading to determine waste acceptability. If any non-conforming waste (NCW), such as asbestos or gas bottles, is detected during unloading, the load would be rejected and immediately reloaded and removed from the site. Any NCW detected after unloading that cannot be returned to the consignor would be segregated from the tipping area and dealt with according to the Applicant's relevant procedure. Asbestos would be handled according to the Bingo procedure *SOP-YA003 Asbestos at Recycling Centres* and stored in accordance with Bingo's *OPL-YA029 Storage of Hazardous Chemicals - Waste* and *OPL-YA030 Storage of Hazardous Chemicals – Special Waste* until removed from the site within 24 hours.

Resource Recovery/Processing

In Shed B, the incoming waste material would be fed into the processing machinery line by grab machinery. The proposed processing machinery has been specifically designed by SKALA Australasia Pty Ltd to process up to 100 tonnes of waste per hour and separate it into 8 recyclable waste streams (scrap metal, paper and cardboard, brick and concrete, plasterboard, green waste, timber, plastic, and soil). Anything that is not extracted for recycling is sent to the residual (non-recyclable) waste stream (see **Figure 6**).

A sequence of machinery (screens, magnets, conveyors and drums) as well as manual 'picking' in Shed C would separate and size the waste before it is discharged via conveyor into temporary storage bays in Shed C. There will be 10 temporary storage bays measuring 3.5 m wide x 15 m deep x 4 m high plus an open storage bay at the end of the processing area in Shed C. These temporary storage bays will accommodate all waste streams separated by type, except for soil which will be directly transferred to the storage shed (Shed A) via an enclosed conveyor.

Storage

A front-end loader will be used to transfer processed recycled waste from the temporary storage bays in Shed C to the storage shed (Shed A). There will be seven processed material storage bays with concrete push walls in Shed A which has a floor space area of 927.7 m² and a roof height of 11.7 m. These bays will separate processed recyclable material into the waste stream types shown in **Figure 5** and **Figure 6**. The maximum tonnage that would be contained in each bay would vary depending on the type of material stored, but is estimated to range from 98 tonnes to 298 tonnes per bay (worst-case scenario).

Used lead-acid batteries, fire extinguishers and gas bottles recovered from the waste stream would be stored in self-bunded cages adjacent to the tipping area in Shed B until removed from the site. Asbestos would be stored in a covered skip bin adjacent to the storage cages (see **Figure 5**). All NCW would be removed from the site daily.

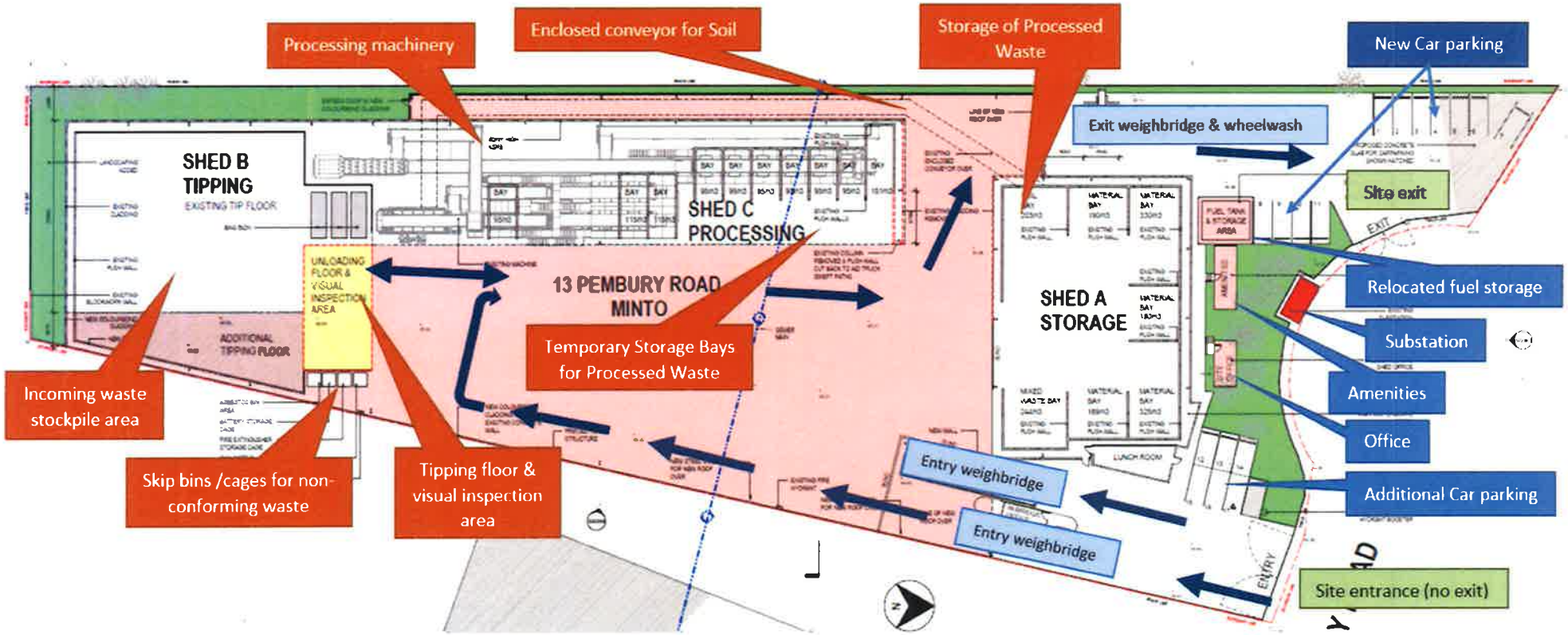

Figure 5: *Proposed Development*

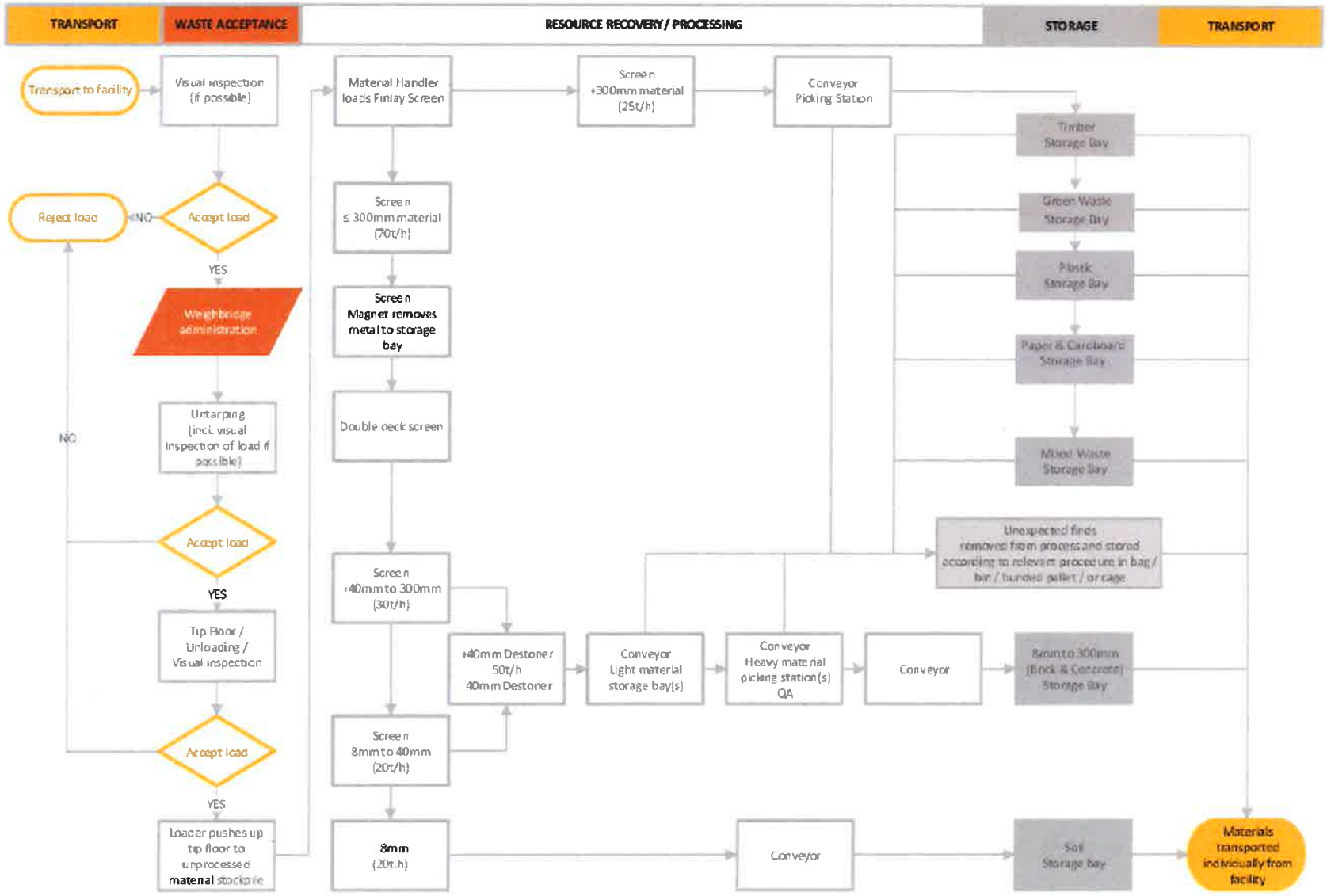

Figure 6: *Process Flow Diagram*

Based on calculations of the maximum potential storage capacity of Shed A and the incoming waste area, the Applicant has advised it intends to apply for storage of up to 10,000 tonnes of waste at any one time to be permitted on its EPL (the Authorised Amount).

The tipping, processing and storage sheds will be enclosed which would prevent rainwater from coming into contact with stored, processed waste. Should any leachate be generated from dust suppression within the waste tipping, processing and storage sheds it would drain to a leachate sump that would be pumped out to a truck for disposal at a licensed liquid waste facility. The bunds located at the entrance and exit points of the shed (see **Figure 4**) prevent leachate interaction with clean stormwater from outdoor areas.

Removal from the Site
Processed recyclable waste material would be removed from the storage bays in Shed A in separate loads according to type. Collection trucks, comprising 19 m semi-trailers, 19.6 m truck-and-dog combinations and 25 m B double trucks would be loaded by a front-end loader with processed waste and exit the site via the weighbridge. Residual waste would be loaded by an excavator directly from the temporary storage bays in Shed C onto waste collection trucks and transported offsite via the weighbridge.

In order to reduce total site vehicle movements, some trucks that have delivered unprocessed waste may also be loaded with processed waste for removal. In order to minimise site congestion, the site operator would schedule removal of processed waste outside of the peak operating hours (being 6 am to 7 am).

Destinations for processed waste outputs would vary depending on type. However, in all cases, destinations would be licensed recycling facilities or landfills (for residual waste).

2.3. Applicant's Need and Justification for the Development

The Applicant has justified the need for the development by highlighting that it would assist in achieving the targets of the NSW Waste Avoidance and Resource Recovery Strategy 2014-2021 (WARR Strategy) through reduction of waste going to landfill. With a target recovery rate of 85%, the development would exceed the 2021-22 targets of the WARR strategy for C&D (80%) waste. It is expected the facility would reduce the percentage of waste diverted to landfill and cause a significant increase in the overall tonnes of waste diverted from landfill.

The Applicant indicates the site is well positioned to service approved demolition and construction projects in the region. The development would be capable of receiving and processing waste products to enable resource recovery and subsequent reuse elsewhere.

The Applicant suggests the current processing capacity of 30,000 tpa under-utilises the site and fails to cater for Sydney's recent growth in construction and the resulting need for C&D and C&I waste recycling. In addition, the Applicant refers to the present lack of similar facilities in the Minto area to cater for local needs, as well as the shortage of C&D and C&I recycling facilities in the Sydney metropolitan area in general.

Provided environmental control measures are properly implemented and monitored, the Applicant maintains that the potential for environmental impacts from the development would be minimal.

3. STRATEGIC AND STATUTORY CONTEXT

3.1. Strategic Context

The NSW Government has announced the Premier's Priorities which cover 12 key areas including economic growth, provision of infrastructure, protection of vulnerable communities, improving education and environmental protection. One of the Premier's key priorities is 'Creating Jobs'. The NSW Government aims to provide 150,000 new jobs by 2019.

The development would contribute toward 'Creating Jobs' by creating 30 new construction jobs and 30 new operational jobs in the Campbelltown LGA. The development also represents a $4.2 million capital investment in industrial development.

The development is also consistent with the goals, directions and actions outlined in *A Metropolis of Three Cities - the Greater Sydney Region Plan* as it will:

- assist in the sustained growth and investment of the identified Western Parkland City and the Campbelltown-Macarthur strategic centre, which will be a focus for employment, services and transport connections (Objective 22)
- provide for additional jobs closer to where people live to support the 30-minute city (Objective 14)
- ensure the continued use of the site as a RRF (Objective 35).

NSW 2021 and the Waste Avoidance and Resource Recovery Strategy

Reducing waste and keeping materials circulating within the economy are priorities for the NSW government, as set out in NSW 2021. To meet this important challenge, the government developed the state-wide WARR Strategy that sets waste recovery targets for C&D, C&I and municipal solid waste (MSW) material. By 2021–22, the WARR Strategy requires an increase in recycling rates as follows:

- C&I from 57% (in 2010–11) to 70%
- C&D from 75% (in 2010-11) to 80%
- MSW from 52% (in 2010–11) to 70%
- increase in the waste diverted from landfill from 63% (in 2010-11) to 75%.

The target recycling rate for the RRF is 85%, which exceeds the WARR Strategy targets for C&D waste. The Department has reviewed the information and specifications for the SKALA machinery to be used to separate waste and is satisfied that the 85% target rate is achievable and realistic for the development. The development would therefore contribute to the State's recovery performance in the C&D sector.

Western City District Plan, 2018

To implement the broad aims of the *Metropolis of Three Cities - the Greater Sydney Region Plan*, District Plans for five geographical districts across Sydney have been prepared. The Western City District Plan was finalised in March 2018 and provides a link between the broad aims of the Greater Sydney Region Plan and local environmental plans. It sets key priorities and actions for delivering productive, liveable and sustainable communities. The Western City District Plan includes job and housing targets, strategies for improved housing choice and affordability and protection and enhancement of natural resources.

The Department considers the development is consistent with the priorities of improving productivity within the District by delivering jobs closer to home. The development would provide 30 new construction jobs and 30 new operational jobs within the District. The proposed development would also assist in meeting Action 79 of the Western City District Plan as it will ensure the continued operation of the RRF provides an expanded location for waste recycling and management.

3.2. State Significant Development

The development is State significant development pursuant to section 4.36 of *Environmental Planning and Assessment Act 1979* (EP&A Act) as it involves development for the purpose of a resource recovery or recycling facility that handles more than 100,000 tpa of waste. This meets the criteria in Clause 23(3) of Schedule 1 in State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP). Consequently, the Minister for Planning is the consent authority for the proposed development.

3.3. Permissibility

The site is located in the IN1 General Industrial zone under the Campbelltown Local Environment Plan 2015 (CLEP) (see **Figure 7**). The proposed development is defined as a resource recovery facility under the CLEP which is prohibited in the IN1 zone. However, the proposed development is permissible with consent under Clause 121(1) of State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) as it is considered a type of waste or resource management facility and the IN1 zone is a prescribed zone. The provisions of the Infrastructure SEPP prevail over the CLEP as outlined in Clause 8 of the Infrastructure SEPP. As such, the proposed development is considered permissible with consent. Therefore, the Minister or a delegate may determine the carrying out of the development.

3.4. Consent Authority

On 11 October 2017, the Minister delegated the functions to determine SSD applications to the Executive Director, Key Sites and Industry Assessments where:

- the relevant local council has not made an objection and
- there are less than 25 public submissions in the nature of objections and
- a political disclosure statement has not been made.

Of the 17 submissions received, 10 objected to the proposed development. Council did not object to the development. No reportable political donations were made by the Applicant in the last two years.

Accordingly, the application can be determined by the Executive Director, Key Sites and Industry Assessments under delegation.

