

21st August 2017

Emma Barnet
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001



Dear Emma,

RE: REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS FOR THE PROPOSED EXPANSION OF A RESOURCE RECOVERY OPERATION AT LOT 16 DP 717203 INGLEBURN - STATE SIGNIFICANT DEVELOPMENT

1 Introduction

1.1 Purpose

KDC Pty Ltd (KDC) has been commissioned by Bulk Recovery Solutions Pty Ltd (BRS) to prepare an environmental impact statement (EIS) and associated State Significant Development Application (SSDA) documentation for the proposed expansion of a Resource Recovery Facility operation on a site located at 16 Kerr Road, Ingleburn NSW 2565 (the site).

The Resource Recovery Facility expansion is classified as State Significant Development (SSD) and therefore subject to the Secretary's Environmental Assessment Requirements (SEARs). The Resource Recovery Facility expansion is classified as regional development under Schedule 4a Section 8(c) of the Environmental Planning and Assessment Act, 1979 (EP&A Act). However, the proposed development is also SSD so will not be treated as regional development.

1.2 Background

Bulk Recovery Solutions has been operating a resource recovery operation with consent from Campbelltown City Council (Council) dated 23rd March 2015. This consent allows for the following:

- The processing of up to 30,000 tonnes per annum of concrete washout materials;
- The extraction, crushing and screening of up to 3,000 tonnes per annum of the resource; and
- The storage on site at any given time to be 1,500 tonnes of the finished product.

Since the original consent was granted, a modification under Section 96 of the EP&A Act was submitted and approved on 24th March 2016. The modification allows for the following:

- The processing of up to 30,000 tonnes per annum of approved materials; and
- The storage on site at any given time to be up to 5,000 tonnes of approved waste.

See Appendix B for the current conditions of consent.

In conjunction with the conditions of consent a corresponding Environmental Protection Licence (EPL) was issued by the NSW Environmental Protection Authority and was amended in line with the approved Section 96 modification. See Appendix C for attached EPL.

A weighbridge construction and installation company, Australian Weighbridge Equipment, operates on the site inside the main building, while BRS operates externally and within the stockpile shed.

1.3 Consultation

Relevant Government Authorities and Council have been contacted prior to the lodgement of this request for SEARs. The following organisations have been consulted:

- City of Campbelltown Council (Council);
- NSW Environment Protection Authority (EPA); and
- NSW Office of Environment and Heritage (OEH).

The NSW OEH has provided feedback and has stated that it prefers to wait for until a formal SEARs consultation request has been made by the Department of Planning and Environment. Consultation with Campbelltown Council and the NSW EPA is ongoing.

2 Project Description

2.1 Site Description and Locality

The site is legally described as Lot 16 in DP717203 and is generally referred to as 16 Kerr Road, Ingleburn NSW 2565 (see Figure 1). The total area of the site is approximately 12,890m².

The site is located within an IN1 General Industrial zone under the Campbelltown Local Environmental Plan 2015 (LEP 2015).

The site is occupied by a building including office space and a stockpile shed on the south eastern portion of the building. The site is fully sealed with a concrete hard stand covering which incorporates a water management system.

To the north and west of the site are other industrial land uses which form part of the Ingleburn industrial area. East of the site across Henderson Road is Milton Park recreational area. Running from north east to south west is a rail corridor. Directly across the rail corridor to the south and south east are residential land uses with the nearest dwelling being 50 metres measured from the dwelling to the site boundary (see Figure 1). Similar activities exist on Kerr Road with another recycler adjoining the site on the south-western boundary. A number of waste and resource management facilities are operating within the Ingleburn industrial area.

Figure 1 - Locality Plan



Access to the site can be gained via an access off Kerr Road as illustrated by Figure 2.

Figure 2 – View of the site entrance from Kerr Road



Figure 3 – View of weighbridge from northern corner of the site



Figure 4 – View of the north-eastern portion of the operation including wheel wash



Figure 5 – View of the north-eastern portion of the operation from the eastern corner of the site



Figure 6 – View of the south-western portion of the operation from the eastern corner of the site



2.2 Existing Operation

The site is currently occupied by two operations: Bulk Recovery Solutions and Australian Weighing Equipment (AWE).

AWE sells a range of different weighting equipment and designs, constructs, installs, and maintains full size weighbridges and large scale specialty weighing infrastructure. The AWE operation is located within the main building of the site however this occupancy is to be ended once the recycling facility requires the area.

The BRS operation is located in a number of areas on the site (see Appendix A). A processing shed attached to the main building is occupied by BRS and contains stockpiling and processing activities such as crushing. The majority of the operation occurs external to the building area and includes stockpiling, and processing.

The existing operation's efficiency means that there is sufficient room for expansion utilising the occupancy of the main building further enhancing the operations capacity and efficiency.

Green Zone and Pink Zone – Wet Washout

Green zone consists of a partially open area and represents the first stage of the concrete resource recovery process. This area consists of a stockpile taking up the bottom right corner of the area with a “wobbler” unit and conveyor belt on the left wall. Tipper trucks drop off material with a front-end loader pushing the material to the stockpile. The front-end loader feeds the wobbler with material from the stockpile.

The wobbler unit begins the process of breaking down concrete material. Once processed within the Green Zone the material is then passed from the wobbler to the wet plant machinery.

The Pink Zone contains a concrete agitator which also represents an initial input of material. Concrete trucks drop off wet material directly to an agitator unit which feeds material to the wet plant machinery.

Blue Zone, Orange Zone, and Wet Plant Machinery Area

The wet plant machinery consists of processing machinery including concrete reclaimer, log washer, and a trammel screen. The concrete reclaimer is a wet operation that breaks down the bonds that were formed by the initial manufacture of the concrete material. This separates the cement, fly ash, and sand adhering to the aggregate. The log washer removes sand slurry from the aggregates. The function of the trammel screen simply separates the aggregates to their respective stockpile bay.

The Blue Zone contains sedimentation ponds which forms part of the sand washing system. Sand slurry is removed from the concrete reclaimer and is transferred directly into the sand washer. Washing of sand further separates materials with the resultant sand being of such a high standard it is able to be resold as sand product. All recovered resources ready for sale are stored in their respective bay in the Orange Zone.

All water used during this process is collected by the site’s water management system and includes water collected from the first flush system, harvested rainwater, and water previously used as part of the same process. Mains water may also be used to supplement the supply of water if required.

Yellow Zone

Crushing of waste materials such as solid concrete and road base occurs within the Yellow Zone which is located within the closed warehouse addition to the south east of the main building. The area includes stockpiling, crushing plant, and recovered material bays. Main crushing begins with mobile plant breaking down large blocks into suitably sized segments appropriate for the crushing machinery. Once crushed, material is screened into their respective sizes and moved into their respective material bays within the building. Once screened the recovered material is moved into their respective stockpile bay for ready for pickup.

Liquid Waste Treatment

Liquid waste delivered to the site is incorporated into the water management system for the site which spans the abovementioned zones and areas.

Liquid wastes are accepted at the vacuum truck tip drop which is located within the Blue Zone. This point is connected to the used water discharge for the sand washing process and is looped to a process pit followed by water filtration plant located within the Yellow Zone. No liquid waste is directly introduced into the resource recovery process prior to treatment.

Any filtered solids are collected and if appropriate are incorporated into the processing operations within the Yellow Zone. Inappropriate or hazardous solids are separated and disposed of at appropriately licenced facilities. Excess water is discharged to sewer under the existing Sydney Water Trade Waste Agreement.

Future Main Building Use

Once the current tenant moves out of the main building it will be converted into a stockpiling area with the existing offices to remain. No plant is proposed to be installed within the space with external plant to continue their current processing activities.

2.4 Project Description

The proposed development involves the following:

- An expansion in the number of waste products accepted on site;
- An increase the tonnes per annum (tpa) processed on the site to 500,000tpa;
- An increase in the amount of materials to be stockpiled on site to 90,000 tonnes (t); and
- An increase in operational hours to 24 hours, 7 days a week.

Operations will involve the separation, grinding, crushing and general processing of received materials, whether virgin material or recyclable waste. See Appendix A for a proposed site plan.

2.5 Demolition and Construction

The weighing company will handle the decommissioning and removal of their plant and associated materials from within the building space when they vacate. This will leave a free slab area within the building ready for the resource recovery operation to expand into.

