



DATE OF DETERMINATION	Wednesday 26 October 2016
PANEL MEMBERS	Sue Francis (Chair), Nicole Gurrin, Clare Brown, Stephanie Kokkolis
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Christie Conference Centre, 3 Spring Street Sydney on Wednesday 12 October 2016, opened at 10.00 am and closed at 1.25 pm.

MATTER DETERMINED (AS DESCRIBED IN SCHEDULE 1)

2016SYE016 – Strathfield - DA 2015/177

14-82 Madeline Street, Belfield

Use of the site as a waste management facility with an annual capacity of 30,000 tonnes of paper and cardboard and 69,900 tonnes of mixed metals, glass and mixed plastic.

Due to the intended capacity of the site, the proposed waste management facility requires an EPA license under the Protection of the Environment Operations Act 1997. Therefore the proposal is deemed Integrated Development under Clause 91 of the Environmental Planning and Assessment Act 1979.

Pursuant to Schedule 3 of the Environmental Planning & Assessment Regulation 2000, the proposed development is also defined as Designated Development due to the capacity of the site and proximity to the Cooks River and residential dwellings.

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

The Panel has considered the supplementary report of Council and heard the issues raised by residents. The Panel understands the concern of residents in respect of the operation of the current facility and their concerns as to the operation of the new facility on the site.

The proposal before the Panel has, inter alia, reduced its operating hours, introduced mitigation methods in relation to acoustics; by virtue of operating practices and the construction of an acoustic wall. The proposal has provided additional car parking onsite and an agreement in the meeting to provide for planting on the eastern side of the acoustic wall, to introduce low frequency beepers on their mobile equipment and to establish a consultative committee with the local residents to monitor the ongoing operation of the premises.

In the circumstances, the Panel has accepted the report of the Council for this matter on the grounds that the proposal is located in an industrial area and that the proposed use of the premises needs, by virtue of its activity to be located close to the areas where waste is collected. The Panel considers that with the conditions proposed by Council and those added by the Panel, the proposal can operate satisfactorily.

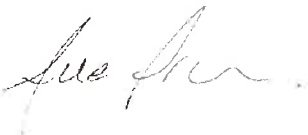



CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with amendments to conditions to address the following:

- Condition 1 – to incorporate all relevant reports
- Condition 5 – to clarify hours of operation (no change to nominated hours)
- Condition 7 – 69,900 tonnes mixed use recyclables
- Condition 9 – to ensure reports at applicants cost to councils satisfaction
- Condition 10 – to reflect odour auditing regime the same as condition 9 plus deodorising sprays
- Condition 13 – nominating colour and material for the acoustic wall and increasing it to 4.5m and the mobile equipment to have low frequency noise emitting reversing alarms
- New Condition 14 – to establish a consultative committee
- Condition 29 – retain the words “no material to be received or processed on Sunday”
- Condition 36 – add the roller doors shall be closed at all times when delivery and dispatch is not occurring
- Condition 37 – amended to require litter to be collected on a daily basis on site and immediately adjoining road reserve
- Condition 61 – amended to capture all residential noise receivers and capture the requirements of L3.1 of the GTAs

The panel notes the applicants’ willingness to provide planting screening on the eastern side of the acoustic wall and would encourage the applicant to liaise with the Council to undertake this planting.

The full set of amended conditions will be attached to this Determination and Statement of Reasons.

PANEL MEMBERS	
 Sue Francis (Chair)	 Clare Brown
 Nicole Gurran	 Stephanie Kokkolis