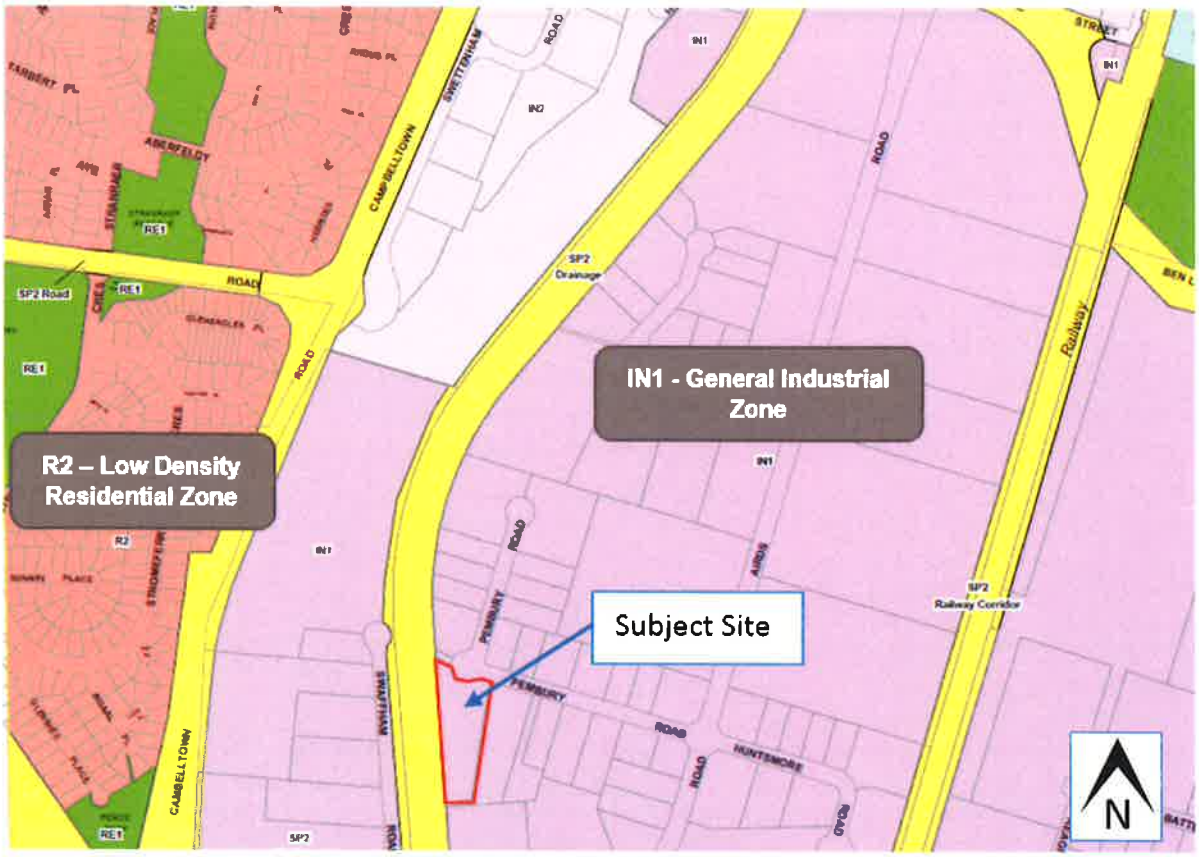

Figure 7: *Campbelltown Local Environmental Plan 2015 Land Use Zones*

3.5. Other Approvals

Section 4.42 of the EP&A Act requires further approvals to be obtained, considered or determined in a manner that is consistent with any Part 4 approval for SSD projects under the EP&A Act. In the case of the development, the Applicant will need to apply for the existing EPL (No. 20638) to be updated and issued by the EPA under the *Protection of the Environment Operations Act 1997*.

3.6. Considerations under Section 4.15 of the EP&A Act

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a DA. The Department's consideration of these matters is set out in Section 5 and **Appendix B**. In summary, the Department is satisfied the development is consistent with the requirements of section 4.15 of the EP&A Act.

3.7. Environmental Planning Instruments

Under section 4.15 of the EP&A Act, the consent authority, when determining a DA, must take into consideration the provisions of any environmental planning instrument (EPI) and draft EPI (that has been subject to public consultation and notified under the EP&A Act) that apply to the development.

The Department has considered the development against the relevant provisions of several key EPIs including:

- State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- Campbelltown Local Environmental Plan 2015 (CLEP)
- Campbelltown (Sustainable City) Development Control Plan 2015.

Development Control Plans (DCPs) do not apply to SSD under Clause 11 of the SRD SEPP. However, the Department has considered the relevant provisions of the Campbelltown (Sustainable City) DCP 2015 in its assessment of the development in Section 5 of this report.

Detailed consideration of the provisions of all EPIs that apply to the development is provided in **Appendix C**. The Department is satisfied the development generally complies with the relevant provisions of these EPIs.

3.8. Public Exhibition and Notification

Under Section 89F(1) (superseded by section 2.22) of the EP&A Act, the Secretary is required to make the development application and any accompanying information of an SSD application publicly available for at least 30 days. The application was on public exhibition from 29 June 2017 until 14 August 2017. Details of the exhibition process and notifications are provided in Section 4.1.

3.9. Objects of the EP&A Act

In determining the application, the consent authority should consider whether the development is consistent with the relevant objects of the EP&A Act. These objects are detailed in Section 1.3 of the EP&A Act. The objects of relevance to the merit assessment of this application include:

(a) *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
(b) *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
(c) *to promote the orderly and economic use and development of land,*
(d) *to promote the delivery and maintenance of affordable housing,*
(e) *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
(f) *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
(g) *to promote good design and amenity of the built environment,*
(h) *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
(i) *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
(j) *to provide increased opportunity for community participation in environmental planning and assessment.*

The Department has fully considered the objects of the EP&A Act, including the encouragement of Ecologically Sustainable Development (ESD), in its assessment of the application (see **Table 3**).

Table 3: *Considerations against the EP&A Act*

Object	Consideration
1.3(a)	The development would enable the re-development of land to expand the capacity of the existing facility, permitting the facility to recycle and recover a greater volume of waste in a more efficient and cost-effective manner. This would assist in promoting social welfare by meeting the growing demands of local industries for waste recycling within the southern metropolitan area of Sydney. In addition, it would promote the economic welfare of the local community through the provision of 30 full time construction jobs and 30 ongoing operational jobs.
1.3 (b)	The development is consistent with the principles of ESD as it would maintain the use of the site for a RRF on appropriately zoned industrial land.
1.3 (c)	The development would ensure the orderly and economic use of the land, which is zoned for industrial use, IN1 General Industrial which permits the proposed development with consent. The site is also strategically located with access to the major regional road network, including the Hume Motorway.
1.3 (d)	The development does not relate to the delivery or maintenance of affordable housing.
1.3 (e)	The Department's assessment in Section 5 of this report demonstrates that, with the implementation of recommended conditions of consent, the impacts of the development can be mitigated and/or managed to ensure an acceptable level of environmental performance.
1.3 (f)	The development is not in close proximity to any heritage items or cultural heritage items and will not impact on heritage including Aboriginal cultural heritage.
1.3 (g)	The development will result in no discernible change in scale or height in the existing built form. The proposed minor changes to the existing sheds and the proposed ancillary buildings promote good design and will maintain the amenity of the established industrial area.
1.3 (h)	The Department has assessed the health and safety of the proposed development and recommended conditions of consent to ensure the proper construction and maintenance of the site.

Object	Consideration
1.3 (i)	The Department has assessed the development in consultation with, and giving due consideration to, the technical expertise and comments provided by Council and other Government authorities. This is consistent with the object of sharing the responsibility for environmental planning between the different levels of government in the State.
1.3 (j)	The Department provided the general public with opportunity to comment on the development and considered all issues raised in public submissions during its assessment of the application (Section 5).

3.10. Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

(a) the precautionary principle
(b) inter-generational equity
(c) conservation of biological diversity and ecological integrity
(d) improved valuation, pricing and incentive mechanisms.

The potential environmental impacts of the development have been assessed and, where potential impacts have been identified, mitigation measures and environmental safeguards have been recommended.

As demonstrated by the Department's assessment in Section 5 of this report, the development is not anticipated to have any adverse impacts on native flora or fauna, including threatened species, populations and ecological communities, and their habitats. As such, the Department considers the development would not adversely impact on the environment and is consistent with the objectives of the EP&A Act and the principles of ESD.

3.11. Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

Under the EPBC Act, assessment and approval is required from the Commonwealth Government if a development is likely to impact on a matter of national environmental significance (MNES), as it is considered to be a 'controlled action'. The Applicant undertook a preliminary assessment of the MNES in relation to the development and concluded the development would not impact on any of these matters, and is therefore not a 'controlled action'. As such, the Applicant determined a referral to the Commonwealth Government was not required.

4. CONSULTATION AND SUBMISSIONS

In the EIS, the Applicant had proposed for up to 220,000 tpa of waste to be processed in semi-enclosed sheds on the site. Therefore, initial consultation and comments on the EIS and first RTS were based on this proposal. However, due to concerns raised by the Department, agencies and the general public, the Applicant later amended the DA as described in Section 4.3.

4.1. Consultation

The Applicant, as required by the Secretary's Environmental Assessment Requirements (SEARs), undertook consultation with relevant local and State authorities as well as the community and affected landowners. The Department undertook further consultation with these stakeholders during the exhibition of the EIS and throughout the assessment of the application. These consultation activities are described in detail in the following sections.

4.1.1. Consultation by the Applicant

The Applicant undertook a range of consultation activities throughout the preparation of the EIS including:

- a letter to potentially impacted adjoining and nearby owners and occupiers, as well as publishing details of the proposal on a project specific website
- correspondence with Council's Planning Manager on 10 August 2016 where Council reiterated the requirements outlined in the preparation of the SEARs including potential impacts in relation to traffic, dust, noise, asbestos, stormwater management and landscaping
- a meeting with the EPA to discuss matters to be included in the EIS when assessing potential impacts regarding noise and vibration, dust, odour and wastewater impacts and controls for leachate management.

The Applicant also met with the Department onsite on 19 February 2018 to discuss outstanding issues regarding the assessment of the application.

4.1.2. Consultation by the Department

After accepting the DA and EIS for the application, the Department:

- made it publicly available from **Thursday 29 June 2017** until **Monday 14 August 2017**:
  - on the Department's website
  - at the Department's Information Centre (320 Pitt Street, Sydney)
  - at Campbelltown City Council (Civic Centre, 91 Queen Street, Campbelltown)
  - at Greg Percival Library (Corner Oxford Road & Cumberland Road, Ingleburn)
  - at HJ Daley Library (1 Hurley Street, Campbelltown)
- notified landowners in the vicinity of the site about the exhibition period by letter
- notified relevant State government authorities and Council by letter
- advertised the exhibition in the Campbelltown-Macarthur Advertiser and the Camden-Narellan Advertiser.

The exhibition period was extended to 47 days to account for school holidays in July 2017.

4.2. Submissions

The Department received 17 submissions during the exhibition period, including 6 submissions from public authorities and 11 submissions from the general public. A summary of the submissions received is provided in **Table 4**.

Table 4: *Breakdown of Submissions by Classification and Respondent*

Respondent	Support	Object	Comment	Total
Public authorities	0	0	6	6
Community Groups	0	0	0	0
Individuals/ Businesses	0	10	1	11
Total	**0**	**10**	**7**	**17**

A summary of the issues raised in submissions is provided within Section 4.2.1 and Section 4.2.2. Each submission is provided in full at **Appendix E**.

4.2.1. Public Authorities

The Department received 6 submissions from public authorities during the exhibition period, of which none were objections. The submissions received and the issues raised are discussed further below.

The **EPA** initially advised the proposal could not be supported in its current form given the EPA's draft minimum standards for managing C&D waste in NSW had not been met particularly as the RRF was not enclosed. Following a meeting with the Applicant, the EPA and the Department, the EPA provided a further submission which highlighted and expressed concern regarding existing non-compliances and quality controls stipulated by the existing development consent and EPL. However, the EPA supported the Applicant's amended proposal including the construction of an enclosure over the processing operations and advised this was the most effective solution to minimise or prevent the majority of environmental issues at the site, including:

- noise
- dust and tracking of materials offsite
- traffic
- management of waste stockpiles.

Council did not object to the proposed development, however expressed concern in relation to the capability of the site to sustain the proposed volume of waste. Council also raised concern and requested additional information in relation to the following:

- the Applicant's engagement with neighbouring properties
- the potential traffic impacts including the ability of the site to accommodate the proposed volume of traffic and the potential for queuing of vehicles on Pembury Road and across driveways

- the Applicant's ability to ensure quality control measures are effective to prevent contamination of waste streams
- the capacity of Shed A (storage shed) to accommodate the proposed volume of waste
- dust impacts.

Council's submission also noted there are existing issues with the current operation of the facility in relation to traffic and dust.

NSW Fire and Rescue (FRNSW) requested an assessment against the National Construction Code – Building Code of Australia to ensure stockpile size and volume is limited to allow vehicle access by FRNSW, adequate water supply to the site and fire hydrants and measures to contain contaminated fire water run-off in the event of fire.

NSW Roads and Maritime Services (RMS) advised it had no objections to the development and as such did not recommend any conditions of consent.

The **Office of Environment and Heritage (OEH)** did not provide a submission.

Department of Primary Industries (DPI) advised it had no objections to the development and did not recommend any conditions of consent.

Sydney Water did not object to the development however noted the local water and wastewater systems have adequate capacity to service the development and recommended conditions requiring the Applicant obtain a Section 73 Compliance Certificate under the *Sydney Water Act 1994*.

4.2.2. General Public

11 submissions were received from the general public, of which 10 objected to the development and one raised concerns. Issues raised in the submissions included:

- the suitability of the site's size and location to cater for an increase in processing capacity
- the reduction of air quality and associated health impacts and businesses due to dust from processing activities in a not fully enclosed shed and uncovered stockpile areas
- amenity impacts, particularly in relation to road congestion, safety due to the additional traffic generated and impacts on the local road network
- contamination and pollution from asbestos
- impact to existing business operations
- impact on the quality of water and Bow Bowing Creek.

The submissions from the general public were primarily from businesses/individuals located within 2 km of the site, located along Pembury Road (see **Figure 8**).

Figure 8: *General location of submissions from the general public*

The Department has considered the key issues raised in public submissions in Section 5.

4.3. Response to Submissions and Amended Development

On 22 December 2017, the Applicant provided a response to the issues raised in submissions as well as an amended development application which was accompanied by revised specialist reports, including traffic, noise and vibration, air quality and a fire engineering concept design statement (see **Appendix F**).

Amendments to the Development Application

Due to the concerns and issues raised by the general public, Council and government agencies, the Applicant reconsidered and revised the scope of the application. The amendments included:

- construction of a shed and roof structure to enclose the waste tipping, processing and storage area
- removal of non-structural internal shed walls and cladding
- removal of the above-ground wheel wash and installation of a new weighbridge and in-ground wheel wash at the vehicle egress point
- extensions to the dust suppressions and sprinkler system
- adjustments to the location of the proposed site office and amenities buildings, the fuel tank and landscaping
- increase the provision of parking on site from 10 to 17 car spaces
- revisions to the internal infrastructure and operational layout including the demarcation of an internal unloading floor and visual inspection area
- increasing the Capital Investment Value from $2,466,000 to $4,187,000.

The RTS and amended development was provided to key agencies to consider whether it adequately addressed the issues raised. The Department also provided the RTS and amended development to members of the general public who made submissions. A summary of Council's and agencies responses are provided below:

- **EPA** – expressed concern regarding the proposed waste throughput and recommended that any increase to waste limits be subject to a staged roll-out which is contingent on the Applicant demonstrating the effectiveness of its waste inspection processes and ability to ensure non-conforming waste is rejected. The EPA recommended that the total amount of waste be capped at 7,500 tonnes as per the existing EPL and provided recommended conditions of approval for the development.
- **Council** – expressed concerns about the practicalities of on-site vehicle manoeuvring, parking provision and design, landscaping, air quality and the potential health and safety of workers.
- **FRNSW** – raised issues regarding compliance with the National Construction Code's requirements for Large Isolated Buildings and recommended the Applicant consult with FRNSW prior to undertaking the final design of the development's fire safety and containment systems.

The Department also raised further concern regarding traffic manoeuvring and modelling, air quality monitoring, leachate management and non-conforming waste.

On 19 March 2018 the Applicant provided a further RTS to the Department.

The agencies reviewed the updated information and amendments to the development supplied with the further RTS and provided the following comments:

- **EPA** – reiterated its previous concerns.
- **Council** – provided some recommendations for conditions of consent.
- **FRNSW** – provided recommended conditions of consent for the development.

The Department has considered the issue raised in submissions, the two RTS documents and the supplementary concerns raised in its assessment of the development.

5. ASSESSMENT

The Department has considered the EIS, the issues raised in the submissions, the Applicant's amended application and RTS documents in its assessment of the development. The Department considers the key assessment issues are:

- traffic
- site and operational management.

A number of other issues have also been considered. These issues are considered to be minor and are addressed in **Table 9** under Section 5.3.

5.1. Traffic

The proposed increase in processing capacity of the RRF would generate additional truck movements to and from the site. These additional truck movements have the potential to impact on the safety, capacity and efficiency of the local road network.

Access to the site is currently gained via the eastern two-way driveway off Pembury Road. The Applicant has proposed to modify the configuration of the site's access to better accommodate the turning of trucks entering and exiting the site as well as the efficiency of site operations. The proposal will use the eastern two-way driveway as the main entry to the site and the currently unused western driveway for egress.

Concern about traffic impacts was one of the major issues raised by nearby businesses objecting to the development. As discussed in Section 1.2, the original application requested a processing capacity of 220,000 tpa in semi-enclosed sheds on the site with the operational peak hours occurring at 9 am to 10 am and 12 pm to 1 pm. Therefore, the Traffic Impact Assessment (TIA) submitted with the EIS assessed operational traffic based on this proposal. Additional revised information was provided by the Applicant which changed the operational traffic movements to reflect the increased area available for vehicles to manoeuver onsite and altered the peak operating period to be during a single hour, from 6 am to 7 am.