Stockpile bunds will be constructed within the main building space. See the attached proposed site plan at Appendix A for further detail.

2.6 Waste

It is proposed to expand the existing per annum tonnage of waste processed on the site from 30,000tpa to 500,000tpa with a maximum amount of material stockpiled at any given time of 90,000t. It is also proposed to expand the number of different waste products accepted onto the site.

2.6.1 Proposed Waste

The new range of waste types to be accepted on the site will include:

- Asbestos contaminated water
- Sewerage sludge and residues including gross pollutants
- Industrial waste water
- J120 Oily Water
- Soil injection waste;
- Leachate
- Product destruction
- Industrial waste
- Waste from surface treatment of metals and plastics

It must be noted that a number of the above wastes are defined as hazardous waste.

The operation will also seek approval for any waste materials listed as Resource Recovery Exemptions issued by the NSW Environment Authority (EPA) not covered by the above list.

2.6.2 Breakdown of Waste

Based on the existing operation and demands from the current market Table 2 provides the expected proportion of waste processed at the facility.

Table 1 – Breakdown of Waste Received by Waste Type

Waste Type	Percentage
Sewer based waste	10%
Concrete	30%
Liquid Wastes	20%
Soils and Sands	40%

It must be noted that these values will change based on various factors including but not limited to market demand, offerings by other operators, and major projects in the Sydney and surrounding areas.

2.6.3 Products

Finished product includes sand, aggregate, road base and recovered fines made from recovered materials. Recovered road base would be created to meet road base specifications. Various grades of aggregate will be produced.

Sand, aggregate and road base would be managed under the Recovered Aggregate Order 2014. Recovered fines would be managed under the "Batch Process" Recovered Fines Order 2014.

VENM and ENM would also be bought and resold at the site. ENM would be managed under the Excavated Natural Material Order 2014.

2.6.4 Waste Generation and Trade Waste

Very little waste is generated by the resource recovery operation and its processes. The site achieves close to a 100% recycling rate and would seek to reuse any bi-products generated on site in the process. See Table 3 for further details.

Table 2 – Waste generated by the proposed expansion

Waste	Process / Activity	Likely Classification	Estimate Annual Quantity	Management/ Mitigation
Sediment and Grit	Cleaning and Maintenance	General Solid Waste (Non-Putrescible)	Minor Quantities	Where it is not possible to reprocess the waste, it will be sent to a licenced waste facility.
Excess process water	Process pits and drum filter	Liquid waste (Trade Waste)	Unknown	Discharge under Tradewaste Agreement only when required otherwise water is reused in process, evaporated or, used for garden maintenance.
Oils and Lubricants	Maintenance	Hazardous waste	Minor Quantities	This waste needs to be tracked and would be stored on site in enclosed containers within a bunded area and sent to a licensed oil recycler on an as needs basis
General Office Waste	Office	General Solid Waste (Putrescible)	>100 t	Stored in waste bins on site and removed on an as needs basis using a licensed waste contractor.

2.7 Demand

Incoming waste will arrive from within NSW, mainly from the Sydney Region from various operations. Some of the current clientele includes the following:

- Veolia Environmental Solutions
- Sydney Water
- Patriot Environmental
- SureSearch
- Suckers Excavations
- Dig Smart
- Hanson
- Boral
- Holcim
- Weir Minerals
- John Heine & Sons
- Lend Lease
- Borg Civil
- Langford Environmental
- Hancock Excavations
- Warwick Farm Landscape
- Express Waste

BRS is in a position where it has to turn down deliveries due to their existing waste limits. In addition, existing clientele have indicated that they wish to significantly increase their deliveries and purchases. The following businesses have indicated an interest in increasing the business they do with BRS:

- Cleanaway has expressed interest in delivering an additional 20,000tpa of waste to the site however this deal has been postponed due to the existing capacity limits at the site;
- Non-destructive digging operations such as Patriot Environmental, SureSearch, and Dig Smart have expressed interest in further deliveries once the limit has been increased;
- Concrete operators such as Hanson, Boral, and Holcim who are currently utilising BRS services have all been limited in the deliveries they can make to the site;
- Deliveries of foundry sand from Weir Minerals and John Heine & Sons are currently limited by the thresholds which cannot be exceeded; and
- Lend Lease has indicated they wish to use BRS to dispose of the soils and sandstone waste generated from their major road projects.

BRS is currently forced to turn away customers due to their existing approved limits and licence. This is harming the business as it creates uncertainty for clientele who wish to utilise their services leading to negative perceptions in the market place. In addition, the current limits are undesirable as waste that does not reach resource recovery operations such as BRS will be delivered to landfill which is a far less favourable outcome.

By expanding the site's waste limits, the operation will be better able to cater to the needs of their existing clientele and be able to start accepting new clients such as Cleanaway. This will create certainty within the market and achieve superior environmental outcomes. The proposed expansion is integral to the future growth and ongoing success of BRS.

2.8 Sub-consultants

A number of sub-consultants have been engaged as part of the project team based on the environmental constraints of the site.

Lindsay Dynan will prepare the site Stormwater Management Plan including a Soil and Water Management Plan for the proposed development.

Due to the nature of the proposal an Air and Odour Assessment was deemed necessary and Todoroski Air Sciences will be engaged to prepare the air and odour assessment. This will necessitate the creation of a dispersion model based on the parameters of the site and the potential emissions from the site.

A Noise Impact Assessment is to be prepared by Muller Acoustic Consulting which will quantify and suggest appropriate management options for noise emanating from the proposed development.

Colston Budd Rogers and Kafes Pty Ltd will prepare a Traffic Impact Assessment which will estimate traffic generation of the proposed operation, review the site access along with on-site parking and vehicle circulation, perform a SIDRA assessment of existing traffic conditions, and provide recommendations to mitigate any impacts.

The operations environmental management plan and waste management plan will be prepared by Langford Environmental. In addition, Langford Environmental will seek approval for an amended EPA licence for the site.

Any further technical studies required as a result of the SEARs will be undertaken to accompany the future development application package.

3 Planning Framework

The following discussion provides an initial review of the proposed development against relevant planning requirements. No Commonwealth environmental legislation is triggered by the proposed development. Therefore, this assessment identifies state and local planning requirements.

The legislation and planning instruments to be taken into consideration includes:

- *Environmental Planning and Assessment Act, 1979;*
- *Environmental Planning and Assessment Regulation 2000;*
- *State Environmental Planning Policy (State and Regional Development) 2011;*
- *State Environmental Planning Policy (Infrastructure) 2007;*
- *State Environmental Planning Policy (Infrastructure) 2016 Amendment (Review) Draft;*
- *The Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment*
- *Campbelltown Local Environmental Plan 2015; and*
- *Campbelltown (Sustainable City) Development Control Plan 2015.*

3.1 Environmental Planning and Assessment Act, 1979

The *Environmental Planning and Assessment Act, 1979 (EP&A Act)*, specifies under Section 77A, the following:

Designated development is development that is declared to be designated development by an environmental planning instrument or the regulations.

The discussion in section 3.2 details how the proposal is considered to be a form of designated development.

The proposal is also classified as regional development under Schedule 4a Section 8 of the Environmental Planning and Assessment Act, 1979 (EP&A Act) however this is not relevant as the proposal is considered to be SSD.

8 Particular designated development

Development for the purposes of:

- (a) *extractive industries, which meet the requirements for designated development under clause 19 of Schedule 3 to the Environmental Planning and Assessment Regulation 2000, or*
- (b) *marinas or other related land and water shoreline facilities, which meet the requirements for designated development under clause 23 of Schedule 3 to the Environmental Planning and Assessment Regulation 2000, or*
- (c) ***waste management facilities or works, which meet the requirements for designated development under clause 32 of Schedule 3 to the Environmental Planning and Assessment Regulation 2000.***

3.1.1 Integrated Development

Integrated development is defined under Section 91 of the *EP&A Act*. It includes development proposals that require development consent and one or more specific approvals under the following Acts:

- *Fisheries Management Act, 1994;*
- *Heritage Act, 1977;*
- *Mine Subsidence Compensation Act, 1961;*
- *National Parks and Wildlife Act, 1974;*
- *Protection of the Environment Operations Act, 1997;*
- *Roads Act, 1993;*
- *Rural Fires Act, 1997; and*
- *Water Management Act, 2000.*

Where one of these approvals or permits is required the development application must be submitted to the relevant approval body, for the purposes of obtaining the General Terms of Approval (GTA) from that approval body which may include any conditions to be imposed on any development consent issued by the consent authority. The proposed expansion triggers integrated development under the POEO Act.