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYE016 – Strathfield - 2015/177
2	PROPOSED DEVELOPMENT	<p>Use of the site as a waste management facility with an annual capacity of 30,000 tonnes of paper and cardboard and 69,900 tonnes of mixed metals, glass and mixed plastic.</p> <p>Due to the intended capacity of the site, the proposed waste management facility requires an EPA license under the Protection of the Environment Operations Act 1997. Therefore the proposal is deemed Integrated Development under Clause 91 of the Environmental Planning and Assessment Act 1979.</p> <p>Pursuant to Schedule 3 of the Environmental Planning & Assessment Regulation 2000, the proposed development is also defined as Designated Development due to the capacity of the site and proximity to the Cooks River and residential dwellings.</p>
3	STREET ADDRESS	14-82 Madeline Street, Belfield
4	APPLICANT/OWNER	Polytrade Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Particular designated development - waste management facilities or works
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Infrastructure) 2007; State Environmental Planning Policy No. 33 – Hazardous and Offensive Development; State Environmental Planning Policy 55 – Remediation of Land; Strathfield Local Environmental Plan 2012; Environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Strathfield Consolidated Development Control Plan 2005 <ul style="list-style-type: none"> Part D – Industrial Development Part H – Waste Management and Minimisation Part I – Off Street Car Parking Part L - Notification Planning agreements: Nil Regulations <ul style="list-style-type: none"> Section 94A, Strathfield Indirect Development Contributions Plan 2010-2030 The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. The suitability of the site for the development. Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> and <i>Environmental Planning and Assessment Regulation 2000</i>. <p>The public interest, including the principles of ecologically sustainable development.</p>
7	MATERIAL CONSIDERED BY THE PANEL	<p>Council Assessment Report: 8 August 2016</p> <p>Council Memorandum dated 10 October 2016</p> <p>Written submissions during public exhibition:</p> <ul style="list-style-type: none"> Original Notification: 30 written submissions and 1 petition containing 455 signatures

		<ul style="list-style-type: none"> Notification following deferral/amendments: 10 written submission <p>Verbal submissions at the panel meeting 17 August 2016:</p> <ul style="list-style-type: none"> Object: Alenda Saad, Oliver Saad, Lousie Symonds, Mat Skembes, Anne Hodgkinson, James Carnuccio, Peter Taffa On behalf of the applicant: Sheila Laguna <p>Verbal submissions at the panel meeting 26 October 2016:</p> <ul style="list-style-type: none"> Object: Louise Symonds, Matt Skembes, David Saad on behalf of the Enfield Rovers Soccer Club, Alena Saad, John Mouawad, James Carnuccio, Youla Davies, Anne Hodgkinson On behalf of the applicant: Mike Ritche, Stephen Kozakiewicz
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	Briefing Meeting – 24 March, 17 August and 26 October 2016 Public Meeting 17 August 2016
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	As per council assessment report and supplementary report

**Attachment 4 -
Recommended Conditions of Consent – 14-82 Madeline Street,
Strathfield South
DA2015/177 – JRPP2016SYE016**

Plans

1. The development shall be completed in accordance with the approved plans and documents listed below, prior to the building being used or occupied, and subject to any amendments “in red” and any variation as required by conditions of this consent:

Site Plan Dwg No. 110616-1 prepared by 3Third Angle Projection dated 10 July 2016

Air Quality Impact Assessment prepared by SLR Report Number 610.14992-R3

Noise Impact Assessment prepared by SLR Report Number 610.14992-R1

SLR Noise Response_260516SL_Review v2 dated 8 June 2016

SLR Addendum Report dated 14 September 2016

Glass Recycling Plan Drawings 200 – 209 (inclusive) Project No. A6516-00 prepared by Redwave Glass Recycling received by Council 29 December 2015

Glass Bunkers Section and Elevation prepared by Redwave Glass Recycling received by Council 29 December 2015

Soil and Water Assessment prepared by SLR Report Number 610.14992-R4

Environmental Impact Statement prepared by MRA Consulting Group received by Council 29 December 2015

Addendum to Environmental Impact Statement prepared by MRA Consulting Group dated 14 September 2016

Plan of Management of Non-Conforming Waste prepared by MRA Consulting Group dated 8 July 2016

Traffic Plan of Management prepared by MRA Consulting Group dated 11 July 2016
2. A Construction Certificate must be obtained either from Council or a privately accredited person before commencement of any construction associated with this consent.
3. The Principal Certifying Authority must be appointed prior to work commencing to supervise the work and authorise occupation/use of the building when completed.