Operational Traffic Generation

Operational traffic impacts were addressed in the TIA submitted with the EIS, with updated information supplied in an addendum TIA within the RTS. The addendum TIA included the results of a week-long traffic survey of the operation of the RRF in September 2017. At the time, the RRF was operating with a weekly output equivalent to approximately 140,000 tpa.

Vehicle or truck movements in the TIA have been assessed based on a two-way movement. A two-way movement consists of a vehicle entering the site (counted as one movement) and the same vehicle leaving the site (counted as one movement). As such, a vehicle attending and leaving the site is counted twice in a two-way movement analysis. The Department considers using a two-way movement is beneficial as it accounts for the actual traffic impact of the development on the surrounding road network.

An analysis of the traffic counts of the peak hour of the peak day for site operations was undertaken and used to conservatively project the expected traffic impacts from the proposed 58% increase in the capacity of the facility (see **Table 5**). The prediction used the proposed truck types and their maximum load weight shown in **Table 6**.

Table 5: *Predicted Vehicle Movements*

Direction	Existing, as at September 2017 (140,000 tpa)	Predicted (220,000 tpa)
	Vehicle Movements	Vehicle Movements
Total two-way movements per day	211	331
Operational peak hour two-way movements (6 am to 7 am)	34	54

Table 6: *Breakdown of Truck Types and Load Weight*

Type of Truck	Maximum load	Inbound Movements per day[1]	Outbound Movements per day[2]	Two-way Movements per day
Truck and dog and semi-trailers	32 t (truck and dog) 24 t (semi-trailer)	37	37 (21 of which will both tip and collect waste)	73
B-Doubles	35 t	5 (empty trucks)	5 (for residual waste collection)	10
Other (Medium Rigid Vehicles)	12 t (hook-lift truck)	33	33	66
Light vehicles	Subject to change if vehicle has a trailer	61 waste related 30 staff vehicles	61 waste related 30 staff vehicles	182
Total				**331**

[1] Numbers rounded to whole numbers which may result in total two-way movements not adding up.
[2] Numbers rounded to whole numbers which may result in total two-way movements not adding up.

The expanded operations at 220,000 tpa are predicted to generate 331 vehicle movements per day, an overall increase of 120 movements per day (above the September 2017 traffic volumes), comprising 77 heavy vehicle movements.

The majority of trucks will access the site via the Hume Highway and Campbelltown Road, Ben Lomond Road or Rose Payton Drive, Airds Road and Pembury Road (see **Figure 9**). However, up to 83 truck movements per day (25% of all vehicles) will utilise Pembroke Road as an alternative route due to load limits imposed by Council on Airds Road Bridge and Ben Lomond Road Bridge. These trucks include semi-trailers, truck and dogs and B-double trucks, with potential loads in excess of 32 tonnes. Pembroke Road is classified for use by B-doubles and is presently utilised by other industrial uses within the Minto Industrial Estate as a primary haulage route for heavy vehicles.

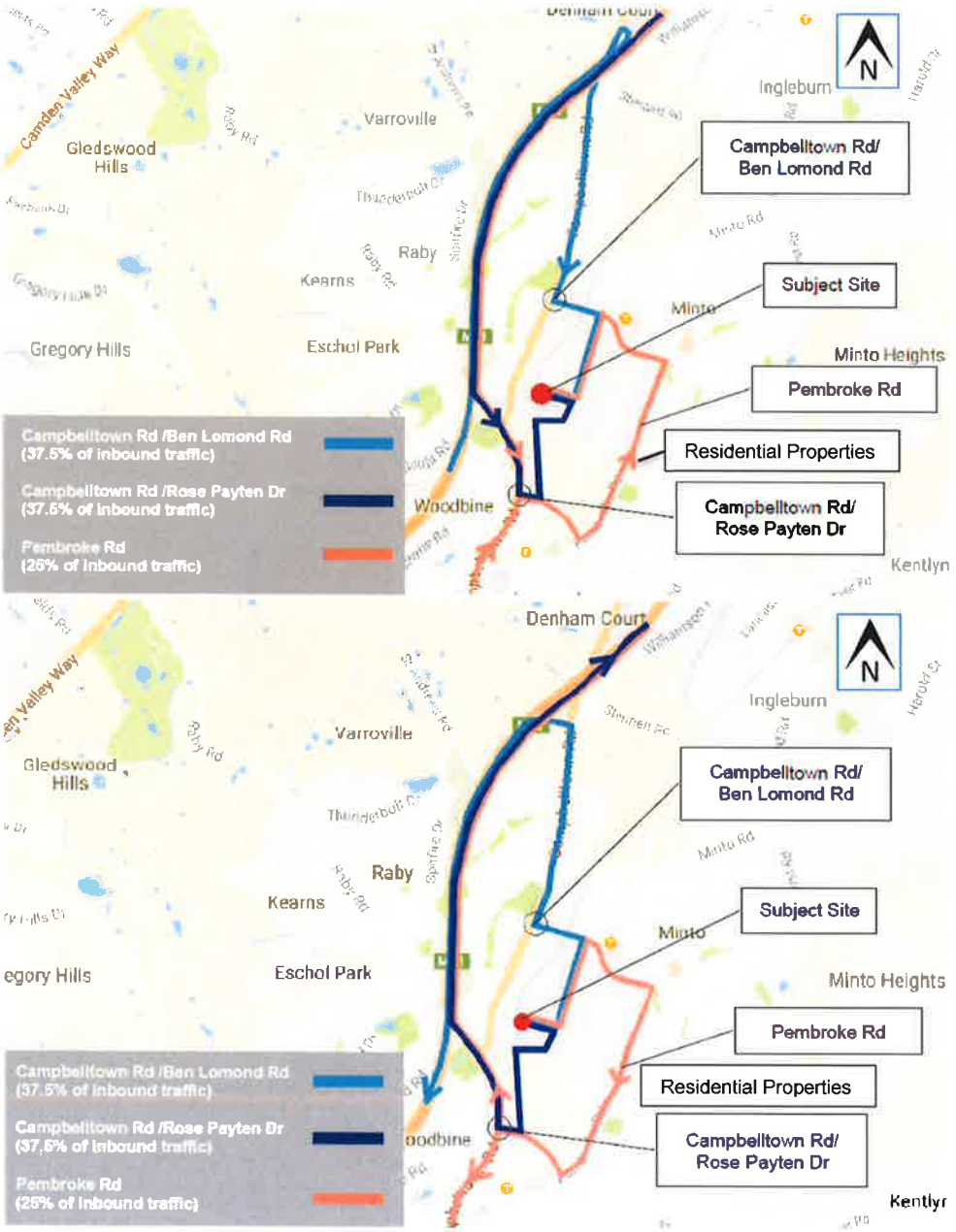

Figure 9: *Inbound/Outbound Haul Routes and Key Intersections*

The Applicant has compared the performance of the existing and future traffic conditions of key intersections during the AM (8 am to 9 am) and PM (1 pm to 2 pm) road network peak periods using SIDRA modelling. The Ben Lomond Road and Rose Payton Drive intersections with Campbelltown Road are currently performing to a good standard (Level of Service (LoS) A, B and C) with the exception of Ben Lomond Road which has a satisfactory (D) LoS during the AM peak period (see **Table 7**).

Table 7: *Existing and Future Conditions SIDRA Modelling Results*

Intersection with Campbelltown Road	AM peak hour		PM peak hour	
	Average delay (seconds)	Level of Service (LoS)	Average Delay (seconds)	Level of Service (LoS)
Existing Conditions				
Ben Lomond Road	51	D	38	C
Rose Payten Drive	25	B	24	B
Future Conditions				
Ben Lomond Road	52	D	38	C
Rose Payten Drive	25	B	24	B

The Applicant's traffic modelling indicates the LoS of the intersections for Campbelltown Road/Ben Lomond Road and Campbelltown Road/Rose Payten Drive will not change as a result of the proposed development. However, the Campbelltown Road/Ben Lomond Road intersection will experience a one second increase in the average delay time in the AM road network peak hour due to the proposed development. The Applicant advised this increase in the average delay time would not cause nearby intersections to reach capacity due to the overall high level of performance of existing intersections. The Applicant concluded the predicted number of trucks generated by the increase in processing capacity could not be expected to compromise the safety or efficiency of the surrounding road network.

Council requested validation from the Applicant that the peak operating periods would fall outside the peak road network periods. Several public submissions also raised concerns regarding the potential impact of increased truck movements on the safety, capacity and efficiency of the local road network. RMS did not raise any concerns regarding operational traffic.

The Applicant provided clarification in the RTS and revised the peak operating period to be 6 am to 7 am to reflect the observed peak operating hour during the September 2017 traffic survey.

At the Department's request, the Applicant also provided clarification on the number of different types of vehicles which will access the site. The Applicant suggests the existing facility predominantly caters for small and medium rigid trucks carrying lighter comingled wastes (with an average load weight of 5 tonnes). The Applicant argues the predominant purpose of the increased processing capacity is to recover C&D waste from large construction and infrastructure projects. These projects would require the use of larger sized trucks, including semi-trailers and truck and dog combinations to carry heavier wastes such as soils, bricks and concrete. The use of these trucks would limit the overall number of movements required for the additional processing capacity. To maximise site efficiency and minimise truck movements, the Applicant indicates larger trucks delivering waste would also collect waste in the same trip.

Council was satisfied with the Applicant's response and did not pose any further concerns regarding operational traffic generation.

The Department has assessed and is satisfied with the Applicant's rationale used to predict truck movements for the intended processing capacity, as it is based on a traffic survey of the site in full operation and trends evident at other facilities. The additional 120 vehicles travelling on Pembury Road will result in a minor increase, by 7%, in the overall traffic volumes on Pembury Road and will maintain the operational performance of Pembury Road below RMS's operating capacity for a two-way road. The Department also notes that the peak operating hour of the site (6 am to 7 am) will be outside the AM and PM peak road network periods to minimise adverse impacts to Pembury Road. During the AM peak hour for the road network, the development would only add an additional 16 truck movements on Pembury Road. On this basis, the Department is satisfied Pembury Road can accommodate the increase in vehicle movements without road infrastructure or other upgrades being required.

The Department has considered the potential traffic impacts of heavy vehicles using the alternate haul route on residential properties on the eastern side of Pembroke Road and the performance of the road network (see **Figure 9**). Conservatively, the heavy vehicles using the alternate route will result in up to five heavy vehicle movements using Pembroke Road per hour. In comparison to the 20,000 daily vehicle movements currently using Pembroke Road, the additional heavy vehicles will represent less than 1% of all traffic travelling on this route, which is within the RMS acceptable levels for operational capacity. On this basis, the Department considers the proposed additional traffic using the alternate route represents a minor increase which will not have a significant impact on the amenity of nearby residential properties or on the operational capacity of Pembroke Road.

To ensure any potential traffic impacts are effectively managed, the Department has recommended conditions of consent requiring the Applicant prepare a Driver Code of Conduct and Operational Traffic Management Plan (OTMP). The OTMP must include measures to ensure road safety and efficiency, including prioritising the removal of recycled products and residual waste outside of the road network peak hours.

Truck Maneuvering and Queuing

It is important for the safety and efficiency of the road network that waste facilities are of a size and layout which allows for the unhindered and efficient maneuvering of all sizes of trucks into and through the site in a manner which avoids potential queuing within the road reserve.

The TIA provided swept path analysis for the largest sized vehicle accessing the site, a 25 m B-double truck. The TIA contained broad statements regarding the ability of the site to cater for the amount and type of heavy vehicles on the site during the peak operating periods.

Council raised concerns there would be insufficient space for vehicle stacking onsite and, given the high volume of waste throughput, that the proposal would result in vehicles queuing on Pembury Road. Council also raised concern that the internal vehicle stacking would conflict with the required maneuvering of trucks picking up processed waste or machinery moving waste from Shed C to Shed A.

The Department notes RMS raised no objection to the development.

The Department also raised concerns the TIA did not provide enough information to justify the site was suitable for the proposed truck volumes to avoid queuing within the road or delays in processing. In particular, the Department required the Applicant to provide:

- revised swept path analysis showing the movements of the front-end loader (proposed to move waste between Shed C and Shed A) to ensure there would be no conflict with truck movements onsite
- measures to ensure conflicts with the largest vehicles entering and exiting the site would be managed
- measures to ensure conflicts with existing traffic would be avoided during peak operating periods
- a draft Traffic Management Plan (TMP)
- measures to manage traffic in the event there is a shutdown in the waste processing equipment
- an alternative solution to trucks parking on Airds Road.

A number of submissions from members of the general public also expressed concern that the proposal would result in vehicles queuing on Pembury Road which would impact the safety of the road and their businesses.

As previously discussed, the Applicant amended the application and provided an RTS with an addendum TIA to respond to the above concerns. The addendum TIA modified the site access arrangements to allow for two inbound weighbridges at the main driveway and a single outbound weighbridge at the site egress. This increased the availability of stacking spaces between Pembury Road and the inbound weighbridges from two spaces to five spaces and ensured there would be no conflicts between vehicles entering the site and those exiting the site. The Applicant also provided a draft TMP and further justification that the site provided sufficient onsite stacking spaces to avoid vehicles queuing on Pembury Road or parking on Airds Road.

The Applicant provided a further analysis of the movements of the excavator which would be used to load waste onto collection trucks parked alongside Shed A or to transport waste from Shed C to Shed A when there was no waste collection truck being loaded and advised these movements had been considered while assessing the site layout.

A further swept path analysis was undertaken by the Applicant which demonstrated that there would be no conflicts between a 25 m B-double truck loading at each shed while a vehicle manoeuvres from the tip floor to the exit. The analysis indicated that all vehicles were able to enter and exit the site in a forward direction.

The additional swept path analysis demonstrated that, during the worst-case scenario in the peak operating hour when trucks would spend up to 30 minutes on the site between entry and exit, 27 vehicles would be expected to arrive to the site. These vehicles could be accommodated across 14 stacking spaces. As 21 stacking spaces will be available in total, there would be 7 vacant spaces available on site (see **Figure 10**).

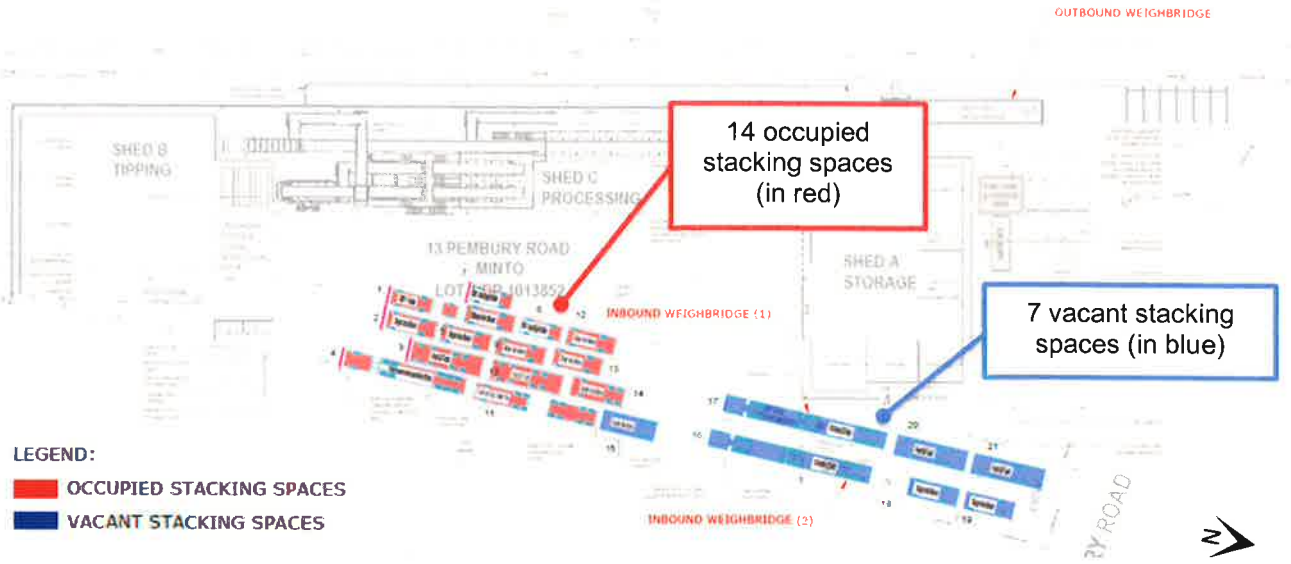

***Figure 10**: Worst-Case Stacking Plan (based on vehicles spending 30 minutes on site)*

The Department queried the Applicant's estimates that a 35 t B-double truck could be loaded in just 15 minutes and raised concerns regarding the impact any extension to loading times would have on site operations. Following discussions with the Department, the Applicant agreed that B-double trucks would be used for the collection of residual waste only. In addition, B-double trucks would be scheduled to arrive outside the peak operational period (arriving between 3 pm and 10 pm Monday to Saturday) to minimise site congestion during peak periods and the potential for queuing on Pembury Road. The Applicant advised, using a conservative assessment of one B-double truck per hour, that there would be sufficient time for trucks to collect waste during this period.