3.1.2 Protection of the Environment Operations Act, 1997

The POEO Act provides an integrated system of licensing for polluting industries. Schedule 1 of the POEO Act identifies types of development that require an environment protection license.

The following are included in Schedule 1 and are applicable to the proposed development:

- **34 Resource recovery - recovery of general waste**
- **41 Waste processing (non-thermal treatment) - non-thermal treatment of general waste**
- **42 Waste storage**

Comment:

The applicant is required under sections 48 of the POEO 1997 Act to obtain an environment protection license for the operations. Due to this requirement, the proposed development is defined as integrated under the EP&A Act 1979 Section 91(1).

3.2 Environmental Planning and Assessment Regulation 2000

Part 1 of Schedule 3 of the *Environmental Planning and Assessment Regulation 2000 (Regulation)*, lists a number of developments declared to be designated development for the purpose of Section 77A of the EP&A Act.

There are three definitions which adequately describe the proposed works, namely *crushing, grinding or separating works* and *waste management facilities or works*. These are described below:

16 Crushing, grinding or separating works

(1) Crushing, grinding or separating works, being works that process materials (such as sand, gravel, rock or minerals) or materials for recycling or reuse (such as slag, road base, concrete, bricks, tiles, bituminous material, metal or timber) by crushing, grinding or separating into different sizes:

(a) that have an intended processing capacity of more than 150 tonnes per day or 30,000 tonnes per year, or

(b) that are located:

(i) within 40 metres of a natural waterbody or wetland, or

(ii) within 250 metres of a residential zone or dwelling not associated with the development.

(2) This clause does not apply to development specifically referred to elsewhere in this Schedule.

Comment

It is the intention of the operators to increase their processing capacity to 500,000 tonnes per annum which far exceeds the 30,000tpa threshold of the regulation triggering Clauses 16(1)(a). Once the waste has arrived waste material will be processed which may involve either crushing or grinding to produce recycled product for sale.

In addition to these two parts, the site is within 250 metres of a residential zone and within 250 metres of a dwelling not associated with the development triggering 16(1)(b)(ii).

32 Waste management facilities or works

(1) Waste management facilities or works that store, treat, purify or dispose of waste or sort, process, recycle, recover, use or reuse material from waste and:

- (a) *that dispose (by landfilling, incinerating, storing, placing or other means) of solid or liquid waste:*
 - (i) *that includes any substance classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or*
 - (ii) *that comprises more than 100,000 tonnes of "clean fill" (such as soil, sand, gravel, bricks or other excavated or hard material) in a manner that, in the opinion of the consent authority, is likely to cause significant impacts on drainage or flooding, or*
 - (iii) *that comprises more than 1,000 tonnes per year of sludge or effluent, or*
 - (iv) *that comprises more than 200 tonnes per year of other waste material, or*

(b) that sort, consolidate or temporarily store waste at transfer stations or materials recycling facilities for transfer to another site for final disposal, permanent storage, reprocessing, recycling, use or reuse and:

- (i) *that handle substances classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste, or*
- (ii) *that have an intended handling capacity of more than 10,000 tonnes per year of waste containing food or livestock, agricultural or food processing industries waste or similar substances, or*
- (iii) that have an intended handling capacity of more than 30,000 tonnes per year of waste such as glass, plastic, paper, wood, metal, rubber or building demolition material, or**

- (c) *that purify, recover, reprocess or process more than 5,000 tonnes per year of solid or liquid organic materials, or*

(d) that are located:

- (i) *in or within 100 metres of a natural waterbody, wetland, coastal dune field or environmentally sensitive area, or*
- (ii) *in an area of high watertable, highly permeable soils, acid sulphate, sodic or saline soils, or*
- (iii) *within a drinking water catchment, or*
- (iv) *within a catchment of an estuary where the entrance to the sea is intermittently open, or*
- (v) *on a floodplain, or*
- (vi) within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, visual impacts, air pollution (including odour, smoke, fumes or dust), vermin or traffic.**

(2) This clause does not apply to:

- (a) *development comprising or involving any use of sludge or effluent if:*
 - (i) *the dominant purpose is not waste disposal, and*
 - (ii) *the development is carried out in a location other than one listed in subclause (1) (d), above, or*
- (b) *development comprising or involving waste management facilities or works specifically referred to elsewhere in this Schedule, or*
- (c) *development for which State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas requires consent.*

Comment:

The proposed expansion exceeds 30,000tpa which triggers Clause 32(1)(b)(iii).

Due to the site's location within 500 metres of a residential zone and within 250 metres of a dwelling not associated with the development Clause 32(1)(d)(vi) of the regulation is triggered.

3.3 State Environmental Planning Policies

A number of State Environmental Planning Policies (SEPPs) may be triggered by the proposed development. Relevant SEPPs have been considered in the following sub-sections.

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

Waste and Resource Management Facilities are included in the State and Regional Development SEPP 2011 under Schedule 1 Part 23.

23 Waste and resource management facilities

- (1) *Development for the purpose of regional putrescible landfills or an extension to a regional putrescible landfill that:*
 - (a) *has a capacity to receive more than 75,000 tonnes per year of putrescible waste, or*
 - (b) *has a capacity to receive more than 650,000 tonnes of putrescible waste over the life of the site, or*
 - (c) *is located in an environmentally sensitive area of State significance.*
- (2) *Development for the purpose of waste or resource transfer stations in metropolitan areas of the Sydney region that handle more than 100,000 tonnes per year of waste.*
- (3) Development for the purpose of resource recovery or recycling facilities that handle more than 100,000 tonnes per year of waste.**
- (4) *Development for the purpose of waste incineration that handles more than 1,000 tonnes per year of waste.*
- (5) *Development for the purpose of hazardous waste facilities that transfer, store or dispose of solid or liquid waste classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste that handles more than 1,000 tonnes per year of waste.*
- (6) Development for the purpose of any other liquid waste depot that treats, stores or disposes of industrial liquid waste and:**
 - (a) *handles more than 10,000 tonnes per year of liquid food or grease trap waste, or*
 - (b) handles more than 1,000 tonnes per year of other aqueous or non-aqueous liquid industrial waste.**

Comment:

With a proposed yearly handling rate of 500,000 tonnes per annum the proposed Resource Recovery expansion is covered by Schedule 1 Part 23 (3). In addition, the site will accept greater than 1,000 tonnes per year of aqueous liquid industrial waste which too triggers Schedule 1 Part 23 (3). As such the development is deemed to be State Significant Development under the State and Regional Development SEPP 2011.

3.3.2 State Environmental Planning Policy (Infrastructure) 2007

Waste and Resource Management Facilities are included in the Infrastructure SEPP 2007 under Part 3 Division 23.

121 Development permitted with consent

- (1) Development for the purpose of waste or resource management facilities, other than development referred to in subclause (2), may be carried out by any person with consent on land in a prescribed zone.**
- (2) *Development for the purposes of a waste or resource transfer station may be carried out by any person with consent on:*
 - (a) *land in a prescribed zone, or*
 - (b) *land in any of the following land use zones or equivalent land use zones:*
 - (i) *B5 Business Development,*
 - (ii) *B6 Enterprise Corridor,*
 - (iii) *IN2 Light Industrial,*
 - (iv) *IN4 Working Waterfront, or*

- (c) *land on which development for any of the following purposes is permitted with consent under any environmental planning instrument:*
- (i) *industry,*
 - (ii) *business premises or retail premises,*
 - (iii) *freight transport facilities.*
- (3) *Development for the purpose of the recycling of construction and demolition material, or the disposal of virgin excavated natural material (as defined by the Protection of the Environment Operations Act 1997) or clean fill, may be carried out by any person with consent on land on which development for the purpose of industries, extractive industries or mining may be carried out with consent under any environmental planning instrument.*

A prescribed zone is defined under Clause 120 Definitions of the Infrastructure SEPP as the following:

prescribed zone *means any of the following land use zones or a land use zone that is equivalent to any of those zones:*

- (a) *RU1 Primary Production,*
- (b) *RU2 Rural Landscape,*
- (c) *IN1 General Industrial,*
- (d) *IN3 Heavy Industrial,*
- (e) *SP1 Special Activities,*
- (f) *SP2 Infrastructure.*

As the development is located within an IN1 General Industrial zone which is listed as a prescribed zone the development is permissible with consent under the Infrastructure SEPP.