4. A copy of the endorsed stamped plans and specifications, together with a copy of the Development Consent, Construction Certificate and any approved Traffic Management Plan are to be retained on site at all times.

Special Conditions

5. The permitted hours of operation for the use of the site shall be as follows:

	Type of activity	Hours permitted	Days permitted
(a)	Paper and Cardboard Recycling (PCR) Facility		
	Receipt of incoming material Processing of material Dispatch of material	6am to 10pm	Daily, Monday to Saturday Note: Maximum of (33) incoming vehicles per day and maximum of five (5) collection (dispatch) vehicles per day. Roller doors to be closed from 6pm and only opened when required for deliveries.
	CLOSED	10pm to 6am	Daily and closed all day Sunday.
(b)	Materials Recycling Facility (MRF)		
	Receipt of incoming material	5am to 3pm Note: first delivery permitted from 4:30am however processing machinery only permitted to be turned on at 5am.	Daily, Monday to Saturday Note: Maximum of (45) incoming vehicles per day Roller doors to be closed from 3pm.
	Processing of material	5am to 10pm	Daily, Monday to Saturday
	Dispatch of sorted material	5am to 6pm	Daily, Monday to Saturday Note: Maximum of nine (9) collection vehicles per day
	Cleaning and conveyor maintenance	10pm to 5am	Daily, Monday to Saturday and 10pm Saturday until 5am Sunday. Refer to note below.
	CLOSED	5am Sunday to 4:30am Monday	

Note: Cleaning and maintenance is to be restricted as follows:

- (i) All doors must be closed

- (ii) Processing machinery only to be switched on intermittently to enable cleaning to occur
 - (iii) Maintenance restricted to repair/replacement of conveyor belts only.
6. The site is permitted to operate a waste transfer station capable of separating the following non-putrescible waste:
 - (a) Paper and cardboard;
 - (b) Mixed metals (steel/tin/aluminium);
 - (c) Glass; and
 - (d) Mixed plastics.
 7. A maximum of 99,900 tonnes of waste per annum is permitted to be processed by the subject site, comprising 69,900 tonnes of mixed recyclable materials and 30,000 tonnes of paper and cardboard.
 8. A maximum of 4,200 tonnes of sorted waste is permitted to be stored on site at any one (1) time.
 9. The site operator shall undertake an acoustic auditing program upon commencement of the proposed use. The program shall be as follows:
 - (a) Council shall be advised in writing (14) days in advance of the commencement date of the use;
 - (b) The acoustic auditing program shall comprise:
 - (i) Stage 1: an initial acoustic audit shall be carried out within a period of 40 days from the date of commencement of operations;
 - (ii) Stage 2: an acoustic audit shall be carried out within six (6) months from the date of commencement of operations; and
 - (iii) Stage 3: a final acoustic audit shall be carried out within ten (10) months from the date of commencement of operations.
 - (c) Each audit report shall be undertaken by an independent Acoustic Consultant (at the applicant's cost) in order to verify compliance (or otherwise), with the acoustic criteria set out in the Acoustic Report prepared by SLR Consulting Australia Pty Ltd (referred to in Condition 1 above). The acoustic audit reports shall be undertaken by a suitably certified, independent third party acoustic consultant and be submitted to Strathfield Municipal Council for consideration; and
 - (d) Should the acoustic audit reports identify that the noise generated by the site operations do not comply with the project specific criteria nominated in the Acoustic Report prepared by SLR Consulting Australia Pty Ltd measures shall be immediately put in place to ameliorate those non-compliances, including reduced operating hours as necessary to the written satisfaction of Council.
 10.
 - (a) Prior to the issue of a Construction Certificate, amended plans and detail of the de-odorising and water spray system, including drainage details, shall be submitted to the Principal Certifying Authority. The measures shall be installed in accordance with the recommendations of an Independent Air Quality specialist and shall be installed within the Materials Recycling Facility and Paper Cardboard Recovery Facility and shall be maintained in working order indefinitely.
 - (b) The site operator shall undertake an odour audit upon commencement of the proposed use. The auditing program shall comprise:
 - (i) Stage 1: an initial odour audit shall be carried out within a period of 40 days from the date of commencement of operations;