The Department and Council also queried the practicality and ability of B-double truck drivers to perform the required reversing manoeuvre to allow the truck to be loaded given the minimal clearances from buildings. In response, the Applicant provided a technical memorandum which concluded that the swept path analysis was highly conservative and that field trials had demonstrated the maneuvering capability of B-double trucks to be adequate (see **Figure 11**).

The Applicant indicates the conservative assessment of truck stacking in the RTS demonstrates the site has sufficient capacity onsite to accept trucks at the facility in typical and a-typical operating conditions without causing an impact on Pembury Road, including the queuing of trucks.

The Department considers the Applicant has provided the necessary information to carry out a robust assessment of truck maneuvering and stacking. The Applicant's swept path analysis appears to provide adequate justification that the largest sized truck proposed to access the site can maneuver unhindered in the event that 21 other trucks are also stacked within the site. However, to avoid potential safety issues or queuing on Pembury Road, the Department has recommended a number of conditions of consent to mitigate any impacts including:

- the implementation of the vehicle stacking plan and associated management protocols to allow for up to 21 vehicles to be held on site at any one time
- implementation of a TMP
- prohibiting any vehicles associated with the development from queuing or parking within Pembury Road
- scheduling the collection of waste from the site outside the peak operational hours of 6 am to 7am, to avoid times when stacking spaces are needed.

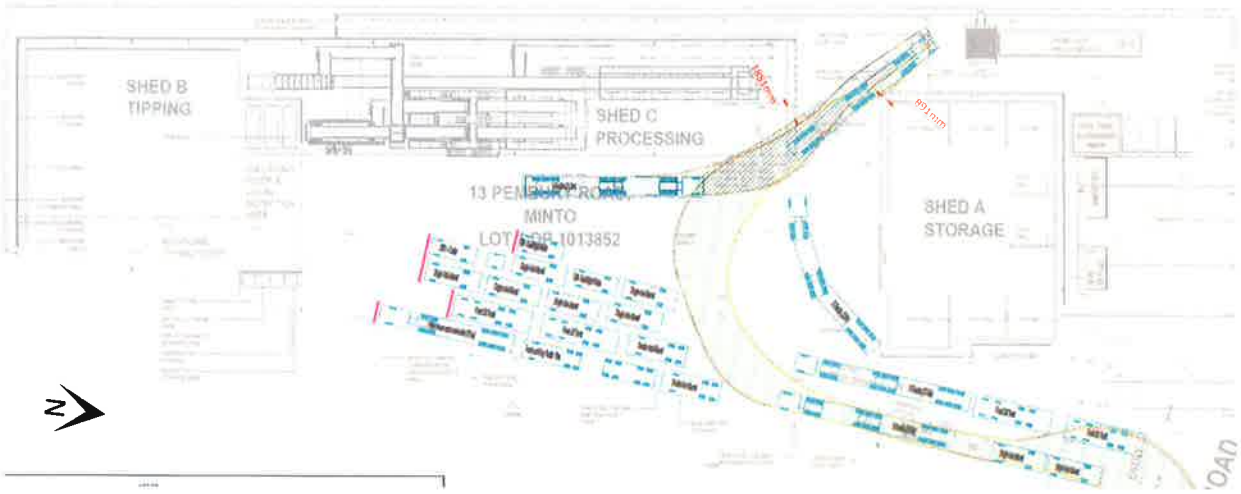

***Figure 11**: Swept Path Analysis – B-double Manoeuvring Through the Site*

The Applicant has agreed to these mitigation measures.

The Department's assessment concludes that, subject to the implementation of the conditions recommended above, traffic generated by the development can be accommodated within the existing road network without any significant impacts on safety or LoS. Maneuvering of vehicles onsite is satisfactory and would not compromise the safety and efficiency of Pembury Road, subject to the implementation of the recommended conditions including the implementation of the stacking plan and TMP.

Conclusion

The Department has considered in detail the potential traffic impacts from the increased operational capacity of the site, including potential impacts on the operational performance and safety of the surrounding road network.

The Department's assessment concludes that, compared to the existing traffic volumes, the predicted additional traffic on Pembury Road represents a minor increase, which is below the recommended operating capacity for a two-way road. The proposal will not change the existing LoS of the nearby intersections of Campbelltown Road/Ben Lomond Road and Campbelltown Road/Rose Payten Drive and will have no impact or a minor impact on their operational performance. The Department considers the heavy vehicles which are required to use the alternate route along Pembroke Road represent a minor increase (less than 1%) to the existing vehicles travelling on this road and therefore will not have a significant impact on the operational performance or amenity of nearby residential properties. With the implementation of a Driver Code of Conduct and OTMP, the Department considers the development will maintain road safety and efficiency.

The Department has also assessed the capacity of the site to accommodate the predicted volume and movement of traffic without resulting in vehicles queuing on Pembury Road. The Department is satisfied the Applicant has demonstrated the site has sufficient capacity onsite to accept trucks at the facility in typical and a-typical operating conditions without causing an impact on Pembury Road. To mitigate vehicles queuing on Pembury Road and associated safety and operational impacts, the Department has recommended a number of conditions of consent including the implementation of a vehicle stacking plan, the preparation and implementation of a TMP and the collection of waste outside the busiest operating period on site.

5.2. Site and Operational Management

A key concern raised by the Department and the EPA related to the ability of the site to handle a processing capacity of 220,000 tpa and its associated vehicle traffic, particularly given its size and proposed design. Some of the submissions from members of the general public also raised concerns with the sites ability to cater for the intended processing volumes. To address a number of these concerns and maximise the use of space on the site, the Applicant amended the application to enclose the facility. However, due to the relatively small size of the site and the quantity and type of recycling equipment proposed, the suitability of the site remained a key concern of the Department and the EPA. As such, the Department has rigorously assessed the development's capabilities and processes to handle 220,000 tpa of waste from receipt through to dispatch. This assessment is presented in **Table 8** below.

***Table 8**: Assessment of Capability to Handle and Process Waste*

Aspect	Assessment
Ability to process proposed amount of waste	• Bingo's SKALA processing machinery is configured to process up to 70 tonnes of waste per hour. The actual maximum processing capacity of the machinery is 100-150 tonnes per hour. • working 16 hours per day, six days a week, equates to a maximum of 349,440 tpa, which allows for a 59% time surplus above the time required to process 220,000 tpa. • the Department considers this would be a sufficient buffer to absorb unexpected processing machinery breakdown time without compromising the ability to process all incoming waste. • the Department is satisfied the processing capability of the RRF would be sufficient to ensure efficient and timely processing of all incoming waste.
Unexpected processing machinery shutdown	• breakdown or blockage of processing machinery has the potential to cause a build-up of unprocessed waste in the incoming waste receival area. • based on a throughput of 220,000 tpa, an average of 4,230 tonnes per week, or 705 tonnes of unprocessed waste per day would be received. • based on the composition of incoming waste from **Table 2**, the incoming waste receival area in Shed B has a capacity of 5,166 tonnes, representing more than one week's worth of incoming waste. • the Applicant's real-time tracking system enables vehicle movements to be tracked at all times and deliveries to be delayed or diverted to other facilities as required. Bingo has a broad network of recycling facilities throughout Sydney (see **Figure 12**) to redirect waste material to, thereby preventing the waste receival area exceeding its maximum storage capacity. • there is also capacity to 'stack' up to 21 trucks on site (see Section 5.1). • outgoing waste would be removed during processing machinery shutdown to ensure storage bays are empty and immediately available for use when the machinery resumes activity. • the Department is satisfied Bingo could adequately manage the flow of incoming waste to ensure there would be no exceedance of the waste storage capacity in the event of machinery breakdown.
Unexpected finds of non-conforming waste	• from time to time it can be expected that non-conforming items such as asbestos, batteries, fire extinguishers, tyres and gas bottles may be encountered in incoming waste. • the Applicant has developed procedures to deal with unexpected finds of NCW (see Waste Quality Control section below) and such items would be handled in accordance with these: o SOP-YA018 Rejecting Loads of Non-Complying Waste / Prohibited Materials o SOP-YA017 Visual Inspection of Inbound Waste o SOP-YA020 Unexpected Asbestos Finds o SOP-YA003 Asbestos at Recycling Centres o OPL-YA029 Storage of Hazardous Chemicals – Waste o OPL-YA030 Storage of Hazardous Chemicals – Special Waste • storage of NCW would be in a covered skip or cage as described in Section 2.2. • the Department is satisfied sufficient procedures and processes are in place to adequately manage unexpected finds of NCW.

Waste Quality Control

The Department and the EPA had concerns regarding the Applicant's ability to properly inspect, sort and process waste and identify NCW during peak hour operating periods. As such, the EPA recommended that any increase in the processing capacity of the facility be subject to a staged approach which would be contingent on the Applicant demonstrating the effectiveness of its waste inspection processes and waste quality control measures.

Figure 12: *Location of Bingo Recycling Facilities in the Sydney Basin*

Council also raised similar concerns regarding the Applicant's ability to properly inspect wastes and avoid cross-contamination. In particular, Council queried the practicality of the weighbridge operator being able to adequately inspect the content of loads from the weighbridge office, when loads would only be visible from heights greater than 3 m above ground level.

In response to Council and the EPA's submissions, the Applicant amended the application to ensure incoming waste loads were able to be visually inspected from an elevated platform at the weighbridge to confirm waste materials generally match the description provided by the driver. A second, more thorough visual inspection is undertaken once waste is tipped on the unloading floor in Shed B by site personnel.

The Applicant also provided a further analysis of site operations during the peak operational period. As outlined in **Table 8**, the Applicant has advised there will be sufficient space on site for vehicles to queue as they wait to tip waste loads into Shed B. The inspection times of waste tipped would vary depending on the size and type of the load as well as the vehicle type delivering waste. To ensure the site could accommodate vehicles on site and accommodate fluctuations in tipping and inspection times, the Applicant modelled a worst-case scenario of vehicles spending up to 30 minutes on site. This would allow the inspection of waste tipped in Shed B to take up to 6 minutes during the peak morning period. Based on this worst-case scenario, there will be seven vacant 'stacking' spaces on site to allow for vehicles waiting to tip loads. These vacant stacking spaces would provide a contingency to accommodate for longer inspection times and ensure trucks do not queue or park in the local road network. The Applicant therefore considers a staged approach is not necessary on the basis that the proposal would allow for sufficient time to ensure NCW is identified and managed.

The Department acknowledges the inspection times would vary depending on the waste load size and the nature of the load. The Department considers the availability of seven contingency stacking spaces to be sufficient should waste inspections take longer than anticipated. As such, the Department agrees that a staged approach to the processing capacity is not required. However, to ensure the Applicant properly inspects, sorts and processes waste and rejects any NCW in an efficient and timely manner, the Department in consultation with the EPA has recommended conditions requiring:

- the preparation and implementation of a Waste Quality Control plan which outlines procedures to ensure prohibited waste is rejected
- the submission of at least two months of closed circuit television (CCTV) footage showing waste unloading and inspection procedures in the processing shed
- the submission of a Waste Management Audit report prepared by an independent environmental auditor and informed by CCTV footage which would ground truth the implementation of the Waste Quality Control Plan over a period of three months.

The Applicant, EPA and Council have agreed to these recommended conditions. The Department's assessment on waste quality control concludes the implementation of the recommended waste quality control conditions will ensure waste is properly inspected, sorted and processed, particularly during the peak operating period.

Conclusion

The suitability of the site and its ability to accommodate the proposed processing capacity has been a key consideration of the Department's assessment. The Department has considered the ability of the site to process up to 220,000 tpa; to accommodate unexpected shutdowns in processing machinery; to implement waste quality control measures and manage unexpected finds of NCW. The Department considers the processing capability of the RRF to be sufficient to process incoming waste in a timely manner.

Should the processing machinery breakdown, the site has capacity for the storage of more than one week's worth of incoming waste. The Department is satisfied the Applicant can close the site and manage the flow of incoming waste during such breakdowns to ensure there would be no exceedance of the site's capacity. The Department notes the Applicant has developed numerous procedures and considers these to be sufficient to adequately manage unexpected finds of NCW.

The Department has recommended waste management conditions including the preparation of a Waste Quality Control Plan to ensure waste is appropriately inspected and sorted. To further ensure waste is suitably managed by the Applicant, the Department has also recommended conditions of consent requiring the preparation of an ongoing Waste Management Plan (WMP). The WMP would require the Applicant to implement procedures for the diversion of waste during unexpected machinery breakdown and for NCW handling and removal.

Subject to the implementation of the recommended conditions of consent, the Department's assessment concludes the RRF would manage waste appropriately on the site.

5.3. Other Issues

The Department's assessment of other issues is provided in **Table 9**.

Table 9: *Assessment of Other Issues*

Consideration	Recommended Conditions
Air Quality and Odour	
• An Air Quality Impact Assessment (AQIA) was prepared in accordance with the NSW Approved Methods to assess potential air quality impacts during construction and operation, primarily from dust emissions. • The AQIA concluded construction activities, which are expected over a 16-week period, would be unlikely to significantly impact on local air quality. • Air quality impacts from the operation of the RRF would be from fugitive emissions of particulate matter and was a key concern of submissions from members of the general public. • Council requested further information on dust mitigation measures and expressed concern regarding the amount of dust migrating from the site from existing operations and the potential increase from the proposed operations. • In response, the Applicant amended the application to ensure all waste processing activities were undertaken in an enclosed shed. • An updated AQIA demonstrated the revised design eliminated the potential for windblown dust and that EPA criteria would be met at all residential and industrial receptors for TSP, $PM_{2.5}$ and PM_{10} emissions. • Council acknowledged the air quality benefits of the enclosed RRF and, after confirming the facility would not adversely impact workers health, raised no further concerns. • The EPA did not raise concerns regarding air quality or odour and recommended standard conditions including the implementation of an Air Quality Management Plan (AQMP). • The Department concludes the proposal will have minimal air quality impacts on surrounding receivers with appropriate measures in place, including the requirement to prepare and implement an AQMP.	Require the Applicant to: • undertake all reasonable steps to minimise dust during all works • prepare and implement an Air Quality Management Plan • ensure the development does not cause or permit the emission of offensive odours.
Water Management	
• The EIS included a Soil and Water Assessment (SWA) which assessed the performance of the proposed stormwater management system, as well as the potential flooding, soil and water impacts of the development.	Require the Applicant to: • install and maintain suitable erosion and

Consideration	Recommended Conditions
• The site is located within the Bowing Creek Reserve. • The Department considers the inclusion of a standard condition requiring the implementation of an Erosion and Sediment Control Plan will ensure construction sediment and erosion impacts will be adequately managed. • The SWA found stormwater runoff volumes would not significantly increase as only small areas of additional sealed area are proposed. • The proposed stormwater treatment system includes Eviropod gross pollutant traps in all drainage pits and a Stormwater 360 Filter Chamber for treatment prior to discharge to Council's system. • The Applicant's SWA concluded the relevant target reductions for pollutant loads of the WSUD Guidelines would be achieved or exceeded for Total Suspended Solids, Total Phosphorus, Total Nitrogen and gross pollutants. • Council is yet to publish a flood study of the Bow Bowing/Bunbury Curran Creek Catchments, which the site is located in. • However, Council advised a building certifier had confirmed the site had been previously filled to levels above the flood level. • Given the proposal would not change the existing ground levels of the site, no new conditions regarding flooding and floor levels are required. • The Department considers the proposal will result in minimal additional impervious surface area. Combined with the on-site harvesting of roof water, the proposal will have a minimal impact on overland flooding or on the flow rates to the stormwater network. • Leachate would be captured in blind sumps with capacity up to 729 litres, pumped out by vacuum pump trucks and disposed of at an appropriately licensed facility. • Bunds at the shed openings will provide separation of leachate within the processing shed from external stormwater infrastructure. • The Department has recommended a condition requiring the Applicant provide protocols for the management of leachate within a Water Management Plan. • The Department's assessment concludes the development provides sufficient water quality and drainage control measures to ensure unacceptable water impacts are avoided, subject to adherence to the recommended conditions.	sediment control measures on-site • preparation of a Water Management Plan prior to commencement of operations • design and install a stormwater management system which ensures contaminated fire-water is captured, contained and disposed of.
Construction Traffic	
• An addendum to the TIA was submitted in the RTS which assessed the potential traffic impacts from a 16-week construction phase. • Operation of the RRF would cease during the construction phase and up to 30 construction staff would be onsite at any one time. • The Department considers there is sufficient space to accommodate the parking of all construction staff within sealed areas at the front of the site. • In a worst-case scenario, during the peak construction period, there would be up to 90 light vehicle movements and up to 16 heavy vehicle movements per day. • Given the facility will be closed during construction works, the Department does not consider the construction phase and associated traffic volume would have a significant impact on the surrounding road network. • To limit impacts, the Department has recommended a condition requiring the Applicant prepare a Construction Traffic Management Plan (CTMP). • It is recommended the CTMP restrict parking of construction vehicles on the surrounding road network and delineates adequate construction parking on site. • The Department's assessment of construction traffic concludes that with the implementation of the CTMP, the construction phase of the development would not impact the safety, capacity or efficiency of the local road network.	Require the Applicant to: • prepare and implement a Construction Traffic Management Plan as part of a Construction Environmental Management Plan.
Operational Parking	
• The design and provision of parking and impact on the availability of on-street parking was raised as a concern by Council and members of the general public. • The Applicant advised staff and visitors would park in the 17 parking spaces provided on site. • The Campbelltown DCP requires 37 car parking spaces, based on the site being used for general industry and ancillary offices as opposed to a RRF. • However, the Department considers it is more appropriate to base car parking on the maximum number of employees working per shift (being 15 staff). • On this basis, the site provides two car spaces more than the required 15 parking spaces.	Require the Applicant to: • ensure parking spaces are designed in accordance with AS 2890:2009 • prepare an Operational Traffic Management Plan which details measures to ensure parking of vehicles does not occur on Pembury