Schedule 3 – Traffic generating development to be referred to RMS

Under Schedule 3 of the Infrastructure SEPP 2007 any applications for landfill operation, recycling facilities, and waste transfer stations must be referred to the NSW Roads and Maritime Services (RMS) no matter what size or capacity. As such, this development will be required to be referred to the RMS.

3.3.3 State Environmental Planning Policy (Infrastructure) 2016 Amendment (Review) Draft

The Department of Planning and Environment has released a review into amendments to the Infrastructure SEPP and therefore these proposed changes have been considered.

The following proposed changes to the Infrastructure SEPP are relevant to the proposed development:

Part 3 Division 23 Clause 120 - Definitions

Clause 120 Definitions *(Aligns terminology with the Standard Instrument.)*

Omit the definitions of resource recovery facility, waste disposal facility, waste or resource management facility and waste or resource transfer station from clause 120.

Insert in alphabetical order:

resource recovery facility, waste disposal facility, waste or resource management facility and waste or resource transfer station *have the same meanings as in the Standard Instrument.*

The definition of a waste or resource management facility and resource recovery facility under the Standard Instrument—Principal Local Environmental Plan is as follows:

waste or resource management facility *means any of the following:*

- (a) *a resource recovery facility,*

-
- (b) a waste disposal facility,*
 - (c) a waste or resource transfer station,*
 - (d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).*

waste or resource transfer station means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.

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

Comment:

While this amendment proposes changes to the certain definitions this will not impact on the proposal.

Schedule 3 Traffic generating development to be referred to RMS

Schedule 3

Omit the Schedule. Insert instead:

Figure 8 - Extract from State Environmental Planning Policy (Infrastructure) 2016 Amendment (Review) Draft

Column 1	Column 2	Column 3
Purpose of development	Size or capacity—site with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road)	Size or capacity—site with access to any other road
Airports or heliports	Any size or capacity	Any size or capacity
Car parks (whether or not ancillary to other development)	50 or more motor vehicles	200 or more motor vehicles
Child care centres	50 or more children	50 or more children
Commercial premises (other than restaurants or cafes)	2,500m ² in gross floor area	10,000m ² in gross floor area
Drive-in take away food outlets	Any size or capacity	200 or more motor vehicles
Educational establishments	50 or more students	50 or more students
Freight transport facilities	Any size or capacity	Any size or capacity
Hospitals	100 or more beds	200 or more beds
Industry	5,000m ² in gross floor area	20,000m ² in gross floor area
Liquid fuel depots	8,000m ² in gross floor area	8,000m ² in gross floor area
Residential flat buildings	75 or more dwellings	300 or more dwellings
Restaurants or cafes	300m ² in gross floor area	200 or more motor vehicles
Service stations (including service stations that have retail outlets)	Any size or capacity	200 or more motor vehicles
Shops	1,000m ² in gross floor area	2,000m ² in gross floor area
Subdivision of land	50 or more allotments	200 or more allotments where the subdivision includes the opening of a public road
Transport depots	8,000m ² in gross floor area	8,000m ² in gross floor area
Warehouse or distribution centres	8,000m ² in gross floor area	8,000m ² in gross floor area
Waste or resource management facilities	Any size or capacity	Any size or capacity
Any other purpose	Any size or capacity	

The existing rate for waste or resource management facilities is *any size or capacity* and as such no change in the rate for this development type is proposed. As such, this development will continue to be required to be referred to the RMS.

3.4 The Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment

The site is within the Campbelltown local government area which is defined as contributing to the Georges River Catchment. The site is therefore subject to the provisions of the Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment regional plan.

Controls applicable to Waste Management Facilities are found in Part 3 Section 11 Planning Control Table of this regional plan.

22 WASTE MANAGEMENT FACILITY OR WORKS

Definition

Development for the purpose of waste management facilities or works described in Schedule 3 (Designated Development) to the Environmental Planning and Assessment Regulation 1994.

Planning controls

- *Development consent required unless on flood liable land, in which case it is prohibited.*
- *Advertised.*

Specific matters for consideration

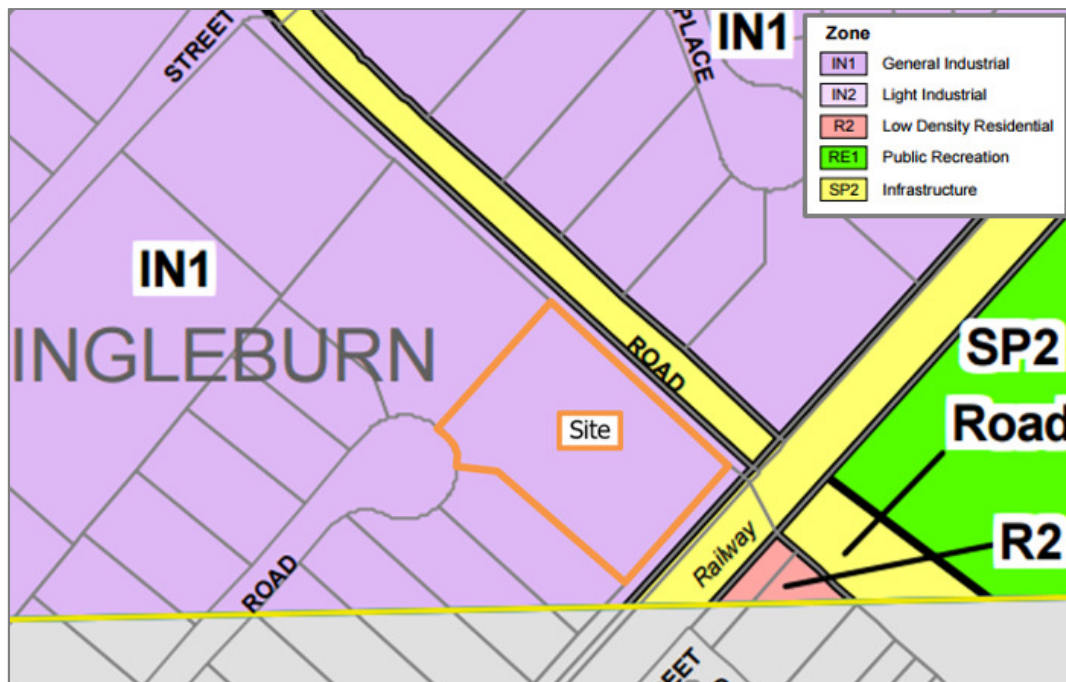
- *A system is to be required to manage leachate surface controls on the land on which the waste management facility or works is or are proposed.*
- *A site management plan is to be required for the land on which the waste management facility or works is or are proposed.*
- *The likelihood of groundwater contamination.*
- *The adequacy of the proposed leachate management system and surface water controls.*
- *The long-term stability of the final landform and the adequacy of the site management plan.*
- *Where the proposed development involves extraction of material, whether an adverse impact on the Georges River or its tributaries will result.*

Due to the existing nature of the buildings and operation along with the controls and measures already implemented the site will continue to comply with the above matters for consideration. It should be noted that the site is not subject to flooding.

3.5 Campbelltown Local Environmental Plan 2015

Under LEP 2015 the site is zoned IN1 General Industrial and is subject to the land uses permissible within this zone. See Figure 9 for LEP 2015 land zoning map extract.

Figure 9 - Campbelltown Local Environmental Plan 2015 (LZN_011)



Zone IN1 General Industrial

1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To provide for a range of facilities and services to meet the day-to-day needs of workers in the area.
- To enable non-industrial land uses that are compatible with and do not detract from industrial and warehouse uses or impact on the viability of existing centres.
- To ensure that any commercial, retail or other non-industrial development is not likely to adversely affect employment generating activities or opportunities.
- To facilitate diverse and sustainable means of access and movement.

2 Permitted without consent

Nil

3 Permitted with consent

Animal boarding or training establishments; Boat building and repair facilities; Car parks; Depots; Environmental facilities; Environmental protection works; Flood mitigation works; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Mortuaries; Neighbourhood shops; Passenger transport facilities; Places of public worship; Roads; Rural industries; Rural supplies; Service stations; Sex services premises; Signage; Storage premises; Take away food and drink premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres

4 Prohibited

Any development not specified in item 2 or 3

Resource recovery facilities are not permissible within the zone under the Campbelltown LEP 2015. However, as the site is zoned IN1 General Industrial which is a prescribed zone under the Infrastructure SEPP, the proposed development is permissible.