- (ii) Stage 2: an odour audit shall be carried out within six (6) months from the date of commencement of operations; and
- (iii) Stage 3: a final odour audit shall be carried out within ten (10) months from the date of commencement of operations.
- (c) Each audit report shall be undertaken by an independent Environmental Consultant (at the applicant's cost) in order to verify compliance (or otherwise), with the acoustic criteria set out in the Acoustic Report prepared by SLR Consulting Australia Pty Ltd (referred to in Condition 1 above). The acoustic audit reports shall be undertaken by a suitably certified, independent third party acoustic consultant and be submitted to Strathfield Municipal Council for consideration; and
- (d) Should the acoustic audit reports identify issues with odour generated by the site operations, measures shall be immediately put in place to ameliorate odour to the written satisfaction of Council.

11. **Prior to the issue of a Construction Certificate**, amended plans shall be prepared and submitted to the Principal Certifying Authority providing a designated outdoor lunch area with fixed seating and shade/pergola (maximum height 3.5m).
12. Full compliance shall be demonstrated with all relevant licensing conditions provided by the Environment Protection Authority at all times.
13. **Prior to the issue of a Construction Certificate**, amended plans shall be prepared and submitted to the Principal Certifying Authority showing a 4.5m high acoustic barrier constructed along the full extent of the eastern and north-eastern boundaries of the site. The acoustic wall shall be coloured grey and shall comprise an Acoustimax modular wall system with 6mm skins constructed and installed in accordance with the Design and Construction Solution prepared by Modular Wall Systems dated 16 September 2016 and as follows:
 - (a) Where there are inconsistent ground levels along the boundaries, the barriers must utilise the highest elevation points along the residential boundary (i.e. must be constructed on higher ground);
 - (b) The acoustic barriers/screens must contain no gaps along the surface area of the screen and be close fitting (i.e. within 30mm) to the ground to prevent the transmission of noise below the barrier;
 - (c) The acoustic barrier(s) must provide a minimum surface density of 15kg/m² and contain no gaps along the surface of the barrier(s). All gaps are to be adequately sealed using a flexible mastic sealant;
 - (d) Design of the barrier supports of the acoustic barrier(s) must be verified by a suitably qualified contractor to ensure sufficient structural and wind loading support is provided. General
 - (e) All mobile equipment present on the site is to be fitted with low frequency noise emitting reversing alarms **prior to the issue of an Occupation Certificate**.
14. Within the first (30) days of operation of the facility, the site operator shall establish a Consultative Committee with members representing residents, site management and Council. The consultative committee shall meet regularly as required.

General

15. The building and glass bunkers shall not be occupied or used until the development has been completed in accordance with the conditions of this consent, construction has been completed in accordance with the Construction Certificate and an

Occupation Certificate (including an Interim Occupation Certificate=) has been issued by the Principal Certifying Authority.

16. **Prior to the issue of a Construction Certificate**, photographs documenting any existing damage to the kerb and gutter and footpaths adjacent to the property shall be submitted to the consent authority. In the absence of this documentation, the applicant is liable for all damage that occurs to Councils' assets.
17. All exhaust and other emissions including noise from the premises shall comply with the provisions of the Protection of the Environment Operations Act 1997 and Regulations.
18. The applicant or any contractors carrying out works in public or Council controlled lands shall have public liability insurance cover to the value of \$10million and shall provide proof of such cover to Council prior to carrying out works.

Financial Matters

19. In accordance with the provisions of Section 94A(1) of the Environmental Planning and Assessment Act 1979 and the Strathfield Indirect Development Contributions Plan 2010-2030, a contribution in the form of cash, cheque or credit card (financial transaction fee applies) shall be paid to Council for the following purposes:

Local Amenity Improvement Levy	\$168,500.00
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The total amount of the contribution is valid as at the date of determination and is subject to quarterly indexation. The amount of the contribution under this condition shall be indexed in accordance with clause 4.12 of the Strathfield Indirect Development Contributions Plan 2010-2030.