Consideration	Recommended Conditions
• The Department has recommended a condition requiring the Applicant prepare an Operational Traffic Management Plan which details measures to ensure no operational vehicles park in the surrounding road network. • The Department concludes the proposed RRF has sufficient parking available on site and will not impact on the availability of parking in the locality with the implementation of the recommended conditions.	Road or the surrounding road network.
Hazards and Risk	
• The EIS states no special liquid, hazardous, restricted solid or putrescible waste would be accepted at the site. • However, should these wastes be brought to the site, the Applicant has outlined procedures describing how contaminated waste would be identified, rejected and recorded in a register available for EPA inspection. • A 30,000 L self-bunded diesel storage tank for refuelling by onsite vehicles would also be located along the north-eastern portion of the site. • A Preliminary Risk Screening Assessment (PRSA) in the EIS confirmed the facility would not store Dangerous Goods (DGs) above the thresholds specified in SEPP 33, therefore it would not be considered potentially hazardous or offensive development. • The Department considers the Applicant has adequately addressed the provisions of SEPP 33 and developed suitable measures to manage DGs. • The Department agrees with the Applicant's conclusions and has recommended standard conditions limiting the storage of DGs to be below SEPP 33 thresholds and to ensure DGs are stored and managed in accordance with relevant Australian Standards.	Require the Applicant to: • ensure the storage of DGs do not exceed the thresholds outlined in the *Hazardous and Offensive Development Application Guidelines: Applying SEPP 33* • store any DGs in accordance with all relevant Australian Standards • store all chemicals, fuels and oils used on site in appropriately bunded areas.
Fire Safety	
• In response to concerns raised by FRNSW, the Applicant submitted a Fire Engineering Concept Design Statement in the RTS which provided a performance based fire strategy for the building and an assessment against the relevant criteria of the National Construction Code (NCC). • FRNSW reiterated their concern regarding the risk of large fires at RRFs associated with inappropriate stockpile sizes and separation and requested a further assessment of particular requirements of the NCC, including in relation to provisions for large isolated buildings. • A further RTS provided an outline of the variations and alternate solutions which will be sought to satisfy provisions for a large isolated building. • FRNSW advised further consultation was required with the Applicant to determine the maximum size and separation distances of stockpiles during the detailed design stage to ensure compliance with the relevant requirements of the NCC. • The Department has recommended conditions requiring the Applicant engage with FRNSW prior to commencing construction to ensure the development complies with the relevant requirements of the NCC. • The Department is satisfied that, with further input from FRNSW during the preparation of detailed design plans, the facility layout and fire safety measures would comply with the NCC and decrease the likelihood or impact of fires.	Require the Applicant to: • ensure stockpile heights and dimensions meet the requirements of FRNSW • consult with FRNSW during the detailed design of the fire safety system to ensure it meets FRNSW requirements.
Noise	
• The EIS included a Noise and Vibration Impact Assessment (NVIA) which assessed the potential noise and vibration impacts to nearby receivers in accordance with relevant NSW guidelines, including the Industrial Noise Policy[3] (INP), the Road Noise Policy (RNP) and the EPA's Assessing Vibration: A Technical Guideline (AVTG). • The nearest residential receiver is located at 37 Stromeferry Crescent, St Andrews, approximately 340 m west of the site (refer **Figure 3**). • The NVIA included a quantitative assessment of construction noise during the 16-week construction period, noting site operations would cease at this time. • The NVIA predicted that, under a worst-case scenario of all construction machinery working simultaneously, noise levels at nearby residences would comply with the construction noise management level (63 dBA (LAeq(15mins)).	Require the Applicant to: • adhere to the specified construction and operational hours • ensure all feasible and reasonable noise mitigation measures are implemented during construction • prepare an Operational Traffic Management Plan and Driver Code of Conduct.

[3] The INP was replaced by the NSW Noise Policy for Industry (2017) on 27 October 2017 however is not applicable to the development under the transitional arrangements of the new policy.

Consideration	Recommended Conditions
• The Department considers noise generated during construction of the facility would not significantly impact on the amenity of the locality with the implementation of conditions restricting construction to standard daytime hours. • The addendum to the NVIA predicted operational noise levels at sensitive receivers using a worst-case scenario (processing 2,000 tonnes per day) and concluded noise levels would be below relevant criteria at all times, including the morning peak hour of 6 am to 7 am, at all receivers. • The Department has recommended conditions requiring that operational noise levels meet the predicted noise levels (44 dBA (LAeq (15mins)) when measured at any residence with frontage to Campbelltown Road. • The Department's assessment concludes noise from the operation of the development comply with the NSW Industrial Noise Policy 2000 and would not negatively impact the amenity of sensitive receivers. • The NVIA found that road traffic noise impacts from the development comply with the RNP, which allows a 2 dB increase. • The Department has recommended conditions which require that the Applicant prepare a Driver Code of Conduct and Operational Traffic Management Plan to ensure drivers are trained in reducing noise from vehicles to minimise impacts and that trucks only utilise designated haul routes.	
Site Contamination	
• Previous use of the site for warehousing and as a waste transfer facility could have resulted in legacy contamination. • A Phase 1 Preliminary Contaminated Site Investigation (PCSI) was undertaken by SLR to identify any areas of environmental concern and associated contaminants of potential concern (COPC) on the site. • The PCSI identified the likelihood of soil contamination to be low-medium for current land use activities, with the risk of COPCs from historic activities rated as low-medium. • The proposed development includes a small amount of excavation works which are required for the establishment of the new weighbridge. • The Department's assessment concludes the development site is suitable for its proposed use as the likelihood of discovering COPCs is relatively low and minimal excavation is required to facilitate the development. • The Department recommends the preparation of a protocol for unexpected discoveries of contamination prior to the commencement of construction.	Require the Applicant to: • prepare a protocol for unexpected finds to ensure any material identified as contaminated is disposed of appropriately and does not pose a risk to workers.
Visual	
• The EIS and RTS included an assessment of the visual impacts of the development including from the construction of a roof structure to enclose the RRF. • The development would be located within an established industrial area with limited possibility for views of the site from residential or public space areas due to the presence of surrounding industrial buildings. • It would be possible to view the buildings from the site entrance at Pembury Road. • However, from this position there would be no discernible change in scale or height of the existing sheds and the enclosed processing shed would be consistent with the established built form of the area. • The proposed additional parking necessitates the removal of six banksia trees in the northern corner, at the Pembury Road frontage of the site. • Additional landscaping has been proposed along the northern and western boundaries of the site and is considered appropriate given the industrial context of the site. • The Department's assessment concludes the development is not visually intrusive and would have minimal visual impact on surrounding receivers.	Require the Applicant to: • submit a final Landscape Management Plan to the Department and maintain landscaping and vegetation on site for the life of the development • ensure lighting from the development complies with relevant Australian Standards and does not create nuisance.
Developer Contributions	
• The Department has recommended conditions requiring the payment of a contribution as the proposed development would incur a contribution calculated at 1% of the cost of the development under Section 7.12 of the EP&A Act and Campbelltown City Council Section 94A Levy Development Contributions Plan 2011. • The Applicant has reviewed the recommended conditions requiring payment of a Section 7.12 contribution totalling $41,870 and raised no objection.	Require the Applicant to pay contributions to Council in accordance with the Campbelltown City Council Section 94A Levy Development Contributions Plan 2011.

6. CONCLUSION

The Department's assessment of the application has fully considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ecologically sustainable development.

The development would contribute to the conversion of waste into reusable products via recycling. It would also assist in diverting C&D and C&I material from landfill and in turn help to extend the life of existing landfill facilities and minimise their environmental impacts. In economic terms, recycling also reduces waste disposal costs for both government and industry.

Through its assessment of the application and in response to issues raised by the general public, the EPA, and Council, the Department has required the Applicant to make changes to the proposal in relation to the proposed site operations and the design of the facility. In response to community concern, the Applicant has enclosed the facility and agreed to have waste collected outside of peak operating periods to minimise potential air quality and traffic impacts. To this end, the Department has developed and recommended a stringent set of conditions which it is confident would minimise impacts experienced by the surrounding community.

The Department has recommended a number of conditions to manage any potential impacts as a result of the development, including:

- restricting waste receipt and processing to 220,000 tpa
- development of an Operational Traffic Management Plan to manage operational traffic impacts and a Waste Quality Control Plan to ensure the site does not accept wastes that are prohibited and load inspection protocols are comprehensive and efficient
- preparation and implementation of management plans for waste, water and air quality
- project specific noise limits and restrictions on the hours of operation
- implementing fire safety measures in consultation with FRNSW to meet the NCC
- the payment of development contributions to Council.

The Department concludes the impacts of the development can be mitigated and/or managed to ensure an acceptable level of environmental performance, subject to the recommended conditions of consent. In summary, the development:

- would be capable of handling 220,000 tpa of waste from receipt through to dispatch and have the required procedures and control processes in place to satisfy the EPA's draft Standards for C&D recycling facilities
- would positively contribute to the State's performance in regard to the WARR Strategy in both the C&I and C&D sectors
- is located in an established industrial area with good connections to arterial roads
- meets the relevant air quality and noise criteria at sensitive receivers
- would generate traffic which could be accommodated on the local and regional road network without any significant impacts on its safety, capacity of efficiency
- would provide a range of environmental and economic benefits for the region, through resource recovery and the provision of 30 long term operational jobs.

The Department concludes the impacts of the development can be appropriately managed through the implementation of the recommended conditions of consent. Consequently, the Department considers the development is in the public interest and should be approved, subject to conditions.

7. RECOMMENDATION

For the purpose of section 4.38 of the *Environmental Planning and Assessment Act 1979*, it is recommended that the Executive Director, Key Sites and Industry Assessments, as delegate of the Minister for Planning:

- consider the findings and recommendations of this report
- grant consent to the application in respect of State significant development SSD 7462
- sign the attached development consent (**Appendix A**).

Prepared by:
Chloe Dunlop, Industry Assessments

Recommended by:

20/6/18

Kelly McNicol
Team Leader
Industry Assessments

Recommended by:

20/6/18.

Chris Ritchie
Director
Industry Assessments

DECISION
The recommendation is approved by:

21/7/18

Anthea Sargeant
Executive Director, Key Sites and Industry Assessments
as delegate of the Minister for Planning

APPENDIX A: DEVELOPMENT CONSENT

Development Consent

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

As delegate of the Minister for Planning under delegation executed on 11 October 2017, 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, 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.

Sargeant

Anthea Sargeant
Executive Director
Key Sites and Industry Assessments

Sydney 2 July 2018 File: DOC18/154237

SCHEDULE 1

Application No:	SSD 7462
Applicant:	Bingo Recycling Pty Ltd
Consent Authority:	Minister for Planning
Site:	Lot 1 in DP 1013852 13 Pembury Road, Minto
Development:	Construction and operation of a resource recovery facility to process up to 220,000 tonnes per annum of general solid waste (non-putrescible).

TABLE OF CONTENTS

DEFINITIONS

Applicant	Bingo Recycling Pty Ltd, or any person carrying out any development to which this consent applies
AS 2890	Australian Standard AS/NZS 2890: Parking Facilities Set
BCA	Building Code of Australia
BC Act	*Biodiversity Conservation Act 2016*
Calendar year	A period of 12 consecutive months commencing on 1 January
Certifying Authority	A person who is authorised by or under section 6.17 of the EP&A Act to issue Part 4A certificates
CEMP	Construction Environmental Management Plan
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	Campbelltown 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
Demolition	The deconstruction and removal of buildings, sheds and other structures on the site
Department	NSW Department of Planning and Environment
Development	The development described in the EIS and Response to Submissions, including the works and activities comprising resource recovery of waste, as modified by the conditions of this consent.
Development layout	The plans at Appendix A of this consent
DPI	NSW Department of Primary Industries
Earthworks	Bulk earthworks, site levelling, import and compaction of fill material, excavation for installation of drainage and services, to prepare the site for construction
EIS	The Environmental Impact Statement titled *Environmental Impact Statement - Minto Resource Recovery Facility, State Significant Development Application (SSD 7462)*, prepared by APP Corporation Pty Limited dated May 2017, submitted with the application for consent for the development, including any additional information provided by the Applicant in support of the application
ENM	Excavated Natural Material
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
EPA	NSW Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
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
Fibre ready facility	As defined in Section 372W of the Telecommunications Act 1997
General solid waste (non-putrescible)	As defined in Schedule 1 of *the Protection of the Environment Operations Act 1997*, but excluding Biosolids
Heavy vehicle	Any vehicle with a gross vehicle mass of 4.5 tonnes or more
Heritage	Encompasses both Aboriginal and historic heritage including sites that predate European settlement, and a shared history since European settlement
Heritage item	An item as defined under the *Heritage Act 1977,* and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the *National Parks and Wildlife Act 1974'*, the World Heritage List, or the National Heritage List or Commonwealth Heritage List under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth), or anything identified as a heritage item under the conditions of this consent
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
Management & Mitigation Measures	The management and mitigation measures set out in Appendix B
Material harm	Is harm that: • involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or • 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 (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
NCC	National Construction Code
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
OEH	NSW Office of Environment and Heritage
OEMP	Operational Environmental Management Plan
Operation	The receipt, removal or processing of waste upon completion of construction
PCA	Principal Certifying Authority in accordance with the EP&A Act
Planning Secretary	The Secretary of the Department of Planning and Environment, or nominee
POEO Act	*Protection of the Environment Operations Act 1997*
Processed waste	Means general solid waste (non-putrescible) which has passed through the waste processing plant and separated into segregated waste streams
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
Registered Aboriginal Parties	Means the Aboriginal persons identified in accordance with the document entitled "*Aboriginal cultural heritage consultation requirements for proponents 2010*" (DECCW)
Rehabilitation	The restoration of land disturbed by the development to a good condition, to ensure it is safe, stable and non-polluting.
Residual waste	Means general solid waste (non-putrescible) which has passed through the waste processing plant and cannot be separated into segregated waste streams
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.
RMS	NSW Roads and Maritime Services
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 Schedule 1.
TfNSW	Transport for New South Wales
Unprocessed waste	Means general solid waste (non-putrescible) which has not passed through the waste processing plant or been separated into segregated waste streams
VENM	Virgin Excavated Natural Material
Waste	Has the same meaning as the definition of the term in the Dictionary to the POEO Act
WSUD Guideline	*Water Sensitive Urban Design Guideline*
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 and Response to Submissions;
- (d) in accordance with the development layout plans in Appendix A; and
- (e) in accordance with the management and mitigation measures in Appendix B.

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 (a) above.

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). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.

Note: *For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Planning Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.*

LIMITS OF CONSENT

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.

A6. The Applicant must not:
- (a) receive or process more than 220,000 tonnes of waste per year; and
- (b) store more than 10,000 tonnes of waste at any one time.

A7. The only type of waste permitted to be received or processed on the premises is waste classified as general solid waste (non-putrescible).

A8. All asbestos, gas bottles, fire extinguishers, batteries and other non-conforming wastes not permitted to be received on site must be placed in a designated quarantine area, as described in the EIS and RTS, and removed from site as required by the EPL to a waste management facility or premises lawfully permitted to accept the materials.

NOTIFICATION OF COMMENCEMENT

A9. 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:
- (a) construction;
- (b) operation;
- (c) cessation of operations; and
- (d) decommissioning.

STAGING, COMBINING AND UPDATING STRATEGIES, PLANS OR PROGRAMS

A10. 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).

A11. 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.

A12. 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.

REQUEST FOR INFORMATION

A13. The Applicant must retain all weighbridge records as required by the POEO (Waste) Regulation and for the life of the development. The weighbridge records must be made immediately available on request by the Planning Secretary and/or the EPA.

A14. The Applicant must retain waste classification records for all wastes received on the site and waste disposed from the site for the life of the development. The waste classification records must be made immediately available on request by the EPA and/or the Planning Secretary.

EVIDENCE OF CONSULTATION

A15. 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) description of how matters raised by those consulted have been resolved to the satisfaction of both the Applicant and the party consulted; and
(ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.