The proposed development is consistent with the objectives of this zone as it provides a wide range of industrial land uses creating more employment opportunities for the area.

3.6 Campbelltown (Sustainable City) Development Control Plan 2015

The proposed use is covered under Part 7 – Industrial Development of the Development Control Plan 2015 (DCP 2015). As the site has already been developed the controls prescribed under the DCP 2015 have been considered in the existing design of the development.

4 Potential environmental Issues

4.1 General

Potential environmental issues are likely to include:

- waste impacts;
- water quality impacts;
- noise impacts;
- air and odour quality impacts; and
- traffic impacts.

4.2 Potential Waste Impacts

The generation of waste is considered to be minor as most of the waste accepted onto the site will be processed to form a product for sale. Storage of materials is proposed in external storage bays which are not covered and will contain finished product and drying processed material.

4.3 Potential Water Impacts

There are several potential minor surface and groundwater issues associated with the proposed development, including:

- runoff from stockpiles may contain contaminants which could have potential impacts on the adjacent natural waterbody;
- stockpiles may potentially contaminate groundwater; and
- sediment control issues.

It is acknowledged that run off from stockpiles could contain contaminants which could affect the water quality of surface water. Such impacts could include changes in pH, sediment, contamination, and ecosystem degradation.

The existing development employs an extensive water management system incorporated into the hardstand area. Water is retained onsite within a water storage facility which has a 426,500-litre capacity. This water is used for onsite operations such as the wheel wash and within a system designed to service the dust suppression, on site amenities, washing, screening, and crushing operations. In addition to the sites water management system, BRS currently holds an active Sydney Water trade waste agreement.

An Environmental Management Plan is currently in force at the site. This Plan establishes the minimum requirements for containment and management of sediment, potential contaminants and spills. The Erosion

and Sediment Control Plan is based on the Landcom publication "Soils and Construction, Managing Urban Stormwater, 2004".

4.4 Potential Noise Impacts

24 hours 7 days a week operation is being sought which if granted will extend operational noise emanating from the site over a longer period of time. There are noise sensitive receptors that may be affected by noise generated by the operation, however the site is surrounded by a major arterial road and a rail corridor separating it from these receivers. In addition, the site is located within a long established industrial area. Mitigation measures have previously been put in place to further minimise noise impacts on these receivers.

Noise generated by on site operations through the processing and separation of waste and crushing and grinding of material may contribute to the background noise levels experienced in the locality.

4.5 Potential Air and Odour Impacts

Several issues regarding air quality and odour may arise from this type of operation, these include:

- An increase in fine particulates blown off stockpiles or disturbed by vehicle movements could impact adjoining properties;
- An increase in fine particulates generated by the processing of waste and material through the crushing, grinding and separation works impacting adjoining properties;
- The increase in waste material brought to the site reducing the odour amenity of the area; and
- Reduction in odour amenity due to exhaust from vehicles, generators, and/ or mobile plant.

External operations are generally closed or controlled systems which have low impact on air and odour quality. The majority of external operations are performed undercover with only one uncovered external storage area used for stockpiling finished and drying processed materials considered unlikely to generate air impacts. Dust suppression systems are utilised on site and includes spray systems within the building and a wheel wash for vehicles which enter/exit the site.

4.6 Potential Traffic Impacts

Due to the increased volumes of waste to be accepted it is expected that there will be a corresponding traffic increase as a result of the expansion. The existing road network is designed to facilitate a large number of heavy vehicles as its part of the Ingleburn industrial area. A traffic impact assessment will accompany the SSD application assessing the impact the proposed development is likely to have on the road network.

5 Archaeological and Heritage Impacts

The site is not listed as a heritage item, nor is it mapped within a heritage conservation area. There are no listed heritage items within the locality and none were identified when the site was originally developed.

6 Conclusion

Secretary's Environmental Assessment Requirements for the preparation of an EIS for the expanded Resource Recovery Facility are formally sought.

6.1 Contacts for KDC

KDC will be responsible for the co-ordination and management of the EIS project team. Contact details for KDC are listed in Table 3.

Table 3 – Contact Details

Company Name	KDC Pty Ltd
Primary Contact	<i>Patrick Quinlan</i>
Address	<i>Suite 2B, 125 Bull Street, Newcastle West NSW 2302</i>
Telephone	(02) 4940 0442 0429 020 128
Email	pquinlan@kobydc.com.au

Yours sincerely,



Patrick Quinlan
Senior Planner
KDC Pty Ltd



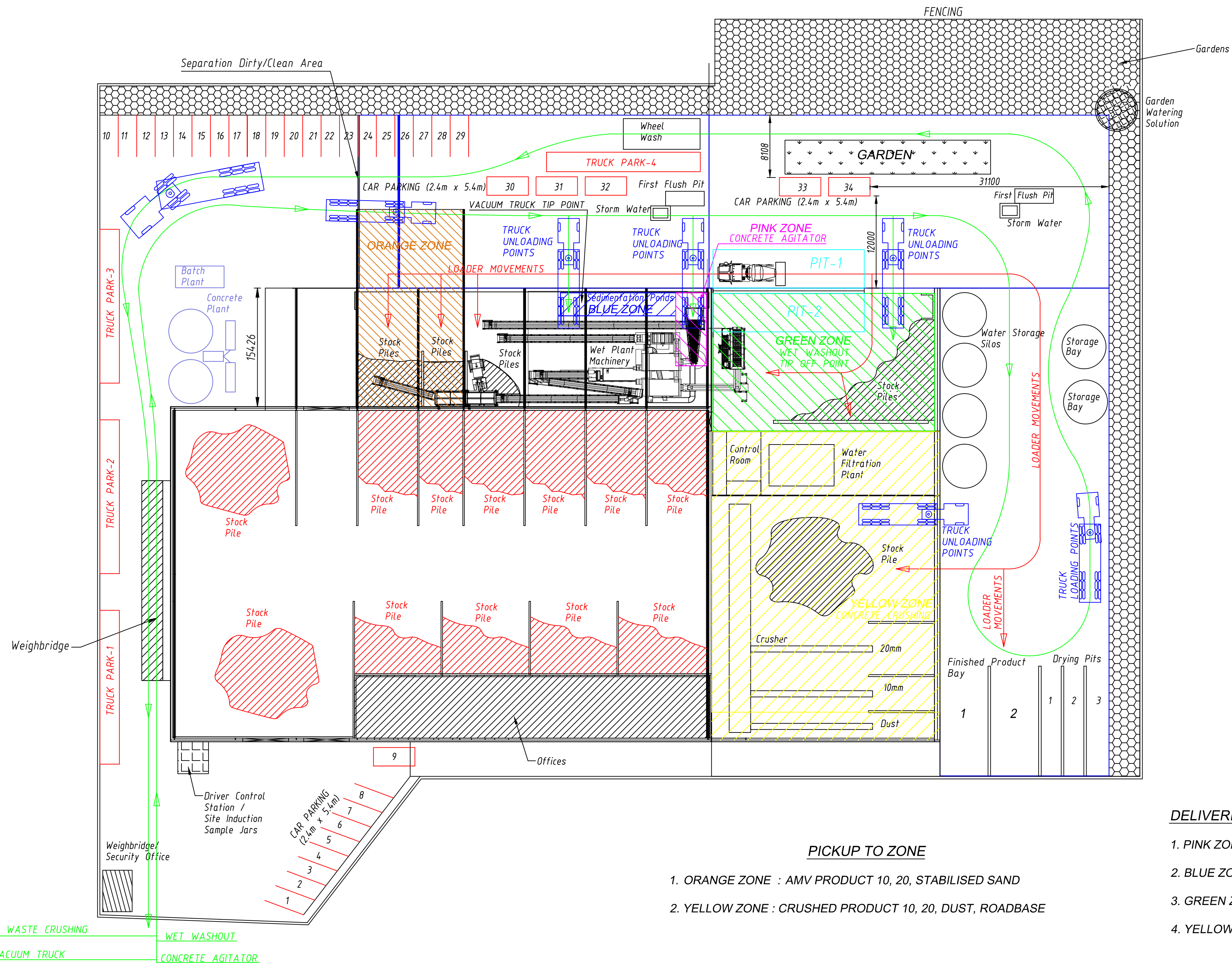
Steve O'Connor
Partner
KDC Pty Ltd

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Appendix A - Site Plan

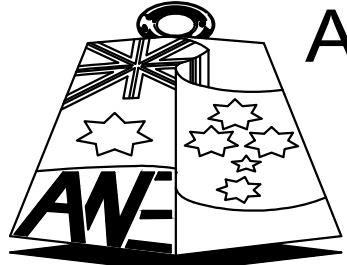
AWE Group Pty Ltd

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Items Listing				
Ref.	Qnt.	Description	Material	Remarks

Amendments or Issues			
Revision	Amendment	Date	By
R0	As Originally Drawn	NA	NA
R1			
R2			
R3			
R5			
R6			
R7			
R8			



AWE Group Pty. Ltd.