The required contribution shall be paid **prior to the issue of a Construction Certificate**.

Parking/Traffic Matters

20. A total of (29) off-street parking spaces, hardpaved, linemarked, labelled and drained, shall be provided in accordance with the approved plans.

These spaces shall only be used for the parking of motorcycles, sedans, utilities, vans and similar vehicles up to two (2) tonne capacity.
21. All employees shall park their vehicles on site at all times.
22. All vehicles associated with the approved use shall be parked within the parking spaces on the site and not on adjacent footpath, access driveways or landscaped areas.
23. All vehicles entering and leaving the site shall be driven in a forward direction only and shall be completely contained within the site prior to stopping.
24. On-site circulation areas within the site shall be kept clear at all times and shall not be used for vehicular queueing, staff parking or materials storage.

25. The individual driveways shall be clearly marked with pavement arrows and signposting: Car Entry/Exit only, Truck Entry/Exit only, etc. as required.
26. A 'STOP' sign shall be installed at the exit point of all driveways to control and regulate exiting vehicles.
27. All driveways shall be separated from landscaped areas by a minimum 150mm high by 150mm wide concrete kerb or similar.
28. The off-street car parking spaces together with access driveways shall be freely available at all times to employees and customers.
29. Vehicles accessing the site are not to utilise the portion of Madeline Street south of the existing chicane **at any time.**
30. All material delivery to the MRF on the site shall be completed by 3:00pm Monday to Saturday. No material is to be processed or received on Sunday. All material delivery to the MRF on the site shall be completed by 3:00pm, Monday to Saturday.
31. A maximum of one (1) material collection vehicle (semi-trailer, curtain side or truck and dog) is permitted on each side of the site (i.e. north of the MRF and south of the MRF) at any one (1) time.
32. Materials received at the premise are permitted to be delivered by garbage trucks, utes, vans and tabletop trucks. All materials received are to be via contract only. Material delivery to the site by members of the public is not permitted at any time.
33. Vehicles delivering to the site and collecting sorted waste are not permitted to queue on the public roadway at any time.

Commented [S01]: Included in condition 5

Site Operation

34. A maximum of (24) employees shall be present within the site at any one time comprising three (3) office staff and (21) personnel working within the Materials Recovery Facility (MRF) and the Paper and Cardboard Recovery (PCR) facility.
35. Two (2) x weighbridges capable of weighing articulated vehicles shall be installed and maintained in working order within the site at all times. These weighbridges are to only be utilised in conjunction with the approved operations and are not to be made available to the public or other businesses at any time.
36. The delivery and despatch of goods, material and the like to and from the premises shall only take place between the hours permitted under condition 5. At no time is waste to be accepted during cleaning hours or on Sundays.
37. All operations/activities shall be carried out wholly within the building. The roller doors shall remain closed at all times when delivery and dispatch is not occurring.
38. Baled and sorted waste is not to be stored externally to the building at any time. The site and adjacent street frontage shall be cleaned daily to remove any loose litter or material.
39. Any proposed lighting of the site shall be designed, located or shielded to ensure the amenity of the surrounding area is not adversely affected by light overspill and

details shall be submitted and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**

