

DATE OF DETERMINATION	5 June 2023
DATE OF PANEL DECISION	30 May 2023
DATE OF PANEL MEETING	8 May 2023
PANEL MEMBERS	Annelise Tuor (Chair), Penelope Holloway, Glennis James & Carol Provan
APOLOGIES	Kent Johns
DECLARATION OF INTEREST	None

Papers circulated electronically on 30 November 2023.

MATTER DETERMINED

PPSSSH-117 – (DA 22/0632) Sutherland Shire Council - 43 Bay Road, Taren Point
Waste and resource management facilities Operate a Resource Transfer Station (TRF) or a Materials Recycling Facility (MRF) or a combination of both a TRF and MRF with a maximum annual throughput of 60,000 tonnes per annum, allow for 24-hour operations Mondays to Fridays, with operations from 6:00 am to 4:00 pm Saturdays and Sundays (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The decision maker considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

Development application

It was determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

REASONS FOR THE DECISION

The Panel determined to approve the application for the following reasons:

1. The proposed development is located within Zone IN1 General Industry pursuant to the provisions of Sutherland Shire Local Environmental Plan 2015. The proposed development, being a waste or resource management facility is a permissible land use within the zone with development consent.
2. The proposed variation to the late-night trading hours specified in Chapter 37 of the Sutherland Shire Development Control Plan 2015 is acceptable. The site is located within a 'low' activity zone, with sufficient distance from the closest residential premises and it is considered that a 24-hour operation on Monday to Friday is supportable.
3. The proposed development will not result in any significant impact on the environment or the amenity of the surrounding industrial and residential areas. An Air Quality Management Plan (AQMP) is required and must be applied at all times. All noise control measures in the Noise Impact Assessment must be complied with at all times the business is in operation.
4. Traffic impacts of the proposed development are minimal. The road network has sufficient capacity for the increase in truck movements. To minimise noise impacts, the number of truck movements at night-time will be restricted through conditions.

5. There is a demonstrated need for intensification of the existing waste management operation to meet the Commonwealth Government's and NSW Government's commitments to recycling strategies and targets.
6. The site is suitable for the proposed development and it has been demonstrated that the proposed development is in the public interest.

CONDITIONS

The development application was approved subject to the conditions in the council addendum assessment report subject to amendments either requested by the applicant and/or required to clarify the operation of the facility and further mitigate impacts. The amended conditions are found as Schedule 2.

The amendments to the draft conditions include the following:

Condition 1 – Approved Plans and Documents

- Amend to specify relevant reports and documents.

Condition 2(c) – inconsistencies between development consents

- For consistency, amend to include a reference to conditions 15, 16, 17 and 18.

Condition 5 – Operational Plan of Management

- Amend heading and subsection **A** to include a reference to the Operational Plan of Management.
- Amend subsection **B** to specify amendments to the Operational Plan of Management.

Condition 7 – Waste Streams only permitted

- Remove Source Separated materials from dot points and add above.

Condition 8 – Storage of Hazardous Waste

- Subsection A(i) and A(ii) – Replace the reference to 4 tonnes hazardous waste with 2 tonnes and extend storage period.
- Subsection A(iii) – Amend to relate only to subsection A(i).
- Subsection C – Amend to clarify materials to be stored on site only for operation and maintenance.

Condition 9 – Vermin and Litter Management

- Delete dot point 4.

Condition 14 – Prevention of Air Pollution

- Amend condition 14B to clarify the triggers and frequency for a review of the AQMP.

Condition 16 – Compliance with Noise Impact Assessment

- Delete dot point 3 to remove inconsistency between condition 16 and 22.

Condition 17 – Acoustic Post Validation Report

- Amend to ensure clarity of operating hours, require the provision of a validation report and to require certification of any required works.

Condition 20 – Industrial Activities Outside the Building

- Clarify “day” and “night” hours and restrictions.

Condition 22 – Hours of Operation

- Amend to provide consistency of hours of operations within the consent.

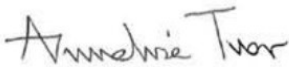

New condition 23 – Truck Movements

- Create a new condition which limits the hours and number of vehicles entering and exiting the site.

CONSIDERATION OF COMMUNITY VIEWS

In coming to the decision, the panel considered the written submissions made during public exhibition in regard to traffic and pedestrian safety.

Concerns raised by the community have been adequately addressed in the assessment reports and the determination.

