

General Terms of Approval - Issued



Notice No: 1572534

Natalie Kastoun
Development Planner
Fairfield City Council
PO Box 21
FAIRFIELD NSW 1860

Notice Number 1572534
File Number EF18/6335
Date 13-May-2019

Re: Construct and operate a resource recovery facility receiving up to 20,000 tonnes per year of building and demolition waste

Issued pursuant to Section 4.46 Environmental Planning and Assessment Act 1979

I refer to the development application and accompanying information provided for the waste processing facility at 115-119 Cowpasture Rd, Wetherill Park, received by the Environment Protection Authority (EPA) on 2 November 2018. The EPA understands that GLC Civil Pty Ltd trading as Pronto Bins (the Proponent) proposes to construct and operate a waste processing facility at 115-119 Cowpasture Rd Wetherill Park (the Premises). The proposal involves the receipt and processing of up to 20,000 tonnes per year of building and demolition waste.

The EPA has reviewed the information provided and has determined that it is able to issue a licence for the proposal, subject to a number of conditions. The applicant will need to make a separate application to EPA to obtain this licence.

The general terms of approval for this proposal are provided at Attachment A. If Fairfield City Council grants development consent for this proposal these conditions should be incorporated into the consent.

These general terms relate to the development as proposed in the documents and information currently provided to EPA. In the event that the development is modified either by the applicant prior to the granting of consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to consult with EPA about the changes before the consent is issued. This will enable EPA to determine whether its general terms need to be modified in light of the changes.

Changes to the Protection of the Environment Operations (Waste) Regulation

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The Proponent should be aware that changes to the Protection of the Environment Operations (Waste) Regulation commenced on 16 November 2018, which legislates "Standards for managing construction waste in NSW"

(<https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/wasteregulation/18p1270-standards-for-managing-construction-waste-in-nsw.pdf>). These standards must be complied with from 16 May 2019, regardless of when approval was given for the facility. The EPA strongly encourages the Proponent to be fully aware of these legislative requirements and ensure their operations are compliant.

Environment protection licence (EPL) requirements

It should also be noted that there are several requirements for holders of environment protection licenses, including monthly recording and reporting; provision of a financial assurance; authorised amount permitted onsite at any one time; and stockpile height limits. The EPA will discuss these matters further with the Proponent at the licensing stage.

Weighbridge

The EPA notes that the Proponent is intending to apply for an exemption from the requirement to install and operate a weighbridge due to the small size of the Premises. Please be advised that the Proponent will have to apply and be granted the exemption prior to any EPL being issued.

Closing of roller door

The EPA notes the Proponent's comments in relation to using the roller door as a mitigation measure in dry and dusty conditions, rather than it being closed most of the time. The EPA has considered the Proponent's comments, and has decided that, at this stage, it will not require the roller door to be closed at all times. However, if there are air quality or noise impacts from the activities, and/or the quantity of waste received increases in the future, the EPA may require the roller door to be closed more often (such as during processing and sorting of waste).

If you have any questions, or wish to discuss this matter further please contact Deanne Pitts on (02) 9995 5752.

Yours sincerely

A handwritten signature in black ink, appearing to read 'CF', with a large, stylized loop at the end.

Celeste Forestal
Unit Head

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Waste & Resource Recovery

(by Delegation)

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ATTACHMENT A – GENERAL TERMS OF APPROVAL

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 DA 428.1/2018 submitted to Fairfield City Council;
 - the environmental impact statement titled "Environmental Impact Statement, Construction and Demolition Waste Management Facility, 115-119 Cowpasture Rd, Wetherill Park" dated 28 August 2018 and prepared by MRA Consulting Group; and
 - all additional documents supplied to the EPA in relation to the development.

Waste

2. The amount of waste received at the Premises cannot exceed 20,000 tonnes in any 12 month period.
3. The types of waste permitted to be received at the premises include:

Code	Waste	Description	Activity	Other Limits
NA	Building & demolition waste	As defined in the Protection of the Environment Operations Act (as in force from time to time)	Resource recovery Waste storage	

4. All waste handling, loading, unloading, processing and storage must be undertaken inside a fully enclosed building.
5. Putrescible waste must not be received or processed at the Premises.

Air quality

6. Water sprinklers and/or misting sprays in the enclosed building must be utilised at all times when plant is operational.
7. All roads and carparking areas at the Premises must be sealed with concrete or asphalt.
8. All operating, storage, unloading and loading areas must be sealed with concrete or asphalt.
9. All operations and activities occurring at the premises must be carried out in a manner that prevents and minimises the emission of air pollutants from the Premises.
10. The premises must be maintained in a manner that prevents and minimises the emission of air pollutants.
11. The licensee must ensure no visible dust leaves the Premises.
12. The licensee must ensure that no material including sediment is tracked from the Premises.