40. All areas where oil petroleum and the like may be deposited shall be sealed and drained to an oil arrestor of sufficient size to separate these deposits from collected water prior to discharge.
41. Waste oil shall be stored in a covered and suitably bounded area pending regular removal to a waste oil recycler.
42. A maximum 1,000 litres of diesel fuel is permitted to be stored within the site at any time. The diesel fuel shall be stored within a self-bunded diesel tank compliant with *AS1940:2004 The storage and handling of flammable and combustible liquids* such that it is not considered to be potentially hazardous.
43. A maximum of 20 x 20kg cylinders of LPG gas (0.4 tonnes) is permitted to be stored within the site at any time. The LPG gas cylinders shall be stored within a separate storage cage within the warehouse.
44. A maximum of 2 x 30 litre drums of hydraulic oil are to be stored within a suitably bunded area to minimise risk.
45. Building 3 shall only be used for the storage of sorted, baled materials and is not to be used for sorting of materials at any time.
46. The discharge of surface water from the site (including that from within the building) shall be in accordance with the requirements of Council and Sydney Water. Details shall be submitted to and approved by the Principal Certifying Authority **prior to the issue of a Construction Certificate.**
47. A "24 hour Hotline" service shall be established at full cost to the applicant to allow any persons affected by site-related activities to make enquiries about such activities or register a complaint. This service shall allow affected persons to make contact via telephone and email. The service shall be operational at all times and a logbook of complaints shall be kept and be available for review by Council upon request.
48. The display of signage, other than signage which is approved by this consent or signage which is exempt development, is strictly prohibited.
49. Bunding or other pollution control devices shall be installed and maintained to ensure there will be no water borne pollutants discharging or likely to be discharged into any natural water course, stormwater or sewerage drainage system.
50. Leachate from the Materials Recovery Facility (MRF) and the Paper and Cardboard Recovery (PCR) facility shall be captured by a 'fluid only outlet' and discharged, through a trade waste agreement, to the sewer. Leachate is not be discharged from the site into the stormwater system at any time.
51. Appropriate measures shall be put in place to minimise vermin, pests and birdlife accessing the site.
52. A CCTV security system shall be installed within the property to discourage the dumping of illegal waste. Appropriate signage discouraging illegal dumping and

noting the CCTV camera is to be affixed to the property to ensure it is clearly visible from the public domain.

Construction Matters

53. The proposed development shall comply with the Building Code of Australia and details demonstrating compliance shall be submitted to the Principal Certifying Authority for approval **prior to the issue of a Construction Certificate.**
54. All construction, demolition and excavation work shall be restricted to 7am and 5pm (Eastern Standard Time) on Mondays to Saturdays (inclusive) and prohibited on Sundays and public holidays.
55. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

Building Matters

56. Identification numbers are to be clearly displayed at the front of the premises and be easily visible from the street.

Fire Safety Measures

57. Upon completion of works a final fire safety certificate is to be issued from a properly qualified person in respect of each essential fire safety measure installed within the building and specified in the fire safety schedule. The final fire safety certificate shall be provided **prior to the issue of an Occupation Certificate.**
58. Each 12 months after the installation of essential fire or other safety measures, the owner of a building must submit an Annual Fire Safety Statement for the building to Council. In addition a copy of the statement must be given to the NSW Fire Commissioner and a copy displayed prominently in the building.

Air Quality

59. Any non-conforming waste accepted onto the premise shall be managed strictly in accordance with the endorsed Plan of Management prepared by MRA Consulting dated 8 July 2016.
60. All residual waste accepted into the Materials Recovery Facility (MRF) and the Paper and Cardboard Recovery (PCR) facility shall be removed from the site within 24 hours of receipt.
61. Full compliance shall be given to the recommendations contained in the endorsed acoustic consultant's report.
62. Any noise generated on the premises from the use at any time shall not exceed the criteria contained in condition L3.1.
63. In the event of Council receiving complaints regarding air pollution or odour from the premises, the person(s) in control of the premises shall at their own cost arrange for an environmental investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of odour

emanating from the premises. Such measures are to be installed at no cost to Council and may require further development consent from Council.

64. In the event of Council receiving complaints regarding excessive noise, the person(s) in control of the premises shall at their own cost arrange for an acoustic investigation to be carried out (by a suitably qualified person) and submit a report to Council specifying the proposed methods for the control of noise emanating from the premises. Such measures are to be installed at no cost to Council and may require further development consent from Council.