PANEL MEMBERS	
Annelise Tuor (Chair) 	Penelope Holloway 

Glennis James

Glennis James

Carol Provan

C. Provan

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-117 – Sutherland Shire – DA22/0632
2	PROPOSED DEVELOPMENT	Waste and resource management facilities – Operate a Resource Transfer Station (TRF) or a Materials Recycling Facility (MRF) or a combination of both a TRF and MRF with a maximum annual throughput of 60,000 tonnes per annum, allow for 24-hour operations Mondays to Fridays, with operations from 6:00 am to 4:00 pm Saturdays and Sundays.
3	STREET ADDRESS	43 Bay Road, Taren Point - Lot 123 DP 815747
4	APPLICANT/OWNER	Visy Industries Australia Pty Ltd / Maincon Holdings Pty Limited
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - waste management facility or works
6	MATTERS FOR CONSIDERATION (s 4.15(1) of the EP&A Act)	<p>a) The provisions of</p> <p>(i) Environmental planning instruments (s4.15(1)(a)(i)):</p> <ul style="list-style-type: none"> State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Sutherland Shire Local Environmental Plan 2015; <p>(ii) Draft environmental planning instruments (s4.15(1)(a)(ii)): Nil</p> <p>(iii) Development control plans (s4.15(1)(a)(iii)):</p> <ul style="list-style-type: none"> Sutherland Shire Development Control Plan 2015 <p>(iv) Planning agreements (s4.15(1)(a)(iiiia)): Nil</p> <p>(v) the <i>Environmental Planning and Assessment Regulation 2021</i>: Nil</p> <p>b) The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</p> <p>c) The suitability of the site for the development</p> <p>d) Any submissions made in accordance with the Act or regulations</p> <p>e) The public interest</p>
7	MATERIAL CONSIDERED BY THE PANEL	<p>a) Council assessment report dated 6 March 2023</p> <p>b) Council addendum assessment report received on 26 April 2023 and dated 8 May 2023</p> <p>c) Written submissions during public exhibition: 1</p> <p>d) Total number of unique submissions received by way of objection: 1</p>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: Tuesday, 6 September 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Heather Warton, Kent Johns and Carol Provan <u>Council assessment staff</u>: Beth Morris, Annette Birchall, Vivian Tran and Daniel Lukic <u>Applicant representatives</u>: Jake Luschwitz, Stuart Wilmot <u>Others</u>: Carolyn Hunt, Sharon Edwards (DPE) Final briefing to discuss council's recommendation, determination meeting and deferral: 6 March 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Annelise Tuor (Chair), Penny Holloway, Glennis James and Carol Provan <u>Council assessment staff</u>: Beth Morris, Daniel Lukic, Alec Richardson, Vivian Tran, Dianne Copping, Rachel Corry <u>Applicant representatives</u>: Jake Luschwitz, Stuart Wilmot and Luke Krstanovski <u>Other</u>: Sung Pak, Timothy Cook (DPE)

		<ul style="list-style-type: none"> • Final briefing to discuss council's recommendation: 8 May 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Annelise Tuor (Chair), Penny Holloway, Glennis James, Carol Provan and Hassan Awada. ○ <u>Council assessment staff</u>: Daniel Lukic, Sue McMahon ○ <u>Applicant representatives</u>: Jake Luschwitz, Stuart Wilmot and Luke Krstanovski ○ <u>Other</u>: Amanda Moylan, Timothy Cook (DPE)
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Addendum Assessment Report

SCHEDULE 2 – Conditions of Consent

1. Approved Plans and Documents

The development must be undertaken substantially in accordance with the details and specifications set out on the following approved plans and the following reports, except as amended by any other condition of consent:

Plan number	Reference	Prepared by	Date
DA03a	Stockpile Plan (ground floor plan)	Archi Spectrum	25.05.2022

