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PO Box 21
WEST WYALONG NSW 2671
Telephone: 02 6972 2266
Facsimile: 02 6972 2145
Email: council@blandshire.nsw.gov.au
Website: www.blandshire.nsw.gov.au



NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

Environmental Planning and Assessment Act 1979

APPLICANT DETAILS
Applicant: Mr Mark Stanford Impax Group P O Box 4186 DUBBO NSW 2830

APPLICATION DETAILS
Development Application Number: DA/2007/083 Description of Development: Waste Disposal Facility

LAND TO BE DEVELOPED
Address: Eureka Road, Quandialla Property Description: Lots 1 & 2 DP 1039488

DETERMINATION DETAILS
Decision: Approved subject to conditions in Schedule 1 Determination Date: 23 June 2008 Approval to operate from: 23 June 2008 Approval to lapse on: 23 June 2013

LAPSING OF DEVELOPMENT CONSENT

Development consent does not lapse if the approved use has actually commenced or the proposed work is physically commenced before the consent lapse date, except where a condition specifies a limit to the duration of the consent.

RIGHT OF APPEAL

If you are the applicant:

You can appeal against this decision in the Land and Environment Court within twelve (12) months of the date of this notice (section 97 of the *Environmental Planning and Assessment Act, 1979*). You cannot appeal, however, if a Commission of Inquiry was held and the development is designated development or state significant development.

REVIEW OF DETERMINATION

An applicant may request the Council to review this determination within one (1) year after the date the applicant received this notice. The prescribed fee must be paid with the request for a review. Once the review is completed the Council may confirm or change the determination. If there is an appeal, the period of time within which Council may undertake a review is extended up to the time the Court hands down its decision.

A Review cannot be requested for:

- a determination to issue or refuse to issue a complying development certificate, or
- a determination in respect of designated development, or
- a determination in respect of integrated development, or
- a determination in respect of integrated development, or a determination made by Council under Section 116E in respect of an application by the Crown.



Anthony Daintith
Manager Development Services
for
General Manager

SCHEDULE 1

CONDITIONS OF CONSENT

PART A - ADMINISTRATIVE CONDITIONS

A1 Development Description

Approval is granted for the Waste Disposal Facility.

Reason:

To ensure that the description of the approved development is clear.

A2 Development in Accordance with Plans and Documents

The development shall be undertaken generally in accordance with the plans, and documents, as modified, listed below:

- Plans and documents stamped DA/2007/083 and dated 23 June 2008.

Reason:

To ensure that the development is undertaken in accordance with the submitted plans and documents (as amended).

A3 Inconsistency between Documents

In the event of any inconsistency between conditions of this approval and the drawings/documents referred to above, the conditions of this approval shall prevail.

Reason:

To ensure that the development is undertaken in accordance with the consent conditions.

PART B - REQUIREMENTS PRIOR TO COMMENCEMENT OF OPERATIONS

B1 Access

The Applicant is to bitumen seal the access from the property boundary to Eureka Road to Council specifications prior to the commencement of operations.

Reason:

To ensure that the access is appropriate for the level of traffic expected by the development.

Groundwater Management Plan

Groundwater Management Plan is to be provided to Council prior to the commencement of operations. The Groundwater Management Plan must provide details of predevelopment groundwater quality and measures to be implemented to monitor and maintain groundwater quality.

Reason: To ensure that groundwater is not contaminated as a result of this development.

B3 Waste Acceptance and Screening

The Applicant shall implement suitable procedures to:

- Ensure that the site does not accept wastes that are not permitted as part of this consent; and
- Screen incoming waste loads;

Details of these procedures are to be provided to Council for approval prior to the commencement of operations.

Reason: To ensure that only approved waste products are deposited in the landfill.

PART C – OPERATIONAL REQUIREMENTS

C1 Limits of Approval

A maximum of 10,000 tonnes of waste per annum shall be accepted at the site, of this, the disposal of tyres is limited to 5,000 tonnes. The further development consent shall be required should amount of waste material exceed this limit.

The Applicant shall only receive and dispose of the following solid waste on the site:

- Virgin excavated natural material (clay, gravel, sand, soil and rock);
- Building and demolition waste (bricks, concrete and timber); and
- Used, rejected and unwanted tyres (including shredded tyres and tyre pieces).

No other waste products are permitted be received and disposed of as part of this consent.

Plastics, glass, paper & paper products, metal, treated timbers and products containing asbestos are **NOT PERMITTED** to be received or disposed of as part of this consent.

Reason: To minimise the environmental impacts of the development.

C2 Lining of Pits

Each pit is to be lined with a flexible membrane liner at least 1.5mm thick and overlaid with a re-compacted clay or modified soil liner at least 900 millimetres thick. Once lined, each pit is to be inspected by Council prior to the commencement of waste disposal activities.

Reason: To minimise the potential for groundwater contamination.

C3 Monitoring

The Applicant shall keep accurate records of the:

- (a) quantity, type and source of waste received, processed and disposed of on site; and
 - (b) volume of landfill space consumed.
- These records are to be provided to Council each quarter.

Reason: To ensure that the development complies with the conditions of this consent.

C4 Landfill Operations

The Applicant shall:

- (a) minimise the exposed areas at the landfill;
- (b) progressively revegetate any areas exposed for greater than 30 days;
- (c) fill the landfill cells in a systematic manner;
- (d) cover the active landfill area with a least 150mm of material (or a suitable alternative) at the end of daily waste disposal activities; and
- (e) progressively cap landfill cells with a seal bearing surface and revegetation layer once they reach their final design height.

Reason: To ensure that the development is undertaken in a systematic manner.

C5 Pest, Vermin & Noxious Weed Management

The Applicant shall:

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

Note:

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

C6 Security

The Applicant shall:

- (a) prevent unauthorised entry to the site; and
- (b) install and maintain a perimeter stock fence and lockable security gates on site.
- (c) ensure that all gates are locked whenever the landfill is unattended.

C7 Fire Management

The Applicant shall:

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

Reason: To provide adequate fire safety of the site.

C8 Heavy Vehicles

The Applicant shall ensure that:

- (a) heavy vehicles entering or leaving the site with loads are suitably covered; and
- (b) heavy vehicles leaving the site are cleaned of materials that may fall on the road before they are allowed to leave the site.

Reason: To maintain road safety.

C9 Hours of Operation

The hours of operation are 8.00am to 7.00pm, seven days per week.

Reason:

To ensure the amenity of the locality.