Police

65. A panic or duress alarm shall be located at the location. This would include either a duress alarm at the front counter of the reception area or in the manager's office.
66. An internal alarm system shall be included at the office area at the location. An alarm with motion detectors, red switches and siren are designed to act as a deterrent and are very effective.
67. Warning signs should be strategically posted around the perimeter of the property, particularly near entry points to warn intruders of security measures.
68. Security fences should be installed around the perimeter of the waste management site to clearly define the property boundaries and restrict access. Gates should be secured with quality locks that comply with the Australian Standards, Lock sets, AS: 4145 to restrict access. Fences and gates should be maintained in good condition and should be checked regularly to assist with the protection of the property.
69. A security guard/caretaker shall monitor the premises when the site is closed.

Integrated Development – EPA General Terms of Approval

Administrative conditions

A1. Information supplied to the EPA

A1.1 Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- the development application 2015/177 submitted to Strathfield Council on 29 December 2015;
- *Environmental Impact Statement - 14-82 Madeline Street, Strathfield South: Upgrade of site to include new Materials Recycling Facility - Recyclecare Services Pty Ltd, 14 December 2015* relating to the development;
- all additional documents supplied to the EPA in relation to the development, including Development Application No.2011/193, Soil and Water Assessment Report No 610.14992-R4, Noise Impact Assessment Report No 610.14992-R1, Air Quality Impact Assessment Report No 610.14992-R3, Redwave design drawings A6516-00 (09/07/2015); and
- Polytrade responses to concerns submitted to Strathfield Council on 28 March 2016, including *Polytrade_Response to Submissions_DS240316* and *Polytrade_EPA response 280316*.

A2. Fit and Proper Person

A2.1 The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the *Protection of the Environment Operations Act 1997*, having regard to the matters in s.83 of that Act.

Limit conditions

L1. Pollution of waters

L.1.1 Except as may be expressly provided by a licence issued under the *Protection of the Environment Operations Act 1997* in relation of the development, section 120 of the *Protection of the Environment Operations Act 1997* must be complied with in and in connection with the carrying out of the development.

L2. Waste

L2.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by an Environment Protection Licence issued by the EPA under the *Protection of the Environment Operations Act 1997*.

L2.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an Environment Protection Licence under the *Protection of the Environment Operations Act 1997*.

L2.3 The amount of waste permitted to be received at the premises per year must not exceed 30,000 tonnes of paper and cardboard; and 69,900 tonnes of mixed metals, glass and mixed plastics.

L3. Noise limits

L3.1 Noise generated at the premises must not exceed the noise limits in the Table below.

Location	Noise Limits dB(A)			
	Day LAeq (15 minute)	Evening LAeq (15 minute)	Night LAeq (15 minute)	Night LA1 (1 minute)
17 Excelsior Avenue	45	42	42	58
150 Dean Street	41	40	40	54
79 Madeline Street	40	37	37	52

L3.2 For the purpose of condition L3.1;

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holidays.
- Evening is defined as the period 6pm to 10pm.
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and Public Holidays.

L3.3 The noise limits set out in condition L3.1 apply under all meteorological conditions except for the following:

- (a) Wind speeds greater than 3 metres/second at 10 metres above ground level.
- (b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second
- (c) at 10 metres above ground level; or
- (d) Stability category G temperature inversion conditions.

L3.4 For the purposes of condition L3.3:

- (a) Data recorded by a meteorological station installed on site must be used to determine meteorological
- (b) conditions; and

- (c) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method
- (d) referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.

L3.5 To determine compliance:

- (a) with the Leq(15 minute) noise limits in condition L3.1, the noise measurement equipment must be located:
 - approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
 - within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
 - within approximately 50 metres of the boundary of a National Park or a Nature Reserve.
- (b) with the LA1(1 minute) noise limits in condition L3.1, the noise measurement equipment must be located within 1 metre of a dwelling façade.
- (c) with the noise limits in condition L3.1, the noise measurement equipment must be located:
 - at the most affected point at a location where there is no dwelling at the location; or
 - at the most affected point within an area at a location prescribed by conditions L3.5(a) or L3.5(b).

L3.6 A non-compliance of condition L3.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured:

- at a location other than an area prescribed by conditions L3.5(a) and L3.5(b); and/or
- at a point other than the most affected point at a location.