A.C.N. 002 940 301

50 Mandarin St
East Fairfield N.S.W. 2165
P.O. Box 95
Fivedock N.S.W. 2046

Ph (02) 8717 3333
Fax (02) 9754 1351

Client	BULK RECOVERY SOLUTIONS	Drawn By	AA
Checked By		Scale	1:250 (A1 Sheet)
Title	DELIVERIES / PICKUP POINTS MAP 16 Kerr Road, Ingleburn	Date	06-08-17
Drawing Number and Revision	DELIVERIES / PICKUP POINTS MAP R1	This drawing is the property of Armstrong Design, and must not be copied or disclosed to third parties except with the written permission of Armstrong Design.	

Appendix B – Conditions of Consent

Campbelltown City Council

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Mr Tim Baillie
16 Kerr Rd
INGLEBURN NSW 2565

NOTICE OF DETERMINATION

Development Application No.: 948/2015/DA-I/B

Approval "Modification of Consent" issued under Section 96(2) of the Environmental Planning and Assessment Act 1979

This Consent will lapse unless the development is commenced within two years from the endorsed date of the original development consent or as otherwise provided under Section 95 of the Act.

Section 82A of the Act may allow an applicant who is dissatisfied with the determination of an application, a right to request Council review its determination within six months from the date of this notice.

Section 97 of the Act allows an applicant who is dissatisfied with the determination of a consent authority, a right of appeal to the Land and Environment Court within six months from the date of this notice.

Property:	Lot 16 DP 717203, 16 Kerr Road, INGLEBURN
Development:	Use of site as a resource recovery facility
Effective date of original determination:	23 March 2016

Details of this modification:	<ul style="list-style-type: none">• Modify the range of materials processed at the site• Amend hours of operation• Construct drying pits• Use of hardstand area to manage stormwater
--------------------------------------	---

Date of this modification:	24 January 2017
-----------------------------------	-----------------

Conditions Added:	Conditions 21 and 22
Conditions Deleted:	Nil
Conditions Modified:	Conditions 1, 5 and 15



Andrew MacGee
Acting Manager Development Services

Contact: Rad Blagojevic – 4645 4608

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

1. Approved Development

The development shall be carried out in accordance with the approved plans and documents listed in the table below, and all associated documentation supporting this consent, including the Environmental Impact Statement prepared by Benbow Environmental (141296_EIS_Rev2 April 2015, released 27 April 2015, and 161066_S96(2)_rev1 August 2016, released 18 August 2016) as well as additional information prepared by Benbow Environmental, except as modified in red by Council and / or any conditions within.

Plan/ Document No.	Version/ Revision	Prepared by	Date
Figure 3.3 Site Plan, Ref: 161066_s96(2)_REV1 August 2016	Issue No.1	Benbow Environmental	August 2016

2. General Terms of Approval – NSW Environment Protection Authority

The General Terms of Approval issued by the NSW Environment Protection Authority (EPA) for the subject application, Notice Number 1534260, Attachments A and B, attached to this development consent shall be read in conjunction with the conditions contained herein.

3. Building Code of Australia

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

4. Landscaping

Landscaping across the site shall be maintained in good order, regularly watered and fertilised in accordance with best practice guidelines for maintaining the health and vigour of the vegetation.

Dead or dying trees and shrubs shall be replaced.

The landscaping must be installed so as not to interfere with the drainage easements that burden the property.

Land shall be provided on the site in accordance with the drawing titled 'Landscape' prepared by Landscape Garden service DWN No/Issue LC 06 4, drawn by Stephen

Clancy dated 12.01.2007, except that trees identified as T3, T4, T6 and T7 shall be replaced by local species melaleuca decora, eucalyptus amplifolia, and eucalyptus baueriana and the 'tube stock planting detail' is amended by deleting the subsoil drainage system.

This landscaping scheme is consistent with development consent 336/2006/DA-DE approved by the Land and Environment Court.

5. Volumes of Acceptable Waste

The volumes and materials of acceptable waste at the site are as follows:

- The processing of up to 30,000 tonnes per annum of approved materials;
- The storage on site at any given time to be up to 5,000 tonnes of approved waste.

Records of the mass of waste accepted at the site for processing shall be kept and made available to Council and the NSW EPA for inspection upon request.

This consent does not permit the acceptance, processing and storage of friable and non-friable asbestos-containing materials on the site at any time.

6. Deliveries

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.
- b. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
- c. All deliveries to the premises shall be made to the loading bay/s provided.

A traffic sign shall be placed adjacent to the driveway at the entrance of the property advising drivers of the above information. Should the sign be damaged or removed, it shall be replaced within 48 hours.

7. Advertising Signs – Separate DA Required

This consent does not permit the erection or display of any advertising signs.

Most advertising signs or structures require development consent. You should make separate enquiries with Council prior to erecting or displaying any advertising or signage.

8. Approved Storage of Goods

All approved works, storage and display of goods, materials and any other item associated with the approved development must only be undertaken in accordance with the approved plans and documentation referred to in Condition 1.

9. Bund Wall

A bund wall shall be constructed around all work and liquid storage areas to prevent any spillage entering into the stormwater system. The bunded area shall provide a

volume equal to 110% of the largest container stored and graded to a blind sump so as to facilitate emptying and cleansing.

10. Storage of Flammable and Combustible Liquids

Flammable and combustible liquids shall be stored in accordance with *Australian Standard 1940-(as amended) – The Storage and Handling of Flammable and Combustible Liquids*.

11. Storage of Dangerous Goods

Prior to the storage of any 'dangerous goods' on the premises, a licence from the Chemical Safety Branch of *Work Cover* shall be obtained and submitted to Council.

12. Graffiti Removal

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

13. Unreasonable Noise, Dust and Vibration

The development, including operation of vehicles, shall be conducted so as to avoid the generation of unreasonable noise, dust or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

In the event of a noise related issue arising during construction, the person in charge of the premises shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

14. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements set out in the *Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended)*.

15. Operating Hours

The use and site activities of the premises/business shall be limited to:

Monday to Friday	7.00am – 10.00pm
Saturday	7.00am – 6.00pm
Sunday	7.00am – 6.00pm
Public Holidays	Closed

Three drum filters and one forklift can operate up to 24 hours a day, 7 days per week subject to their use being consistent with the *NSW Industrial Noise Policy* and impact on nearby residential areas.

In the event of noise related complaints during operation of the drum filters, forklifts or general site activities, the person or organisation having benefit of this development consent (applicant) shall when instructed by Council, cause to be carried out an acoustic investigation by a suitably qualified and experienced acoustic consultant and submit the results for consideration and peer review if deemed necessary by Council.

If required, the applicant shall undertake and implement the necessary recommendations of the consultant or the Council to the satisfaction of the consent authority.

16. Car Parking Spaces

All car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended).

17. External Areas

The operator of the site shall ensure that all external areas are kept in a clean condition with no buildup of sediment or waste product materials. In particular, the operator shall ensure that any sediment or waste lost during arrival/departure of vehicles from the site is cleaned in a timely manner and not allowed to enter the stormwater system to ensure no adverse impacts on the stormwater system.

18. Waste Water

The operator of the site shall ensure that no waste water is discharged into either sewer or the stormwater system. Should waste water be required to be discharged in to the sewer system, all applicable permits shall be obtained from Sydney Water, including a Trade Waste Agreement.