PROTECTION OF PUBLIC INFRASTRUCTURE

A16. Before the commencement of construction, the Applicant must:
(a) consult with the relevant owner and/or provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection, and/or support of the affected infrastructure;
(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, gutters and footpaths); and
(c) submit a copy of this report to the Planning Secretary and Council.

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 the development; and
(b) relocate, or pay the full costs associated with relocating any 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 AND CERTIFICATION

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.*

A20. Prior to the commencement of construction, the final design of the development must be finalised in consultation with Fire and Rescue NSW (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 Volume One of the National Construction Code (NCC) Series.

EXTERNAL WALLS AND CLADDING FLAMMABILITY

A21. The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.

A22. Before the issue of a Construction Certificate and an Occupation Certificate, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.

A23. The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.

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 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*.

COMPLIANCE

A26. 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.

WORKS-AS-EXECUTED PLANS

A27. Before the issue of the final Occupation Certificate, works-as-executed drawings signed by a registered surveyor demonstrating that the stormwater drainage and finished ground levels have been constructed as approved, must be submitted to the PCA.

DEVELOPMENT CONTRIBUTIONS

A28. Before the issue of a construction certificate for any part of the development, a payment of a levy of 1% of the proposed cost of carrying out the development must be paid to Council under section 7.12 of the EP&A Act.

OPERATION OF PLANT AND EQUIPMENT

A29. 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.

APPLICABILITY OF GUIDELINES

A30. 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. 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.

MONITORING AND ENVIRONMENTAL AUDITS

A31. 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, Annual Review and independent environmental 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.*

SURRENDER OF CONSENTS

A32. Within 12 months of the date of commencement of development to which this consent applies, or whithin another timeframe agreed by the Planning Secretary, the Applicant must surrender the existing development consents dated 14 December 2004 and 10 June 2008 described in **Table 1** in accordance with the EP&A Regulation.

Table 1: Development Consents to be Surrendered

Determination Date	DA Number	Details
14 December 2004	1/DA2002	Use of site as a waste transfer station
10 June 2008	1/2002/DA-DE/C	Increase annual handling capacity of operation from 15,000 tonnes to a maximum of 30,000 tonnes

A33. Upon the commencement of development to which this consent applies, and before the surrender of existing development consents or project approvals required under condition A32 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.*

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.

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PART B: ENVIRONMENTAL PERFORMANCE AND MANAGEMENT

TRAFFIC AND ACCESS

Construction Traffic Management Plan

B1. Prior to the commencement of construction, the Applicant must prepare a Construction Traffic Management Plan (CTMP) for the Development to the satisfaction of the Planning Secretary. The CTMP must form part of the CEMP required by Condition C1 and be prepared in accordance with Condition C6. The CTMP must:
- (a) be prepared by a suitably qualified and experienced person(s);
- (b) be prepared in consultation with Council;
- (c) detail the measures that are to be implemented to ensure road safety and network efficiency during construction;
- (d) detail heavy vehicle routes, access and parking arrangements ensuring all construction related vehicles are parked within the site;
- (e) include a Driver Code of Conduct to:
  - (i) minimise the impacts of earthworks and construction on the local and regional road network;
  - (ii) minimise conflicts with other road users;
  - (iii) minimise road traffic noise;
  - (iv) ensure truck drivers use specified routes; and
  - (v) ensure truck drivers do not park on Pembury Road and Airds Road;
- (f) include a program to monitor the effectiveness of these measures; and
- (g) if necessary, detail procedures for notifying residents and the community (including local schools), of any potential disruptions to routes.

B2. The Applicant must:
- (a) not commence construction until the CTMP required by Condition B1 is approved by the Planning Secretary; and
- (b) implement the most recent version of the CTMP approved by the Planning Secretary for the duration of construction.

Operating Conditions

B3. 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;
- (b) 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;
- (c) the development does not result in any vehicles queuing on the public road network;
- (d) heavy vehicles and bins associated with the development are not parked on local roads or footpaths in the vicinity of the site;
- (e) all vehicles enter and exit the site in a forward direction and are wholly contained on site before being required to stop;
- (f) all loading and unloading of materials is carried out on site;
- (g) all trucks entering or leaving the site with loads have their loads covered and do not track dirt onto the public road network;
- (h) vehicle manoeuvring areas must always be kept clear of any obstacles, including parked vehicles; and all vehicles associated with the development are prohibited from parking along Airds Road and Pembury Road.

Operational Traffic Management Plan

B4. Prior to the commencement of operation, the Applicant must prepare an Operational Traffic Management Plan (OTMP) for the Development to the satisfaction of the Planning Secretary. The plan must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C6. The OTMP must:
- (a) be prepared by a suitably qualified and experienced person(s);
- (b) be prepared in consultation with Council;
- (c) detail the measures that are to be implemented to ensure road safety and network efficiency including:
  - (i) ensuring no queuing or parking of vehicles occur in Pembury Road or the surrounding road network;
  - (ii) redirecting incoming trucks to other facilities to prevent traffic build-up and queuing in Pembury Road; and
  - (iii) prioritising the removal of processed waste and residual waste outside of the road network and facility peak hours;
- (d) detail heavy vehicle routes, access and parking arrangements;

(e) include a Driver Code of Conduct to:
  (i) minimise the impacts on the local and regional road network;
  (ii) minimise conflicts with other road users;
  (iii) minimise road traffic noise;
  (iv) ensure truck drivers use specified haul routes; and
  (v) include a program to monitor the effectiveness of these measures.
(f) include a Traffic Control Plan detailing:
  (i) the on-site measures to be implemented to control the manoeuvring of vehicles in designated areas;
  (ii) installation of way-finding signage;
  (iii) use of a traffic controller at entry/exit to prioritise the entry of vehicles to the site to prevent queuing in Pembury Road; and
  (iv) use of a traffic controller at the truck queuing area (awaiting inspection) to ensure all trucks are parked in designated queuing areas;
(g) include an Employee Transport Plan that:
  (i) details a strategy for the utilisation of public transport or carpooling to ensure no staff parking occurs offsite; and
  (ii) includes a program to monitor the effectiveness of this strategy.

B5. The Applicant must:
(a) not commence operation until the OTMP required by Condition B4 is approved by the Planning Secretary; and
(b) implement the most recent version of the OTMP approved by the Planning Secretary for the operational life of the Development.

WASTE MANAGEMENT

B6. All waste materials removed from the site must only be directed to a waste management facility or premises lawfully permitted to accept the materials.

B7. Waste generated outside the site must not be received at the site for storage, treatment, processing, reprocessing, or disposal, except as expressly permitted by an EPL.

B8. The Applicant must record the amount of waste (in tonnes) received at the site on a daily basis and retain all sampling and waste classification data for the life of the Development in accordance with the requirements of the EPA.

B9. All waste processing, including truck loading and unloading, storage and materials handling activities must be undertaken in the enclosed processing shed and within the designated areas.

B10. The collection of residual waste by B-doubles must be undertaken between the hours of 3 pm to 10 pm Monday to Saturday.

B11. The collection of processed waste must not occur between the hours of 6 am to 7am Monday to Saturday.

Receipt, Storage & Handling of Waste

B12. The Applicant shall only receive waste on site that is authorised for receipt by an EPL. No putrescible waste may be received, stored or processed on site.

B13. The Applicant shall ensure any waste generated on the site during construction is classified in accordance with the EPA's Waste Classification Guidelines, 2014 or its latest version, and disposed of to a facility that may lawfully accept the waste.

B14. Prior to the commencement of operation, the Applicant shall prepare a Waste Quality Control Plan (WQCP) for the Development to the satisfaction of the Planning Secretary. The WQCP must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C6. The WQCP must:
(a) be prepared by a suitably qualified and experienced person(s);
(b) be prepared in consultation with the EPA;
(c) include suitable provisions to monitor the:
  (i) quantity, type and source of waste received on site; and
  (ii) quantity, type and quality of the outputs produced on site;
(d) detail auditable procedures to:
  (i) ensure the site does not accept wastes not expressly permitted by an EPL;
  (ii) ensure compliance with the requirements of Part 3 of the POEO (Waste) Regulation; and

(iii) efficiently screen and inspect incoming waste loads to avoid queuing of trucks;

(e) describe measures to ensure that:
   (i) all waste types that are controlled under a tracking system have the appropriate documentation prior to acceptance at the site;
   (ii) all waste received at the site is recorded in accordance with clause 27 of the POEO (Waste) Regulation; and
   (iii) staff receive adequate training to recognise and handle any hazardous or other prohibited waste.

B15. The Applicant must:
   (a) not commence operation until the WQCP required by Condition B14 is approved by the Planning Secretary; and
   (b) implement the most recent version of the WQCP approved by the Planning Secretary for the operational life of the Development.

B16. Prior to the commencement of operation, the Applicant must prepare a Waste Management Plan (WMP) for the Development to the satisfaction of the Planning Secretary. The WMP must form part of the OEMP required by Condition C4 and be prepared in accordance with Condition C6. The WMP must:
   (a) detail the type and quantity of waste to be received during operation of the Development;
   (b) include details of stockpile limits in the incoming waste receival area and waste storage bunkers;
   (c) include procedures for ensuring no build-up of waste will occur in the incoming waste receival area during unexpected machinery breakdown.

B17. The Applicant must:
   (a) not commence operation until the WMP required by Condition B16 is approved by the Planning Secretary; and
   (b) implement the most recent version of the WMP approved by the Planning Secretary for the operational life of the Development.

B18. Within 3 months of the commencement of operation, the Applicant must submit to the satisfaction of the Planning Secretary a Waste Management Audit Report. The Waste Management Audit Report must:
   (a) be prepared by an independent environmental auditor whose appointment has been endorsed by the Planning Secretary;
   (b) review the waste management practices on site and assess the effectiveness of the implementation of the WQCP and WMP described in Condition B14 and Condition B16;
   (c) be accompanied by at least 2 months of closed circuit television (CCTV) footage showing the waste unloading floor and visual inspection area in the processing shed, which will be considered by the EPA; and
   (d) make recommendations for any additional measures required to ensure:
      (i) the site does not accept wastes that are not expressly permitted by an EPL; and
      (ii) the waste screening and inspection protocols operate in a manner which does not cause trucks to build up while awaiting unloading in a manner which saturates the queuing areas.

B19. The Applicant must provide details of the allocated truck type and source of wastes received on the site to the EPA and the Planning Secretary when requested.

B20. The Applicant must assess and classify all liquid and non-liquid wastes to be taken off site in accordance with the EPA's *Waste Classification Guidelines Part 1: Classifying Waste, November 2014*, or its latest version and dispose of all wastes to a facility that may lawfully accept the waste.

B21. No crushing or grinding works are permitted on site at any time.

B22. No more than 67 tonnes of garden waste may be stored at the premises at any one time. Garden waste must be stored in a sealed and covered skip bin and must be removed from site within 72 hours of receipt.

Pests, Vermin and Noxious Weed Management

B23. The Applicant must:
   (a) implement suitable measures to manage pests, vermin and declared noxious weeds on the site; and
   (b) inspect the site on a regular basis to ensure that these measures are working effectively, and that pests, vermin or noxious weeds are not present on site in sufficient numbers to pose an environmental hazard, or cause the loss of amenity in the surrounding area.

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

AIR QUALITY

Dust Minimisation

B24. The Applicant must implement all reasonable and feasible measures to minimise dust generated during demolition, earthworks, construction and operation of the development.

B25. During construction, the Applicant must ensure that:
(a) exposed surfaces and stockpiles are suppressed by regular watering;
(b) all trucks entering or leaving the site with loads have their loads covered;
(c) trucks associated with the development do not track dirt from the site onto the public road network; and
(d) land stabilisation works are carried out progressively on site to minimise exposed surfaces.

B26. Prior to the commencement of operation, the Applicant must fit the processing shed with a dust suppression system, as described in the RTS.

B27. The inground wheel wash at the vehicle egress point must be operational at all times.

Air Quality Control

B28. 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 and air quality monitoring requirements as specified in the EPL for the site.

Air Quality Management Plan

B29. Prior to the commencement of operation, 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 C4 and be prepared in accordance with Condition C6. 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) describe proactive and reactive management strategies.

B30. The Applicant must:
(a) not commence operation until the AQMP required by Condition B29 is approved by the Planning Secretary; and
(b) implement the most recent version of the AQMP approved by the Planning Secretary for the operational life of the Development.

Odour Management

B31. 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

B32. The hours of work detailed in **Table 2** must be complied with.

Table 2: Hours of work

Activity	Day	Time
Construction	Monday – Friday Saturday	7 am to 6 pm 8 am to 1 pm
Operation	Monday – Saturday Sunday and Public Holidays	6 am to 10 pm No operation permitted

B33. Works outside of the hours identified in Condition B32 may be undertaken in the following circumstances:
(a) works that are inaudible at the nearest sensitive receivers;
(b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
(c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.

Construction Noise Limits

B34. The development must be constructed to achieve the construction noise management levels detailed in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and managed in accordance with the management and mitigation measures in the EIS.

Operational Noise Limits

B35. The Applicant must ensure noise generated by operation of the development does not exceed the noise limits in **Table 3**.

Table 3: Noise Limits dB(A)

Location	Morning Shoulder (6 am to 7am) $L_{Aeq(15\ minute)}$	Day $L_{Aeq(15\ minute)}$	Evening $L_{Aeq(15\ minute)}$	Morning Shoulder (Sleep Disturbance) $L_{A\ max}$
Any residence with frontage to Campbelltown Road	44	44	44	67

Note: *Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry.*

Road Traffic Noise

B36. Before the commencement of construction, the Applicant must prepare a Driver Code of Conduct and induction training for the development to minimise road traffic noise. The Applicant must update the Driver Code of Conduct and induction training for construction and operation and must implement the Code of Conduct for the life of the development.

VIBRATION

Vibration Criteria

B37. Vibration caused by construction at any residence or structure outside the site must be limited to:
(a) for structural damage, German Standard *DIN 4150 Part 3 Structural Vibration in Buildings. Effects on Structures*; and
(b) for human exposure, the acceptable vibration values set out in the *Environmental Noise Management Assessing Vibration: a technical guideline* (Department of Environment and Conservation, 2006).

SOILS, WATER QUALITY AND HYDROLOGY

Erosion and Sediment Control

B38. Before the commencement of construction, the Applicant must install and maintain suitable erosion and sediment control measures on site, in accordance with the relevant requirements in the latest version of the *Managing Urban Stormwater: Soils and Construction Guideline*. The Erosion and Sediment Control Plan must be included in the CEMP required by Condition C1.

Discharge Limits

B39. 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.

Water Management System

B40. Prior to the commencement of operation, the Applicant must design and install a water management system for the development. The system must:
(a) be designed by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;
(b) include a system to capture, contain and dispose of contaminated firewater, prepared in consultation with and to the satisfaction of Fire and Rescue NSW;
(c) include a system to capture leachate generated within the processing shed for offsite disposal and treatment;
(d) be generally in accordance with the conceptual design in the EIS;
(e) be in accordance with applicable Australian Standards;
(f) demonstrate that discharge limits can meet those in Landcom's *WSUD Guideline*;
(g) 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 (as may be updated or replaced from time to time);
(h) divert existing clean surface water around operational areas of the site;
(i) direct all sediment laden water in overland flow away from the leachate management system; and
(j) prevent cross-contamination of clean and sediment or leachate laden water including the provision of a 100 mm high trafficable bund at all entrances/ exits of the processing shed.

B41. Prior to the commencement of operation, the Applicant must provide a Compliance Certificate to the Planning Secretary which confirms the Water Management System has been designed and installed as per the requirements of Condition B40 and the proposed development will not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties.

B42. The water management system must be operated and maintained for the duration of the development.

HAZARDS AND RISK

Hazardous Waste

B43. The Applicant must implement auditable procedures to handle and dispose of hazardous waste materials such as asbestos, sharps and chemical/biological materials that have been received on site.

Dangerous Goods

B44. The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* at all times.

B45. Dangerous goods, as defined by the Australian Dangerous Goods Code, must be stored and handled strictly in accordance with:
(a) all relevant Australian Standards; and
(b) the *Environment Protection Manual for Authorised Officers: Bunding and Spill Management, technical bulletin* (EPA,1997).

In the event of an inconsistency between the requirements listed in a) and b) above, the most stringent requirement must prevail to the extent of the inconsistency.

Bunding

B46. The Applicant must store all chemicals, fuels and oils used on site in appropriately bunded areas and/or cages in accordance with the requirements of all relevant Australian Standards, and/or the EPA's *Storing and Handling of Liquids: Environmental Protection – Participants Handbook.*

FIRE SAFETY

Fire Safety System

B47. The Applicant must consult with FRNSW prior to commencing operation to ensure the maximum stockpile size (height, width, length, geometry and volume) in any building and the minimum separation distances of stockpiles and combustible materials minimises fire spread and facilitates fire brigade intervention.

B48. The Applicant must consult with FRNSW during preliminary design of fire safety measures to ensure the fire systems and strategies are reasonably adequate and meet FRNSW operational requirements as well as the requirements of the Building Code of Australia.