- “Visy Waste Management Facility 43 Bay Road, Taren Point Environmental Impact Statement” prepared by Urban Perspectives dated June 2022 except where superseded by the response to more information from Urban Perspectives (Reference 321) dated November 2022.
- “Air Quality Impact Assessment” prepared by Wilkinson Murray (Ref: RWDI #2190011) dated 28 April 2022 except where superseded by the report titled “Air Quality Impact Assessment” prepared by Wilkinson Murray (Ref: RWDI #2190011) dated 11 December 2022 and details contained in Section 1 Air Quality in the response to Council’s request for more information prepared by Urban Perspectives (Reference 321) dated November 2022.
- “Traffic Impact Assessment” prepared by Traffix (Reference 20.225r01 v06) dated May 2022.
- “Noise Impact Assessment” prepared by Wilkinson Murray (Reference RWDI #2190011) dated 28 April 2022.
- “Letter of Support – Engineering Review” prepared by Mobius Fire Safety dated 1 June 2022.
- “Emergency Procedures – Flood or Severe Storm (Flood Evacuation Report)” prepared by Visy Australia (Reference VR Taren Point Emergency Management Plan – Attachment A5) dated 20 March 2021
- “Environmental Management and Mitigation Measures Table (Appendix E)” lodged with the Environmental Impact Statement referred to above.

2. Inconsistencies between development consents

In the event of any inconsistencies and to avoid conflict between this and previous development consents, this consent prevails but only as far as:

- a) Condition 4 from Development Consent DA#11268 is superseded as 60,000 tonnes of throughput per calendar year is permitted by this consent (Refer to Condition 3 in this consent).
- b) Condition 5 dot point 1 from Development Consent DA#11268 is amended to read as follows:
“Logging of total volumes of materials processed each day to ensure operations do not exceed an annual limit of 60,000 tonnes;”
- c) Condition 25 from Development Consent DA#11268 relating to noise levels in excess of 70dB(A) at the nearest receiver from the use of premises, building services, equipment, machinery and ancillary fittings is superseded by Conditions 15, 16, 17 and 18 in this consent.

All other conditions from Development Consent DA#1/1268 and DA19/0921 remain operable and are not superseded.

3. Maximum permitted throughput per year

This consent only authorises a maximum of 60,000 tonnes of material throughput per calendar year.

4. Maximum permitted material storage

This consent does not authorise the storage of more than 1,500 tonnes of material onsite at any one time.

5. Operation of the site and operational plan of management

A. The operation of the site must at all times operate in accordance with:

- Operational Plan of Management being the Environmental Management and Mitigation Measures table (Appendix E of the Environmental Impact Statement prepared by Urban Perspectives dated June 2022)
- all the recommendations contained in the Environmental Impact Statement prepared by Urban Perspectives dated June 2022,
- the air quality assessment report titled "Visy Resource Management Facility Air Quality Impact Assessment" prepared by Wilkinson Murray (Ref: RWDI#2190011) dated 28 April 2022 except where modified by the air quality later report referred to in Condition 1 dated 11 December 2022, and
- the noise impacts assessment report titled "Visy Resource Management Facility Noise Impact Assessment" prepared by Wilkinson Murray (Ref: RDWI#2190011) dated 28 April 2022,

except where superseded by the response to more information from Urban Perspectives (Reference 321) dated November 2022 and where modified by conditions in this consent.

B. Prior to the commencement of the operation of extended hours, the Operational Plan of Management must be amended to incorporate the additional measures and controls in conditions of this consent. A copy and any subsequent amendments must be provided to council and copies must be kept onsite at all times and available for viewing should the need arise.

C. A sign must be installed on the vehicular entry at Bay Road and at the egress location at Alexander Avenue providing the contact details of the Visy Australia in the event that someone wants to contact the operator to raise a complaint or the like. The signs must be 1m x 1m in size and located at the site's entrance on Bay Road and either affixed to the roller door or the external wall of the building immediately adjacent to the egress.

6. Staggering of Staff

To avoid parking and vehicle manoeuvring conflict at the beginning and the end of working shifts, staff must have staggered arrival and departure times. Details must be included in the Operational Plan of Management.

7. Waste Streams only permitted

This consent only authorises the receipt of source separated and fully commingled recyclable material, being:

- Paper and cardboard.
- Glass.
- Plastics.
- Metals.

No other waste streams are permitted to be received at any time.

Any putrescible waste disposed of at the site must be isolated and suitably disposed of as soon as practical to prevent odour generation and the like. Details must be included in the Operational Plan of Management.

8. Storage of Hazardous Waste

A(i) This consent permits the storage of only 2 tonnes of 'hazardous waste' onsite at any one time. In the circumstances of this application, 'hazardous waste' is defined and limited to as follows:

- electronic equipment
- gas bottles
- fibrous cement

The persons and/or entity having the benefit of this consent must not allow for the above hazardous wastes to build up and/or be stored onsite for more than a continual 30 day period.