19. Drainage Easement

The applicant shall re-form and finish the easements to drain water that burden the property in accordance with the restrictions on the land registered pursuant to Section 88B of the *Conveyancing Act 1919*.

20. Completion of Construction Works

Unless otherwise specified in this consent, all construction works associated with the approved development shall be completed within 12 months of the date of the notice of the intention to commence construction works under Section 81A of the Act.

In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

NSW ENVIRONMENT PROTECTION AUTHORITY COMMENTS

The following conditions have been applied to ensure that the use of the land/building is carried out in a manner that satisfies the NSW Environment Protection Authority.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

21. Environment Protection Licence

The applicant shall ensure that a current NSW Environment Protection Licence is held in conjunction with the modified operation of the land use. The applicant shall liaise with the NSW Environment Protection Authority having regard to the conditions of such licence and any rewording, if required, resulting from this consent to modify the original development approval.

22. Waste Received

The applicant/licensee shall not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the below column titled 'Waste' and meeting the definition, if any, in the column titled 'Description' in the table below.

Any waste received at the premises shall be used for the activities referred to in relation to that waste in the column titled 'Activity' in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled 'Other Limits' in the table below.

This condition does not limit any other conditions in this development consent and any other related licence.

Waste	Description	Activities	Other Limits
General and specific exempted waste	Being treated drilling mud, processed foundry sand, basalt fines, reclaimed asphalt pavement, recovered aggregate, excavated public road materials, recovered fines (continuous and batch), recovered glass sand, recovered railway ballast, slag (blast furnace, electric arc furnace, electric arc furnace ladle, electric arc welding, steel furnace)	Waste Storage Waste Processing	
Virgin Excavated Natural Material	As defined in Schedule 1 of the POEO Act, in force from time to time	Waste Storage Waste Processing	

Soils	Soil that meets the General Solid Waste Classification (assessed against the CT1 thresholds, Table 1) of the Waste Classification Guidelines as in force from time to time with exception of the maximum threshold values for contaminants specified in the "Other Limits" column	Waste Storage Waste Processing	Arsenic: 40mg/kg; Cadmium: 2mg/kg; Copper: 200mg/kg; Mercury: 1.5mg/kg; Zinc: 600mg/kg; Total Petroleum Hydrocarbons C6 to C9: 150mg/kg; Total Petroleum Hydrocarbons: 1600mg/kg; Polycyclic Aromatic Hydrocarbons: 80mg/kg; Polychlorinated Biphenyls (individual): 1mg/kg. No acid sulfate soil or potential acid sulfate is to be received at the Premises.
Soils	Soil that meets the Restricted Solid Waste Classification (assessed against the CT2 thresholds, Table 1) of the Waste Classification Guidelines as in force from time to time	Waste Storage (only).	
General solid waste (non-putrescible)	Municipal waste, being waste consisting of household domestic recycling waste that is set aside for kerb side collection or delivered by the householder directly to the waste facility (e.g. glass, plastic, cardboard, paper, aluminium, steel), or commercial waste of the same nature.	Waste Storage Waste Processing Resource recovery	
Building and demolition waste	As defined in Schedule 1 of the POEO Act, in force from time to time	Waste Storage Waste Processing Resource recovery	
Concrete	Concrete washout from concrete batch plants and residual batch concrete from agitator trucks	Waste Storage Waste Processing Resource recovery	
Liquid waste	Drilling mud, non-destructive digging waste, stormwater contaminated with gross pollutants	Waste Storage Waste Processing Resource recovery	

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

Advice 1. Provision of Equitable Access

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992) or *Disability (Access to Premises – Buildings) Standards 2010* (Premises Standards).

Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the *Building Code of Australia* (BCA) & the Premises Standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the Premises Standards.

Where no building works are proposed and a Construction Certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

Advice 2. Retaining Walls

A separate development application shall be submitted and approved for any retaining walls that exceed 0.9 metres in height.

Advice 3. Covenants

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

Advice 4. Adjustment to Public Utilities

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

Advice 5. Asbestos Warning

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au
www.nsw.gov.au/fibro
www.adfa.org.au
www.workcover.nsw.gov.au

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

Advice 6. Smoke Free Environment Act

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Smoke Free Environment Act 2000* (SFEA2000) or the *Smoke Free Environment Regulations 2007* (SFER2007). In the event that the occupier wishes to facilitate smoking

within any enclosed public place of the premises (in accordance with clause 6 of the SFER2007), the occupier must first contact NSW Department of Health to ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the SFEA2000 and the SFER2007.

Advice 7. Dial before you Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Advice 8. Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

THIS DOCUMENT HAS BEEN ISSUED WITHOUT ALTERATION OR ERASURE

Appendix C – Environmental Protection Licence

NSW Environmental Protection Authority

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Environment Protection Licence

Licence - 20797

<u>Licence Details</u>	
Number:	20797
Anniversary Date:	18-October

<u>Licensee</u>
BULK RECOVERY SOLUTIONS PTY LTD
PO BOX 465
INGLEBURN NSW 2565

<u>Premises</u>
BULK RECOVERY SOLUTIONS INGLEBURN
16 KERR ROAD
INGLEBURN NSW 2565

<u>Scheduled Activity</u>
Resource recovery
Waste processing (non-thermal treatment)
Waste storage

<u>Fee Based Activity</u>	<u>Scale</u>
Non-thermal treatment of general waste	Any annual processing capacity
Recovery of general waste	Any general waste recovered
Waste storage - other types of waste	Any other types of waste stored

<u>Region</u>
Waste & Resource Recovery
59-61 Goulburn Street
SYDNEY NSW 2000
Phone: (02) 9995 5000
Fax: (02) 9995 5999
PO Box A290 SYDNEY SOUTH
NSW 1232

Environment Protection Licence



Licence - 20797

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Environment Protection Licence

Licence - 20797



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Environment Protection Licence

Licence - 20797



Information about this licence

Dictionary

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

Responsibilities of licensee

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

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

Variation of licence conditions

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

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

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

Duration of licence

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

Licence review

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

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

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

Environment Protection Licence



Licence - 20797

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

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

Transfer of licence

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

Public register and access to monitoring data

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

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

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

This licence is issued to:

BULK RECOVERY SOLUTIONS PTY LTD
PO BOX 465
INGLEBURN NSW 2565

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

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

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

Scheduled Activity	Fee Based Activity	Scale
Waste processing (non-thermal treatment)	Non-thermal treatment of general waste	Any annual processing capacity
Resource recovery	Recovery of general waste	Any general waste recovered
Waste storage	Waste storage - other types of waste	Any other types of waste stored

A2 Premises or plant to which this licence applies

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

Premises Details
BULK RECOVERY SOLUTIONS INGLEBURN
16 KERR ROAD
INGLEBURN
NSW 2565
LOT 16 DP 717203

A3 Information supplied to the EPA

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

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

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

- A3.2 The Development Application DA 948/2015/DA-DE submitted to Campbelltown City Council on 28 April 2015 is not to be taken as part of the documentation in A3.1, other than those parts specifically referenced in this licence.

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- A3.3 The "*Environmental Impact Statement, Proposed Resource Recovery Facility, 16 Kerr Road, Ingleburn - 141296_EIS_Rev2*," prepared by Benbow Environmental dated April 2015 is not to be taken as part of the documentation in A3.1, other than those parts specifically referenced in this licence.
- A3.4 The additional documents supplied to the EPA in relation to the development, including the "*Request for Additional Information Reference DA 948/2015/DA-DE, 141296_Let_Rep_Rev1*," prepared by Benbow Environmental dated December 2015 is not to be taken as part of the documentation in A3.1, other than those parts specifically referenced in this licence.