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13. Air Quality Management Plan: The proponent must develop and implement an air quality management plan prior to the commencement of project operations. The air quality management plan must include both proactive and reactive management measures. As a minimum, the air quality management plan must include the following parts:

- Key performance indicator(s);
- Monitoring method(s);
- Location, frequency and duration of monitoring;
- Record keeping;
- Response mechanisms; and
- Compliance reporting.

Management measures must include:

1. a protocol for managing unsuitable material, including contaminated material, setting out the method for storage, the maximum amount stored at any one time, the maximum time for storage, and the measures to ensure these limits are met; and
2. a protocol for ensuring odour emissions from green waste stored on-site is minimised including limits on the amount stored, the length of time material is stored, and the means for meeting these limits.

Hours of operation

14. Construction works must only be undertaken:

- between the hours of 7:00am and 6:00pm Monday to Friday;
- between the hours of 8:00am and 1:00pm on Saturdays; and
- at no time on Sundays or public holidays.

15. Operational activities at the Premises may only be carried out between the following hours:

- 7:00am to 6:00pm Monday to Friday;
- between the hours of 8:00am and 12:00pm on Saturdays; and
- At no time on Sundays or public holidays.

Noise

16. The following conditions related to noise as set out below must be complied with.

L6.1 Noise generated at the premises must not exceed the noise limits in Table 1 below.

TABLE 1 - NOISE LIMITS IN dB(A)

RECEIVERS	Noise Level - dB(A) - Fast Response
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Address	Location	DAY LAeq, 15min	SHOULDER PERIOD (6am – 7am) LAeq, 15min
5-13 Trivet Street	Wetherill Park	49	35

L6.2 All operational activity permitted 7:00am to 6:00pm Monday to Friday, 7:00am to 12:00pm Saturday. No operational activity permitted Saturday afternoons, Sundays and Public Holidays.

L6.3 Week day truck transporting activity permitted in the day time and shoulder period only, as per Condition L6.4 below. Truck transporting is permitted on Saturdays from 7:00am to 12:00pm only. Truck transporting is not permitted Saturday afternoons, Sundays and Public Holidays.

L6.4 For Condition L6.1;

- Day is defined as the period from 7:00am to 6:00pm Monday to Saturday.
- Evening is defined as the period 6:00pm to 10:00pm.
- Night is defined as the period from 10:00pm to 5:00am Monday to Saturday and 10:00 pm to 8:00am Sunday and Public Holidays.
- Morning shoulder is defined as the period from 6:00am to 7:00am Monday to Friday only.

L6.5 The noise limits set out in condition L6.1 apply under all meteorological conditions, including inversion meteorological conditions determined by the nominated meteorological station.

L6.6 For the purposes of condition L6.5:

- a) Data recorded by the meteorological station at Horsley Park must be used to determine meteorological conditions; and
- b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in **Fact Sheet D - Accounting for Noise-Enhancing Weather Conditions** in the NSW Noise Policy for Industry.

L6.7 To determine compliance:

- a) with the LAeq(15 minute) noise limits in condition L6.1, 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

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- 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.

a) with the noise limits in condition L6.1, 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 L6.7(a).

L6.8 A non-compliance of condition L6.1 will still occur where noise generated from the premises exceeds the appropriate limit as measured:

- at a location other than an area prescribed by conditions L6.7(a); and/or
- at a point other than the most affected point at a location.

L6.9 For the purposes of determining the noise generated at the premises, the modification factors in **Fact Sheet C - Corrections for Annoying Noise Characteristics** of the NSW Noise Policy for Industry must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

Additions to Definition of Terms of the licence

- NSW Noise Policy for Industry - the document entitled "Noise Policy for Industry" published by the Environment Protection Authority in October 2017.
- Noise – "sound pressure levels" for the purposes of conditions L6.1 to L6.7.
- "Noise sensitive locations" includes buildings used as a residence, hospital, school, child care centre, places of public worship and nursing homes. A noise sensitive location includes the land within 30 metres of the building.

Water

20. A bund must be constructed around the perimeter of the storage and processing area as set out in the MRA Consulting Group letter dated 21 March 2019.
21. A wheelwash must be installed at the Premises as stated in the MRA Consulting Group letter dated 21 March 2019, and wheelwash water must be extracted and disposed to a facility that can lawfully accept that waste.