A(ii) This consent permits the storage of 4 tonnes of soft plastics onsite at any one time in addition to the storage of 2 tonnes hazardous waste described in A(i) above.

The persons and/or entity having the benefit of this consent must not allow for soft plastics to build up and/or be stored onsite for more than a continual 30 day period.

A(iii) The storage of the wastes described in A(i) above must be located above the 1% AEP flood level, located on bunded facilities and under the roofed area adjacent to the Shipping Containers.

B. Under no circumstance shall any other type of hazardous waste must be kept onsite. Hazardous waste is defined by the Protection of Environmental Operations Act 1997 viz:

'hazardous waste' means waste (other than special waste or liquid waste) that includes any of the following-

- (a) anything that is classified as-
 - (i) a substance of Class 1, 2, 5 or 8 within the meaning of the Transport of Dangerous Goods Code, or
 - (ii) a substance to which Division 4.1, 4.2, 4.3 or 6.1 of the Transport of Dangerous Goods Code applies,
- (b) containers, having previously contained-
 - (i) a substance of Class 1, 3, 4, 5 or 8 within the meaning of the Transport of Dangerous Goods Code, or
 - (ii) a substance to which Division 6.1 of the Transport of Dangerous Goods Code applies, from which residues have not been removed by washing or vacuuming,
- (c) coal tar or coal tar pitch waste (being the tarry residue from the heating, processing or burning of coal or coke) comprising more than 1% (by weight) of coal tar or coal tar pitch waste,
- (d) lead paint waste arising otherwise than from residential premises or educational or childcare institutions,
- (e) anything that is classified as hazardous waste pursuant to an EPA Gazettal notice,
- (f) anything that is classified as hazardous waste pursuant to the Waste Classification Guidelines,
- (g) a mixture of anything referred to in paragraphs (a)-(g).

B1. Lead-acid or nickel-cadmium batteries (being waste generated or separately collected by activities carried out for business, commercial or community services purposes) must be collected and disposed of each quarter.

C. The following may be kept onsite only for the operation and maintenance of the facility:

- petrochemicals (not exceeding 2,200L of diesel fuel)
- oils (not exceeding 820L)
- paint
- weedkiller

9. Vermin and Litter Management

To ensure that the operation of the site has minimal offsite impacts in regard to litter and vermin impacts and as identified in the application, the following must be undertaken:

- all waste materials and recovered product handled and stored within buildings.
- recyclable waste materials received into designated receival bays only.
- recovered product stored in designated material storage areas only.
- routine housekeeping to ensure loose items of any waste are collected and contained.
- daily site inspection checklist including maintaining housekeeping standards. and
- rat and mice bait stations are placed throughout the facility and maintained by a vermin management service provider.
- Litter patrols must be undertaken at the end of each shift to ensure that all external areas of the buildings and immediately around the vehicular exit onto Alexander Avenue are free from scraps of paper, cardboard, glass fragments, food and/or other wind blow materials.

10. Provision of Bicycle parking

Prior to the commencement of extended hours of operation permitted by this consent, a Bicycle Parking Rack must be provided near the southern side of the office building. The rack must have the capacity to accommodate the parking/storage of 3 bicycles.

Bicycle parking facilities are to be installed in accordance with Australian Standard AS2890.3 Bicycle Parking Facilities (as amended), Austroad's Guide to Traffic Engineering Practice - Part 14 Bicycles and the Austroads Bicycle Parking Facilities: Guidelines for Design and Installation (AP-R527-16). The rack must not interfere with access into and out of any building, vehicle manoeuvring, parking and/or the like.

11. Shipping Containers

The shipping containers that are denoted as 'temporary' on the plan titled 'Stockpile Plan' prepared by Archi Spectrum (Drawing Number DA03a), dated 25.05.2022 are permitted to remain onsite and used for as permanent storage facilities.

This consent does not authorise additional shipping containers to be stored onsite without prior approval.

12. Bunding Certification

Prior to the commencement of the extended hours of operation or within 3 months from the date of this consent, whichever comes first, the persons or entity having the benefit of this consent must engage a suitably qualified and practicing surveyor to certify the bunding and crests that have been installed to ensure flood waters do not inundate the buildings have a height of RL2.45AHD.

If bunding and crests are below RL2.45AHD, the persons or entity having the benefit of this consent must undertake the necessary works to ensure compliance with the above.