2 Limit Conditions

L1 Pollution of waters

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

L2 Waste

- L2.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

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

Code	Waste	Description	Activity	Other Limits
NA	Liquid Waste	Drilling mud, non-destructive digging waste, stormwater contaminated with gross pollutants	Resource recovery Waste processing (non-thermal treatment) Waste storage	See conditions L2.2 and L2.3
NA	Concrete	Concrete washout from concrete batch plants and residual batch concrete from agitator trucks	Resource recovery Waste processing (non-thermal treatment) Waste storage	See conditions L2.2 and L2.3
NA	Building and demolition waste	As defined in Schedule 1 of the POEO Act, as in force from time to time	Resource recovery Waste processing (non-thermal treatment) Waste storage	See conditions L2.2 and L2.3
NA	General solid waste (non-putrescible)	Municipal waste, being waste consisting of	Resource recovery Waste processing	See conditions L2.2 and L2.3

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		household domestic recycling waste that is set aside for kerb side collection or delivered by the householder directly to the waste facility (e.g. glass, plastic, cardboard, paper, aluminium, steel), or commercial waste of the same nature	(non-thermal treatment) Waste storage	
NA	General or Specific exempted waste	Being treated drilling mud, processed foundry sand, basalt fines, reclaimed asphalt pavement, excavated public road materials, recovered aggregate, recovered fines (continuous and batch), recovered glass sand, recovered railway ballast, slag (blast furnace, electric arc furnace, electric arc furnace ladle, electric arc welding, steel furnace)	Waste processing (non-thermal treatment) Waste storage	See conditions L2.2 and L2.3
NA	Soils	Soil that meets the Restricted Solid Waste Classification (assessed against the CT2 thresholds, Table 1) of the Waste Classification Guidelines as in force from time to time	Waste storage	See conditions L2.2 and L2.3
NA	Soils	Soil that meets the General Solid Waste Classification (assessed against the CT1 thresholds, Table 1) of the Waste Classification Guidelines as in force from time to time with exception of the maximum threshold values for contaminants specified in the "Other Limits" column	Waste processing (non-thermal treatment) Waste storage	Arsenic: 40mg/kg; Cadmium: 2mg/kg Copper: 200mg/kg; Mercury: 1.5mg/kg; Zinc: 600mg/kg; Total Petrol Hydrocarbons C6 to C9: 150mg/kg; Total Petroleum Hydrocarbons: 1,600mg/kg; Polycyclic Aromatic Hydrocarbons:

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				80mg/kg; Polychlorinated Biphenyls (individual): 1mg/kg. No acid sulfate soil or potential acid sulfate soil is to be received at the premises. See conditions L2.2 and L2.3
NA	Virgin excavated natural material	As defined in Schedule 1 of the POEO Act, as in force from time to time	Waste processing (non-thermal treatment) Waste storage	See conditions L2.2 and L2.3

- L2.2 The total amount of waste processed at the premises from offsite must not exceed 30,000 tonnes per year.
- L2.3 The authorised amount of any waste stored at the premises cannot exceed 5000 tonnes at any one time.

L3 Noise limits

- L3.1 Noise from the premises must not exceed an LAeq (15 minute) noise emission criterion of:
a) 46 dB(A) during the daytime period; and
b) 40 dB(A) during the evening period;
measured at 2 Gordon Avenue, Ingleburn.
- L3.2 Noise from the premises must not exceed an LAeq (15 minute) noise emission criterion of:
a) 40 dB(A) during the daytime period; and
b) 37 dB(A) during the evening period;
measured at 1 Redfern Street, Ingleburn.
- L3.3 Noise from the premises must not exceed an LAeq (15 minute) noise emission criterion of:
a) 40 dB(A) during the daytime period; and
b) 37 dB(A) during the evening period;
measured at 7 Redfern Street, Ingleburn.
- L3.4 Noise from the premises must not exceed an LAeq (15 minute) noise emission criterion of:
a) 40 dB(A) during the daytime period; and
b) 37 dB(A) during the evening period;
measured at 15 Redfern Street, Ingleburn.
- L3.5 To determine compliance with conditions L3.1 to L3.4, noise from the premises is to be measured at the boundary closest to the premises at each of the locations listed.

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L4 Hours of operation

- L4.1 All construction work undertaken at the premises must only be conducted between 7am and 6pm, Monday to Friday.
- L4.2 All operational activities at the premises, other than construction work or where permitted by another condition of this licence, must only be conducted between:
 - a) 7am and 10pm, Monday to Friday; and
 - b) 7am to 6pm on Saturday and Sunday.No activity is to be carried out on Public Holidays.
- L4.3 Three drum filters and one forklift are permitted to operate 24 hours a day, 7 days per week.
- L4.4 Conditions L4.1 and L4.2 do not apply to the delivery of material outside the hours of operation permitted if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.
- L4.5 The hours of operation specified in conditions L4.1 and L4.2 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

L5 Potentially offensive odour

- L5.1 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

3 Operating Conditions

O1 Activities must be carried out in a competent manner

- O1.1 Licensed activities must be carried out in a competent manner.
This includes:
 - a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
 - b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:
 - a) must be maintained in a proper and efficient condition; and
 - b) must be operated in a proper and efficient manner.

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O3 Dust

- O3.1 Activities at the premises must be carried out in a manner that minimises the generation of dust at the premises.
- O3.2 The premises must be maintained in a condition which prevents the emission of dust from the premises.
- O3.3 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

O4 Other operating conditions

- O4.1 The licensee must minimise the tracking of waste, mud and other materials by vehicles leaving the premises.
- O4.2 The licensee must develop and implement an Erosion and Sediment Control Plan at all times whilst the licence is in-force. This plan must describe the measures that will be implemented to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction and operational activities. This plan should be prepared in accordance with the *Managing Urban Stormwater: Soils and Construction* (Vol. 1, 4th Edition) publication (or any revision) as well as any relevant addendums.
- O4.3 The licensee must undertake and complete an Air Quality Impact Assessment within 6 months from the date of issue of this licence to determine the impacts of activities undertaken at the premises in accordance with relevant guidelines.

4 Monitoring and Recording Conditions

M1 Monitoring records

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

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M2 Recording of pollution complaints

- M2.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M2.2 The record must include details of the following:
- a) the date and time of the complaint;
 - b) the method by which the complaint was made;
 - c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - d) the nature of the complaint;
 - e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - f) if no action was taken by the licensee, the reasons why no action was taken.
- M2.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M2.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M3 Telephone complaints line

- M3.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M3.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M3.3 The preceding two conditions do not apply until 1 month from the date of the issue of this licence.

5 Reporting Conditions

R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
- 1. a Statement of Compliance,
 - 2. a Monitoring and Complaints Summary,
 - 3. a Statement of Compliance - Licence Conditions,
 - 4. a Statement of Compliance - Load based Fee,
 - 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
 - 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
 - 7. a Statement of Compliance - Environmental Management Systems and Practices.

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

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

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

R1.3 Where this licence is transferred from the licensee to a new licensee:

- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

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

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R2 Notification of environmental harm

R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

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

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

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a) where this licence applies to premises, an event has occurred at the premises; or
b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

6 General Conditions

G1 Copy of licence kept at the premises or plant

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

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

7 Special Conditions

E1 Environmental Obligations of Licensee (Works & Programs)

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

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

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

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

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

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

E2 Financial Assurance

- E2.1 A financial assurance in the form of an unconditional and irrevocable and on demand guarantee from a bank, building society or credit union operating in Australia as 'Authorised Deposit-taking Institutions' under the *Banking Act 1959* of the Commonwealth of Australia and supervised by the Australian Prudential Regulatory Authority (APRA) must be provided to the EPA.
- E2.2 The financial assurance must be in favour of the Environment Protection Authority in the amount of one hundred thousand dollars (\$100,000). The financial assurance is required to secure or guarantee funding for works or programs required by or under this licence. The financial assurance must contain a term that provides that any monies claimed can be paid to the EPA or, at the written direction of the EPA, to any other person. The licensee must provide to the EPA, along with the original counterpart guarantee, confirmation in writing that the financial institution providing the guarantee is subject to supervision by APRA.
- E2.3 The financial assurance must be maintained during the operation of the facility and thereafter until such time as the EPA is satisfied the premises is environmentally secure.
- E2.4 The EPA may require an increase in the amount of the financial assurance at any time as a result of reassessment of the total likely costs and expenses of rehabilitation of the premises.

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- E2.5 The EPA may claim on a financial assurance under s303 of the POEO Act if a licensee fails to carry out any work or program required to comply with the conditions of this licence.
- E2.6 The financial assurance must be replenished by the full amount claimed or realised if the EPA has claimed on or realised the financial assurance or any part of it to undertake a work or program required to be carried out by the licence which has not been undertaken by the licence holder.

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Dictionary

General Dictionary

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

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

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

Ms Cate Woods

Environment Protection Authority

(By Delegation)

Date of this edition: 18-October-2016

End Notes		
2	Licence varied by notice	1549043 issued on 03-Feb-2017
3	Licence varied by notice	1553687 issued on 06-Jul-2017