CONTAMINATION

B49. Before the commencement of construction, the Applicant must prepare an unexpected finds protocol to ensure that potentially contaminated material is appropriately managed. The protocol must form part of the CEMP required by Condition C1 and must ensure any material identified as contaminated must be disposed off-site, with the disposal location and results of testing submitted to the Planning Secretary, prior to its removal from the site.

VISUAL AMENITY

Landscaping

B50. Before the commencement of operation, the Applicant must prepare a Landscape Management Plan (LMP) to manage the revegetation and landscaping works on site. The LMP must:
(a) detail the species to be planted on site; and
(b) describe the monitoring and maintenance measures to manage revegetation and landscaping works.

B51. The Applicant must:
(a) implement the most recent version of the LMP; and
(b) maintain the landscaping and vegetation on the site in accordance with the LMP for the duration of the development.

Lighting

B52. The Applicant must ensure 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 and Fencing

B53. All signage and fencing must be erected in accordance with the development plans included in the RTS.

Note: *This condition does not apply to temporary construction and safety related signage and fencing.*

PART C: ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

C1. The Applicant must prepare a Construction Environmental Management Plan (CEMP) to the satisfaction of the Planning Secretary. The CEMP must:
- (a) identify the statutory approvals that apply to the development;
- (b) outline all environmental management practices and procedures to be followed during construction works associated with the development;
- (c) describe all activities to be undertaken on the site during construction of the development, including a clear indication of construction stages;
- (d) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
- (e) describe the roles and responsibilities for all relevant employees involved in construction works associated with the development; and
- (f) include the management plans required under Condition C2 of this consent.

C2. As part of the CEMP required under Condition C1 of this consent, the Applicant must include the following:
- (a) Construction Traffic Management Plan (see Condition B1);
- (a) Erosion and Sediment Control Plan (see Condition B38); and
- (b) Community Consultation and Complaints Handling Procedures.

C3. The Applicant must:
- (a) not commence construction of the development until the CEMP is approved by the Planning Secretary; and
- (b) carry out the construction of the development in accordance with the CEMP approved by the Planning Secretary (and as revised and approved by the Planning Secretary from time to time).

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

C4. The Applicant must prepare an Operational Environmental Management Plan (OEMP) to the satisfaction of the Planning Secretary. The OEMP must:
- (a) be submitted to the Planning Secretary for approval prior to the commencement of operation;
- (b) be prepared by a suitably qualified and experienced expert;
- (c) provide the strategic framework for environmental management of the development;
- (d) identify the statutory approvals that apply to the development;
- (e) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the development;
- (f) 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
- (g) include the following environmental management plans:
  - (i) Operational Traffic Management Plan (see Condition B4);
  - (ii) Waste Quality Control Plan (see Condition B14);
  - (iii) Waste Management Plan (see Condition B16); and
  - (iv) Air Quality Management Plan (see Condition B29).

C5. 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).

MANAGEMENT PLAN REQUIREMENTS

C6. Management plans required under this consent must be prepared in accordance with relevant guidelines, and include:
- (a) detailed baseline data;
- (b) 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;

(c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
(d) 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;
(e) 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;
(f) a program to investigate and implement ways to improve the environmental performance of the development over time;
(g) a protocol for managing and reporting any:
    (i) incident and non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
    (ii) complaint;
    (iii) failure to comply with statutory requirements; and
(h) 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.*

REVISION OF STRATEGIES, PLANS AND PROGRAMS

C7. Within three months of:
(a) the submission of an Annual Review under Condition C8;
(b) the submission of an incident report under Condition C9;
(c) the submission of an Independent Environmental Audit under Condition C12;
(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 A3.

the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.

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.

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

ANNUAL REVIEW

C8. Within 12 months from the commencement of operation, and each year thereafter (or such other timing as may be agreed by the Planning Secretary), the Applicant must submit a report to the Department reviewing the environmental performance of the development to the satisfaction of the Planning Secretary. The review must:
(a) describe the development that was carried out in the previous calendar year, and the development that is proposed to be carried out in the current calendar year;
(b) include a comprehensive review of the monitoring results and complaints records from the previous year, including a comparison of these against the:
    (i) relevant statutory requirements, limits or performance measures/criteria;
    (ii) requirements of any plan or program required under this consent;
    (iii) monitoring results of previous years; and
    (iv) the relevant predictions in the EIS, Response to Submissions or Modification Assessment;
(c) identify any non-compliance over the previous year and describe what actions were (or are being) taken to rectify the non-compliance and avoid recurrence;
(d) identify any trends in the monitoring data over the life of the development;
(e) identify any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies; and
(f) describe what measures will be implemented over the next year to improve the environmental performance of the development.

Copies of the Annual Review must be submitted to Council and made available to any interested person upon request.

REPORTING

Incident Reporting

C9. The Department must be notified in writing to compliance@planning.nsw.gov.au 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 must be given and reports submitted in accordance with the requirements set out in Appendix C.

Non-Compliance Notification

C10. The Department must be notified in writing to compliance@planning.nsw.gov.au within seven days after the Applicant becomes aware of any non-compliance.

The 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.

Regular Reporting

C11. The Applicant must provide regular reporting on the environmental performance of the development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.

AUDITING

Independent Environmental Audit

C12. Within one year of the commencement of operation, 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 led and conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Planning Secretary;
- (b) be carried out in consultation with the relevant agencies;
- (c) assess the environmental performance of the development and assess whether it is complying with the requirements in this consent, and any strategy, plan or program required under this consent;
- (d) review the adequacy of any approved strategy, plan or program required under this consent; and
- (e) recommend measures or actions to improve the environmental performance of the development, and any strategy, plan or program required under this consent.

C13. Within three months of commissioning an Independent Environmental Audit, or within another timeframe agreed by the Planning Secretary, a copy of the audit report must be submitted to the Planning Secretary and any other NSW agency that requests it, together with a response to any recommendations contained in the audit report, and a timetable for the implementation of the recommendations. The recommendations must be implemented to the satisfaction of the Planning Secretary.

Note: *The audit team must be led by a suitably qualified auditor and include experts in any fields specified by the Planning Secretary.*

ACCESS TO INFORMATION

C14. At least 48 hours before the commencement of construction until the completion of all works under this consent, the Applicant must:
- (a) make the following information and documents (as they are prepared, 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 complaints register, updated monthly;
(ix) the Annual Reviews of the development;
(x) audit reports prepared as part of any independent environmental 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 A
DEVELOPMENT LAYOUT PLANS