13. Flood Procedures

In the event of a severe storm and/or flooding, all procedures and recommendations contained in the document titled 'Emergency Procedures - Flood or Severe Storm' prepared by Visy Australia Pty Ltd (Ref: VR Taren Point Emergency Management Plan - Attachment A5 - Issue A) dated 20 March 2021 must be adhered to.

The Operational Plan of Management must be amended to ensure the recommendations and procedures contained in the above document are included.

14. Prevention of Air Pollution

Air Pollutants / contaminants can be hazardous to human health as well as create a nuisance through odours and deposited dusts. Use of trucks and plant equipment to recover recyclables or to temporarily store them for transfer to another premise where they will be recovered can, if not appropriately managed and mitigated, generate high levels of air pollutants such as fine particulates PM2.5, PM10, deposited dusts and odours.

To manage and mitigate the impact of air pollutants / contaminants generated from activities at the site, an Air Quality Management Plan (AQMP) is required and must be applied at all times – (the AQMP can be integrated in the Operational Management Plan for the facility)

Air Quality Management Plan

A. Before Commencement

- (a) An Air Quality Management Plan (AQMP) is required to be prepared by a suitably qualified air quality consultant to ensure that air pollutants / contaminants generated from site are managed appropriately and do not have an adverse impact on the environment, surrounding land uses and human health. It must include:
 - a. Air quality standards and goals,
 - b. Identify potential issues that may affect air quality and include any mitigation actions / measures necessary,
 - c. Measures and improvements to site practices to reduce air emissions, where possible,
 - d. Outline the tasks staff are required to do in response to complying with the AQMP.
 - e. Any regular air quality monitoring required, or instances where air quality monitoring will be required, i.e. when new statutory standards come into effect.

B. Ongoing

- (a) To ensure contaminants are not released into the atmosphere from the premises, the use of the building and any plant, equipment and fittings installed therein must be operated so as to meet the following requirements:
 - i) Protection of the Environment Operations Act 1997
 - ii) Protection of the Environment Operations (Clean Air) Regulation 2010
 - iii) AS 1668 - Part 2 - 2012

- iv) AS 3666.1 - 2011
 - v) AS 3666.2 - 2011
 - vi) AS 3666.3 - 2011
 - vii) Public Health Act - 2010
 - viii) Public Health Act (Microbial Control) Regulation 2012.
- (b) The site AQMP required in A(a) above must be complied with at all times.
 - (c) The AQMP must be reviewed when there is a statutory change and/or as a result of any performance outcome changes to ensure it is still appropriate.
 - (d) The AQMP must be updated in accordance with any statutory changes (i.e.: applicable relevant NSW and/or National Air Quality Standards) as soon as practicable after the new standards come into effect and/or as a result of any performance outcomes required by the NSW Environment Protection Authority. Where there are statutory changes, an air quality monitoring event shall occur to ensure that emissions are still within standards. If emissions exceed new criteria, changes to site practices must be explored and implemented to reduce emissions below statutory standards.
 - (e) The AQMP must be updated if and when changes to operating procedures are implemented.
 - (f) Any reviews and changes to the AQMP must be undertaken by an appropriately qualified air quality practitioner.
 - (g) The AQMP and its associated documentation requirements must be made available to Council officers on request.

15. Noise Control - Design of Plant and Equipment (Continual Operation)

To minimise the impact of noise from the development, all sound producing plant, equipment, machinery, mechanical ventilation systems and / or refrigeration systems:

A. Design

All plant and equipment must be designed and / or located so that the noise emitted does not exceed the Project Specific Noise level when measured at the most affected point on or within any residential property boundary.

The Project Specific Noise level must be the most stringent noise level of the Intrusive and Amenity criteria and be calculated in accordance with the provisions of the NSW Environmental Protection Authority Noise Policy for Industry 2017.

Note: The method of measurement of sound must be carried out in accordance with Australian Standard 1055.1.

B. Ongoing

All plant and equipment must be operated and maintained in accordance with the 'A' above.

16. Compliance with Noise Impact Assessment

To minimise the impact of the development on the surrounding residential and industrial receivers, all noise control measures outlined in Section 6 of the submitted Noise Impact Assessment prepared by RWDI Australia Pty Ltd, report number 2190011 dated 28 April 2022, must be complied with at all times the business is in operation.