L3.7 For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

Additions to Definition of Terms of the licence

- NSW Industrial Noise Policy - the document entitled "New South Wales Industrial Noise Policy published by the Environment Protection Authority in January 2000."
- Noise means 'sound pressure levels' for the purposes of conditions L3.1 to L3.7.

L4. Potentially offensive odour

L4.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

Operating conditions

O1. Odour

O1.1 Any waste received that is received at the premises that is determined to be unsuitable for processing due to the presence of putrescible material must be removed from the premises within 48 hours of receipt.

02. Dust

02.1 Activities must be carried out in a manner that minimises the generation of dust.

02.2 The premises must be maintained in a condition which prevents the emission of dust from the premises.

02.3 Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission of air pollutants from the premises.

02.4 The licensee must ensure that no material, including sediment or oil, is tracked from the premises.

02.5 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

03. Processes and management

03.1 Any waste for processing or storage at the premises must be assessed and classified in accordance with the *EPA Waste Classification Guidelines* as in force from time to time.

03.2 Each type of waste stored on site for recovery/recycling must be stockpiled separately.

03.3 There must be no burning or incineration of waste at the premises.

03.4 Clean stormwater must be diverted around 'dirty' areas of the site.

03.5 All waste processing and storage must be inside the buildings.

04. Emergency Response

04.1 The licensee must prepare, maintain and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises.

NOTE: The licensee must develop their PIRMP in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations Act 1997 (the POEO Act) and the POEO Regulations.

Reporting conditions

R1.1 The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the Protection of the Environment Operations Act 1997 in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

Special Conditions

E1.1 By 6 months from the commencement of operations approved by the development consent, the proponent must submit a dust and odour audit report to the EPA's Senior Manager Waste Operations. The dust and odour audit report must address the following:

- (a) A summary of any dust and/or odour complaints received and actions taken to reduce odour emissions where complaints are verified;
- (b) Benchmark the design and management practices at the facility against industry best practice for minimising dust and/or odour emissions. This should include, but not be limited to, fast close roller doors
- (c) Using the results of (a) and (b), if it is identified that the facility requires additional dust and/or odour mitigation measures the report must include:
 - Proposed mitigation works and/or management practices to ensure that dust and/or odour is minimised as far as is practicable; and
 - A timetable for the implementation of these works.

Operating conditions

Activities must be carried out in a competent manner

Licensed activities must be carried out in a competent manner.

This includes the processing, handling, movement and storage of materials and substances used to carry out the activity and the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

Maintenance of plant and equipment

All plant and equipment installed at the premises or used in connection with the licensed activity:

- Must be maintained in a proper and efficient condition; and
- Must be operated in a proper and efficient manner.

Monitoring and recording conditions

Recording of pollution complaints

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.

The record must include details of the following:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- the nature of the complaint;
- the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- if no action was taken by the licensee, the reasons why no action was taken.

The record of a complaint must be kept for at least 4 years after the complaint was made. The record must be produced to any authorised officer of the EPA who asks to see them.

Telephone complaints line

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.

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. This condition does not apply until 3 months after this condition takes effect.

Reporting conditions

Annual Return documents

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,
7. a Statement of Compliance - Environmental Management Systems and Practices; and
8. a Statement of Compliance - Environmental Improvement Works.

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. 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.

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.

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.

The Annual Return for the reporting period must be supplied to the EPA 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').

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.

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.

Written report

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

- (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.
- (c) 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.
- (d) The request may require a report which includes any or all of the following information:
 - i. the cause, time and duration of the event;
 - ii. the type, volume and concentration of every pollutant discharged as a result of the event;
 - iii. 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; and

- iv. 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;
- v. action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- vi. details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- vii. any other relevant matters.

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.

Notification of environmental harm

Notifications must be made by telephoning the EPA's Environment Line service on 131 555.
Note: The licensee or its employees must notify the EPA 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

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

Copy of licence kept at the premises or on the vehicle or mobile plant

A copy of the EPA licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies. The licence must be produced to any authorised officer of the EPA who asks to see it.

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