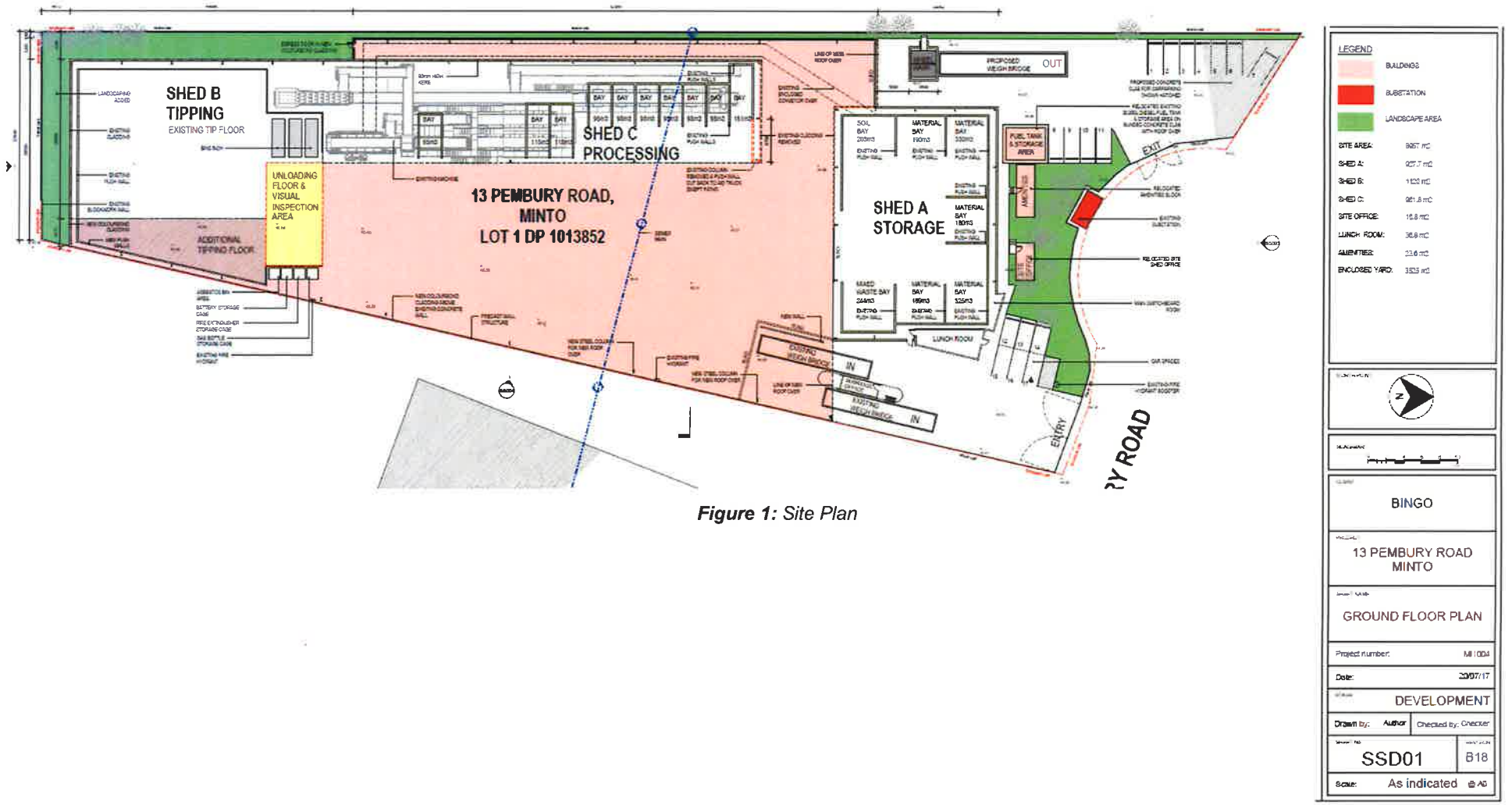

Figure 1: *Site Plan*

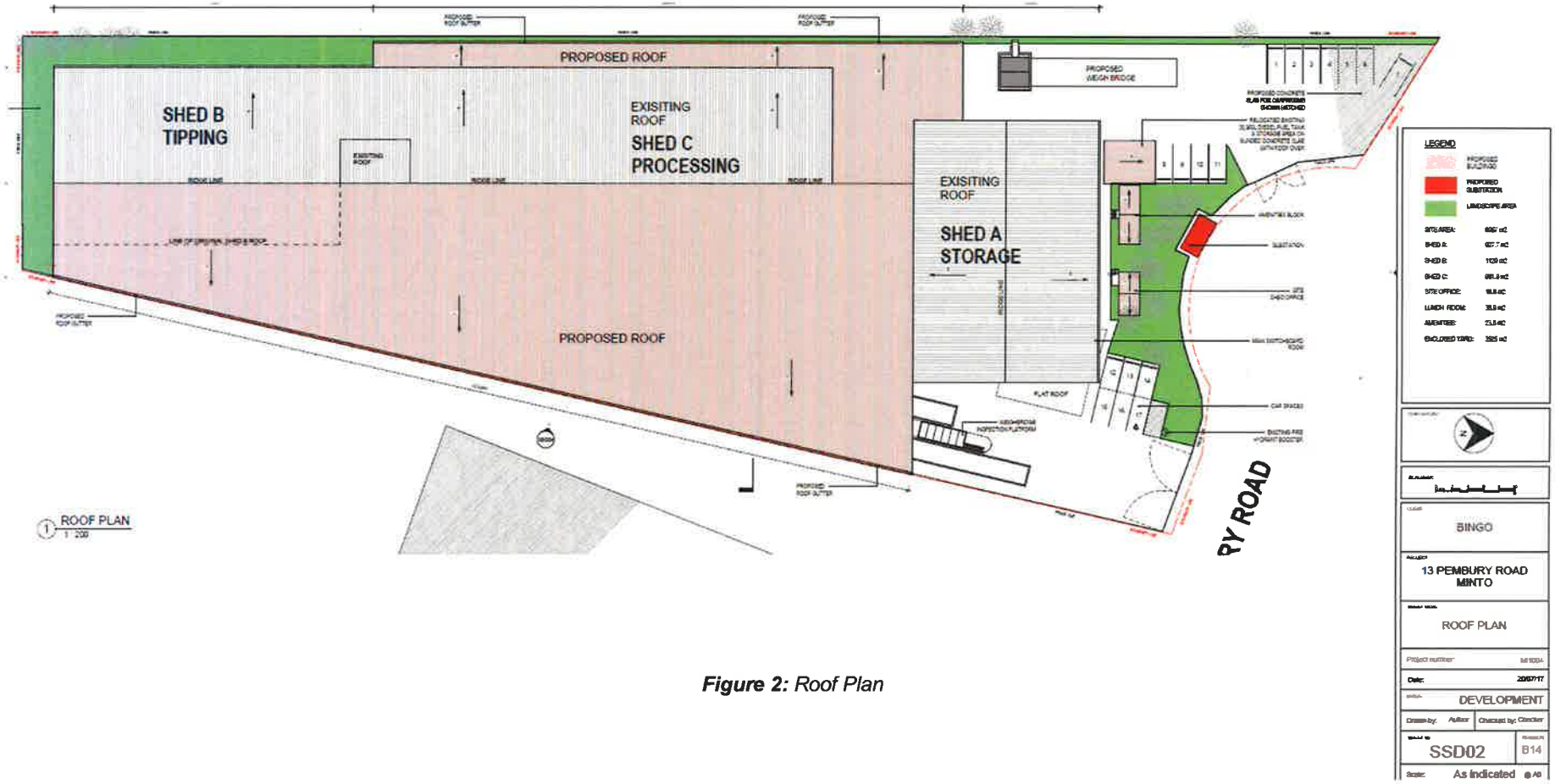

Figure 2: *Roof Plan*

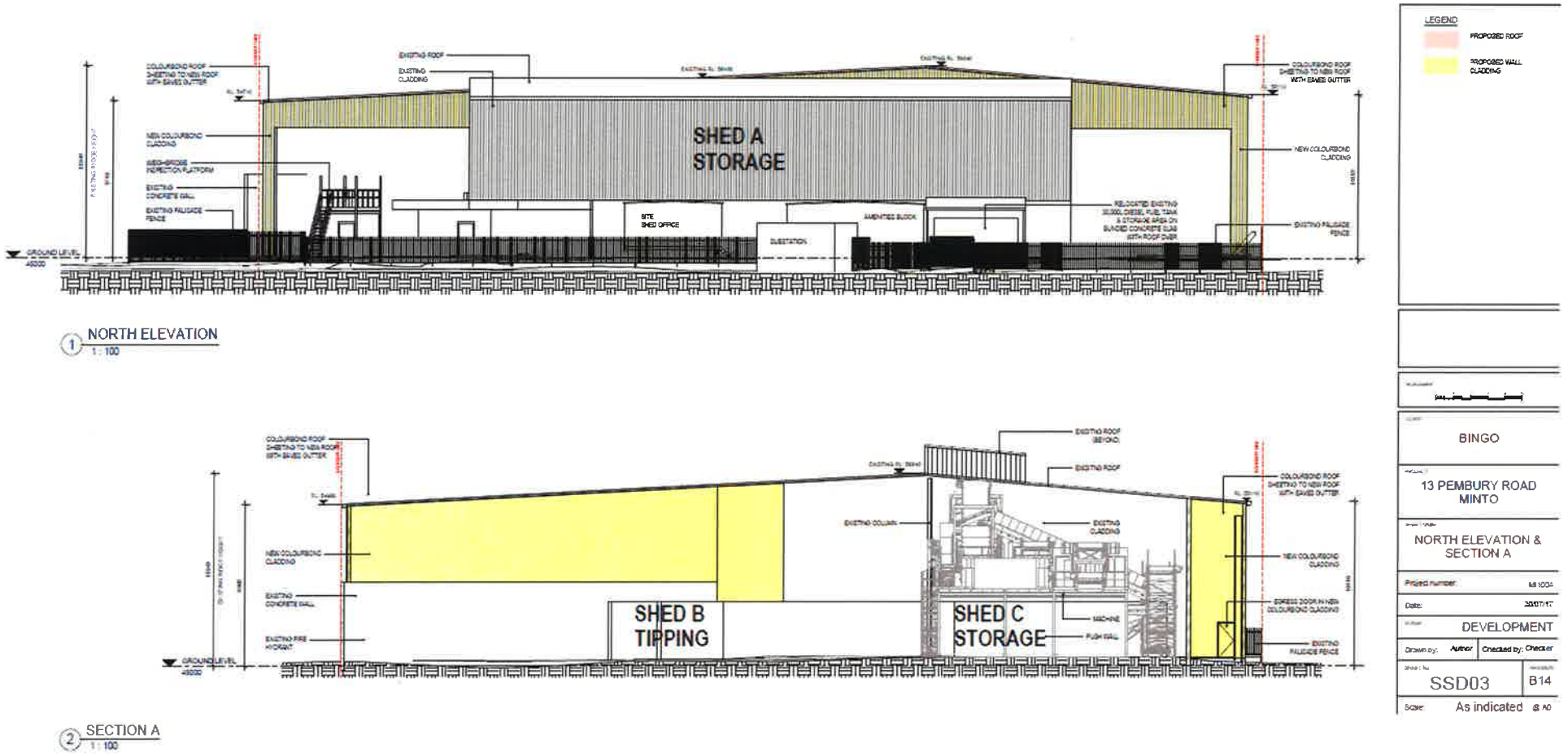

Figure 3: *North Elevation and Section A*

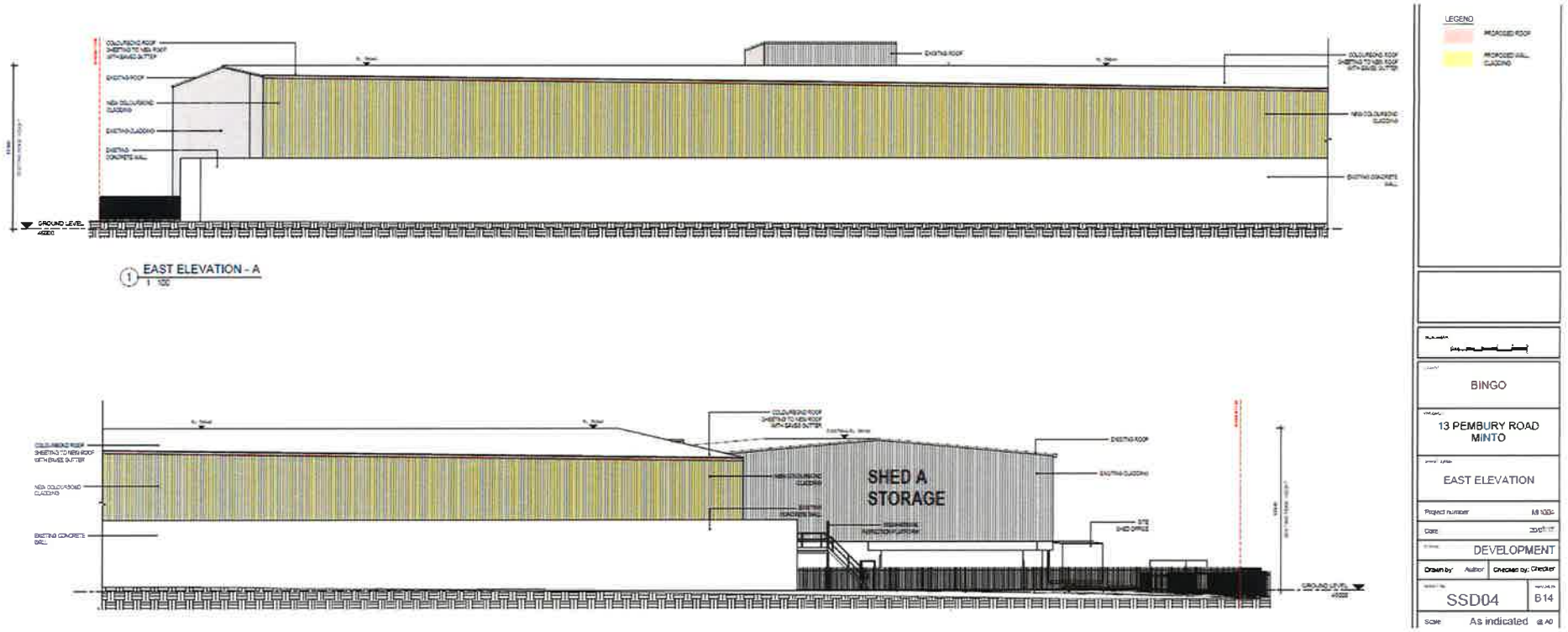

Figure 4: *East Elevation – A and B*

APPENDIX B
APPLICANT'S MANAGEMENT AND MITIGATION MEASURES

Key Issue	Management measure
Noise and Vibration	A Noise Management Plan (NMP) would be prepared if necessary to form part of a comprehensive Operations Environmental Management Plan (OEMP) should any exceedances arising from day to day operations occur. The NMP would address matters such as: • Limiting site hours of operation to 6:00am – 10:00pm Mondays to Saturdays; • Implementation of a maximum vehicle speed limit of 5 km/hr would be imposed across all areas of the site; • Requirements for on-going maintenance of fixed and mobile plant in accordance with manufacturers specifications; • Development of protocols to ensure processing operations are undertaken wholly within Shed C; and • Vibration management – handling of heavy materials.
Air quality	Operations An Air Quality Management Plan (AQMP) would be prepared to form part of a comprehensive OEMP. The AQMP would address matters such as: • The regular maintenance of an operator-activated overhead dust suppression system (Cool Mist); • Use of a street sweeper over external hardstand areas; • Development of protocols to ensure waste stored externally (except waste awaiting loading onto vehicles) is contained within bins and bays; • Use of hand held hoses to supplement overhead dust suppression system and sprinklers; • Use of hand held hoses within any areas not covered by the overhead dust suppression system and sprinklers; • Procedures to cease operations if weather conditions have a major negative impact on the operation; • Implementation of a maximum vehicle speed limit of 5 km/hr would be imposed across all areas of the site; • Procedure to check all vehicles are checked for soil on tyres prior to leaving site and where soil is detected on the entrance road (i.e. "track out"), staff would be deployed to sweep the road; • Maintenance requirements for all on site, fixed and mobile diesel powered plant (excluding road vehicles) (e.g. manufactures specifications); • Use of wheelwash at the exit weighbridge ensuring trucks would remain covered until waste removal (unloading); • Installation of a wind anemometer on site to monitor wind strength and direction; • Maintenance requirements of wheelwash and stormwater pits to prevent build up of dust / sediment; • Assignment of roles and responsibilities for staff to manage air quality issues such as dust suppression, and outlining the mitigation measures to be implemented to minimise the generation of air pollutants; and • Procedures to handle potentially odour generating wastes such as green waste or hidden putrescible wastes. Construction The CEMP would include measures to mitigate impacts associated with air quality (dust) associated with construction. This would include but not be limited to: • Deployment of dust suppression measures (sprinklers / watercart / hand held hoses) during construction; • Protocols for restricting construction activities during adverse weather conditions (wind generated dust); • Use of street sweepers; and • Regular checking and maintenance of soil erosion and sediment control measures.

Greenhouse gases	The following mitigation and management measures would be implemented at the site to minimise greenhouse gas emissions during operations: • Fixed plant maintenance requirements and practices will be incorporated into the OEMP to ensure all plant is operating in an efficient manner. • Prior to the release of a Construction Certificate issued pursuant to Section 109C of the EP & A Act, a report addressing the energy efficiency requirements contained in Section J of the National Construction Code (BCA) will be prepared and submitted to the appointed Principal Certifying Authority. This report will document and assess the suitability of lighting and appliances proposed for the site office space. • Garden waste materials received on site (i.e. low volumes contained in skip bins from household clean up or demolition sites) are picked and stored separately, then transported off site to a local facility for recycling (i.e. mulched, chipped and/or composted). The final OEMP will include details relating to the identification, handling and diversion of greenwaste.
Hazards and Risk	To ensure the risks associated with the storage of potentially dangerous goods are not increased, the following measures are proposed: • Storage of diesel fuel would be limited to the quantities contained in this EIS and the SLR Preliminary Hazard Assessment; • Diesel fuel is stored within a bunded area and/or cage with sufficient capacity and is in isolation of any other flammable liquids, dangerous goods and / or hazardous chemicals; • The diesel storage tank area and bund is designed and constructed to satisfy the requirements of AS1940-2004 - The storage and handling of flammable and combustible liquids; and • Diesel use and storage are incorporated into the OEMP.
Stormwater	The OEMP would address: • Existing control measures for: – Stormwater 360 Stormfilter; – Litter baskets; – Rainwater tank; – Sweeping of internal and external hardstand areas; – Cleaning and removal of leachate from blind sumps with the use of a tanker; and – fogging system. • Procedures to ensure all waste (except waste awaiting loading onto vehicles) is stored in an enclosed environment. • Procedure to check all vehicles are checked for soil on tyres prior to leaving site and where soil is detected on the entrance road (i.e. "track out"), staff would be deployed to sweep the road.
Contamination	• A Construction Environmental Management Plan (CEMP) will be prepared prior to the commencement of works or the approval of a Construction Certificate under section 109C of the Act. • The CEMP will further report on the results of subsurface materials testing and will provide protocols to ensure the health and safety of construction workers when handling or working within disturbed areas and will include protocols for managing groundwater should it be encountered. • Any testing of material will be undertaken in accordance with the relevant guidelines made under the CLM Act. Should further approvals be required to undertake construction or remediation work, they will be sought and secured prior to the commencement of any works. • An updated PIRMP would be developed to provide management protocols in the event of an incident associated with the proposal. The updated PIRMP will be submitted to the NSW EPA as part of any application to modify the EPL for the site.
Traffic and Access	<u>Operations</u> An Operational Traffic Management Plan (OTMP) would be updated to manage traffic impacts associated with the development and would form part of the OEMP. The OTMP would contain:

	• Identification of preferred routes to minimise noise impacts on the surrounding community; • Physical and operational measures (including signage) to mitigate noise impacts from vehicles accessing and leaving the site; • Measures to limit the impact of traffic noise • Maintaining internal swept vehicle paths through appropriate line marking to prevent the encroachment of external bin storage on manoeuvring and parking areas; • Driver education and information to promote driver habits to minimise noise and awareness of preferred heavy vehicle routes; and • Timetabling, scheduling and vehicle booking systems where possible. Construction The CEMP would include measures to mitigate impacts associated with construction traffic including but not limited to: • Hours of operations; • Temporary parking arrangements; • Access and manoeuvring arrangements; • Traffic control requirements; and • Oversize Vehicle Permits and arrangements (e.g. floating of plant and equipment).
Water Management Cycle	Operations A Water Cycle Management Plan (WCMP) will be prepared to form part of a comprehensive OEMP. The OEMP will address matters such as: • The regular maintenance of control measures including: – Stormwater 360 Stormfilter treatment device; – Litter baskets; – Rainwater tank; – o Gutters and downpipes; – o Sweeping of internal and external hardstand areas; – o Cleaning and removal of any leachate generated from blind sumps; and – o Fogging system. • Procedures to ensure all wastes (except waste awaiting loading onto vehicles) are stored in an enclosed environment. • Maintenance of a maximum vehicle speed limit of 5 km/hr across all areas of the site. • Procedure to check all vehicles are inspected for soil on tyres prior to leaving site and where soil is detected on the entrance road (i.e. "track out"), staff will be deployed to sweep the road. • Procedures for monitoring any water quality limits as specified in the EPL. Construction The CEMP would include measures to mitigate impacts associated with water quality associated with construction. This would include but not be limited to: • Regular checking and maintenance of soil erosion and sediment control measures; • Procedures for monitoring water quality during the construction phase if required; and • Procedures for managing groundwater should it be encountered.

APPENDIX C
WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

A written incident notification addressing the requirements set out below must be emailed to the Department at the following address: compliance@planning.nsw.gov.au 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 C9 or, having given such notification, subsequently forms the view that an incident has not occurred.

WRITTEN INCIDENT NOTIFICATION REQUIREMENTS

Written notification of an incident must:

(a) identify the development and application number
(a) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident)
(b) identify how the incident was detected
(c) identify when the applicant became aware of the incident
(d) identify any actual or potential non-compliance with conditions of consent
(e) describe what immediate steps were taken in relation to the incident
(f) identify further action that will be taken in relation to the incident
(g) identify a project contact for further communication regarding the incident.

INCIDENT REPORT REQUIREMENTS

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.

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
(d) details of any communication with other stakeholders regarding the incident.

APPENDIX B: CONSIDERATIONS UNDER SECTION 4.15

Section 4.15 of the EP&A Act requires that the consent authority, when determining a development application, must take into consideration the following matters:

(a) the provisions of: (i) any environmental planning instrument, and (i) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and (ii) any development control plan, and (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and (iii) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)	Detailed consideration of the provisions of all environmental planning instruments (including draft instruments subject to public consultation under this Act) that apply to the proposed development is provided in **Appendix C** of this report. The Applicant has not entered into any planning agreement under section 7.4. The Department has undertaken its assessment of the development in accordance with all relevant matters as prescribed by the regulations, the findings of which are contained within this report.
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The Department has considered the likely impacts of the development in detail in Section 5 of this report. The Department concludes that all environmental impacts can be appropriately managed and mitigated through the recommended conditions of consent.
(c) the suitability of the site for the development,	The development is a resource recovery facility located on IN1 General Industrial zoned land which is permissible with development consent.
(d) any submissions made in accordance with this Act or the regulations,	All matters raised in submissions have been summarised in Section 4 of this report and given due consideration as part of the assessment of the proposed development in Section 5 of this report.
(e) the public interest.	The development would create 30 construction jobs and 30 operational jobs. The development is a considerable capital investment in the Minto area that would contribute to the provision of local jobs. The environmental impacts of the development would be appropriately managed via the recommended conditions. On balance, the Department considers the development is in the public interest.

APPENDIX C: CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)
The SRD SEPP identifies certain classes of development as SSD. In particular, construction and operation of a resource recovery or recycling facility that meets the criteria in Clause 23(3) of Schedule 1 of the SRD SEPP is classified as State significant development. The development satisfies the criteria in Clause 23(3) of Schedule 1 as it involves a resource recovery or recycling facility that handles more than 100,000 tonnes per year of waste.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
The ISEPP aims to facilitate the effective delivery of infrastructure across the State and lists the type of development defined as Traffic Generating Development.

The development constitutes traffic generating development in accordance with the ISEPP as it involves a waste recycling facility with access to a road. Consequently, it requires referral to RMS for comment and consideration of accessibility and traffic impacts.

The development was referred to RMS for consideration. RMS advised it had no objections to the development and as such did not recommend any conditions of consent.

The proposed site layout and design would allow the efficient movement of people and waste to and from the site, and is not anticipated to result in any traffic safety, road congestion or parking issues. The development is therefore considered consistent with the ISEPP.

State Environmental Planning Policy 33 – Hazardous and Offensive Development (SEPP 33)
SEPP 33 outlines the items that a consent authority must consider to assess whether a development is hazardous or offensive.

The Applicant reviewed the development in accordance with SEPP 33 and advised the development would not store dangerous goods above the threshold limits specified in SEPP 33, therefore it would not be considered potentially hazardous or offensive development.

State Environmental Planning Policy 55 – Remediation of Land (SEPP 55)
SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The EIS included a contamination assessment for the site which confirmed that a remedial action plan is not required. The Department has included specific conditions for managing any unexpected finds.

State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64)
SEPP 64 aims to ensure that outdoor signage is compatible with the desired amenity and visual character of an area, and provides effective communication in suitable locations, that is of high quality design and finish.

As the development does not include signage at the site, signage has been excluded from the assessment and consideration of SEPP 64 is not applicable in this case.

Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (REP 2)
REP 2 aims to protect the water quality of the Georges River and its tributaries and the environmental quality of the whole catchment through coordinated land use planning and development control. The site is located within the area covered by REP 2. The Department considers that the development is consistent with the aims and objectives of REP 2 as it would have no impacts on water quality in the Georges River Catchment.

Campbelltown Local Environmental Plan 2015 (CLEP)
The CLEP aims to encourage the development of a range of housing opportunities, employment, adequate provision of infrastructure and community services to meet the needs of the existing and future residents of the Campbelltown LGA. The CLEP also aims to minimise land use conflicts and achieve development outcomes that are commensurate with the capability and suitability of the land.

The development is located on IN1 General Industrial zoned land and the area immediately surrounding the site is utilised for industrial uses. The proposed development is consistent with the objectives of the IN1 zoning identified in the CLEP.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the CLEP and those matters raised by Council in its assessment of the development (see Section 5 of this report). The Department concludes that the development is consistent with the relevant provisions of the CLEP.

Campbelltown (Sustainable City) Development Control Plan 2015 (DCP)

The DCP includes specific development controls for the Campbelltown LGA. The relevant provisions for the development include Part 2 – Requirements Applying to All Types of Development and Part 7 – Industrial Development. Where relevant, the provisions of the Campbelltown DCP have been considered, as described in Section 5. The proposed built form, site layout and design features of the development are compatible with the character of existing development in the surrounding area and development is generally consistent with the relevant provisions of the Campbelltown DCP.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the DCP and those matters raised by Council in its assessment of the development (see Section 5 of this report).

APPENDIX D: ENVIRONMENTAL IMPACT STATEMENT

See link: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7462

APPENDIX E: SUBMISSIONS

See link: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7462

APPENDIX F: RESPONSE TO SUBMISSIONS

See link: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7462