These measures are:

- The MRF plant can operate during all periods (day, evening and night).
- The two roller doors located on the south side, close to the eastern wall, are to be shut during night-time (i.e. 10.00pm to 5.00am) operation when access to the eastern door is not required.

17. Acoustic Post Validation Report

A. Due to the marginal exceedances of the applicable night noise criteria detailed in *Table 4-9- Operational Noise Predictions (with MRF Operating)- Night (10pm-5am)* of the submitted Noise Impact Assessment prepared by RWDI Australia Pty Ltd, report number 2190011 dated 28 April 2022, certification must be provided to Council by a suitably qualified and practicing acoustic engineer **within 12 weeks of the commencement of increased operating hours approved within this consent**. The report is to include post validation results.

B. Should any exceedance beyond what has been specified in the aforementioned report, then the persons and/or entity having the benefit of this consent must undertake necessary rectification works **within 28 days** of the issue of the post validation report. This validation report must be provided to Council within 7 days after the completion of the works.

C. After the completion of the necessary rectification works to address the non-permitted noise exceedance(s), a further validation report must be submitted **within 28 days** after the completion of the rectification works to certify that the works have addressed the issue(s). Documentary evidence must be provided to Council following any works required by this condition.

18. Ongoing Acoustic Compliance

Receipt of noise complaints from the operation of the facility will result in the requirement for further acoustic assessment of the business operations to determine compliance with the NSW Noise Policy for Industry (NPfI). Exceedances of the applicable assessment criteria may result in further acoustic attenuation and operational measures being adopted and enforced.

19. Sydney Water Requirements & Section 73 Compliance Certificate

A. Before commencement of extended hours

Prior to the commencement of extended hours of operation permitted by this consent, the persons(s) or entity having the benefit of this consent must consult with Sydney Water. This consultation allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development.

Please refer to the web site www.sydneywater.com.au.

Prior to the commencement of the extended hours, the persons having the benefit of this consent must submit a copy of the Compliance Certificate to Council to certify that the consultation has taken place.

Sydney Water may require the construction of works and/or the payment of developer charges. This assessment will determine the availability of water and sewer services, which may require extension, adjustment or connection to the mains.

If Sydney Water require works to be undertaken, the works must be fully completed prior to the commencement of the extended hours of operation.

Sydney Water Advice on Compliance Certificates:

Sydney Water will assess the development and if required will issue a Notice of Requirements letter detailing all requirements that must be met. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator. Please make early contact with the Coordinator, since building of water / sewer extensions can be time-consuming and may impact on other services as well as building, driveway or landscaping design.

Go to www.sydneywater.com.au/section73 or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

20. Industrial Activities Outside the Building

To preserve the amenity and to minimise the impacts on adjoining and nearby sensitive receptors, the site must be operated as follows having regard to noise generating activities:

Time (Weekdays – including public holidays falling on a weekday)	Internal Operations [MRF Plant operation, vehicle operation (trucks, FEL, forklift, etc. - moving, shifting, loading, unloading, etc.)]	Vehicle movement outside	Loading material outside	Trucks unloading material outside	Glass area roller doors (the two roller doors located on the south side, close to the eastern wall)	Other roller doors
5am to 10pm (Day)	<i>No restriction</i>	<i>No restriction</i>	<i>No restriction</i>	<i>Not permitted</i>	<i>No restriction</i>	<i>No restriction</i>
10pm to 5am (Night)	<i>No restriction</i>	<i>Restricted - see condition 23</i>	<i>Not permitted</i>	<i>Not permitted</i>	<i>Cannot be open for longer than 5 minutes in any hour while MRF Plant equipment is running.</i>	<i>No restriction</i>

21. Loading and Unloading

To preserve the amenity of the surrounding neighbourhood and to ensure the safety of the public, the loading and unloading of vehicles carrying waste materials to be recycled, equipment, machinery, plant and the like must be undertaken wholly within the site and not from any roads and/or public areas.

22. Hours of Operation

A. Occupation

The business may only operate between the following hours:

- i) Monday to Friday (including public holidays that fall on a weekday): 24 hours.

No TRF activities are permitted to be undertaken between 10pm to 5am inclusive, Monday to Friday inclusive, except as provided by Condition 23.

- ii) Saturday, Sunday: 6am to 4pm only.

No TRF activities are permitted to be undertaken during Saturday and Sunday.

23. Truck Movements

Between 10pm to 5am inclusive, Monday to Friday, there must only be 6 inward and 6 outward truck movements to the site.