

## DRAFT CONDITIONS OF CONSENT

## DEVELOPMENT APPLICATION NO. 350.1/2023

LOT:78, DP: 845746, NO. 6 SLEIGH PLACE, WETHERILL PARK

ALTERATIONS AND ADDITIONS TO AN EXISTING WASTE MANAGEMENT FACILITY, INCLUDING AN INCREASE IN VOLUME OF STORMWATER/GROSS POLLUTANT TRAP WASTE PROCESSED FROM 29,500 TO 65,000 TONNES PER ANNUM AND EXTENDED HOURS OF OPERATION TO TWENTY-FOUR (24) HOURS PER DAY, SEVEN (7) DAYS A WEEK.

## GENERAL CONDITIONS

## 1. Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.

Plan No. :	Revision No. :	Plan Title :	Drawn By :	Date :
DA_TR231123	B	Site Plan	Tiaan Reader	November 2023

Plan Title	Drawn By	Plan No	Revision No	Date
EPA Recommendation	EPA	DOC24/906460	n/a	07.11.2024
Acoustic Assessment for 24hr Operation	Acouras Consultancy	SYD2014-1079-R005E	n/a	28.10.2024
Environmental Impact Statement (Amended)	Wild Environment	n/a	B	September 2024
Response to NSW EPA RFI	Mainstream Recycling	DOC24/662988	n/a	13.09.2024
Waste Management Plan	Mainstream Recycling	PLA-TDG-MR-036-02	0.2	04.07.2024
Response to NSW EPA RFI	Mainstream Recycling	n/a	n/a	27.07.2024
Response to RFI	Mainstream Recycling	n/a	n/a	22.05.2024
Response to RFI	Wild Environment	n/a	n/a	29.03.2024
Transport for New South Wales Response	Transport for New South Wales	SYD24/00487/01	n/a	08.03.2024
Traffic and Transport Assessment Report	Transport and Urban Planning Pty Ltd	19031-21R	n/a	29.11.2021
Odour Assessment	Air Labs Environmental	OCT21134.2	3	03.12.2021

## ATTACHMENT O

BDAR Waiver Request Information Requirements	Mainstream Recycling	n/a	n/a	n/a
Operations Management Plan	Mainstream Recycling	PLA-TDG-MR-010-04	4.0	23.03.2023
Response to EPA Comments	Arcadis Australia Pacific Pty Ltd	n/a	n/a	05.11.2020

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

**Note:** an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

**Reason:** To ensure all parties are aware of the approved plans and supporting documentation that applies to the development:

### 2. Amended Management Plans

Within thirty (30) days from the date of this consent, an updated Waste Management Plan and Operations Management Plan shall be submitted to Council, reflecting the amended operations/activities as approved by this subject consent.

**Reason:** To ensure documentation accurately reflects operational activities.

### 3. Waste Processing Quantity

The subject premises shall comply at all times with the following waste processing quantities:

- No more than 1,250 tonnes of waste material shall be stored onsite at any given time.
- No more than 65,000 tonnes of waste shall be processed per annum, comprising of the following:

Waste Material	Quantity (tonnes per annum)
Stormwater / GPT Material	64,000
Wood Waste (Sawdust)	1,000

**Reason:** To comply with development application.

### 4. Environmental Reports Certification

Before the commencement of the use as approved under Condition No. 3 of this consent, written certification from a suitably qualified person(s) shall be submitted to the Principal Certifier and Fairfield City Council, stating that all works/methods/procedures/control measures/recommendations approved by Fairfield City Council's Environmental Health Officer and the following reports have been completed:

- Environmental Impact Statement, dated September 2024, prepared by Wild Environment.

- b. Acoustic Assessment, dated 28.10.2024, prepared by Acouras Consultancy.
- c. Odour Assessment, dated 03.12.2021, prepared by Air Labs Environmental.

**Reason:** To ensure compliance with the consent and Council requirements.

### OCCUPATION AND ONGOING USE

#### 5. Carparking – General

- a. The provision and maintenance of the following number of car parking spaces in accordance with Fairfield City Wide Development Control Plan, 2013 – Car Parking, Vehicle and Access Management - Chapter 12:
  - i. Twenty-two (22) off-street car parking spaces for staff and visitors,
  - ii. One (1) off-street accessible car space in accordance with AS 2890.6.
- b. Each space shall be permanently line marked and maintained free from obstruction at all times. Staff, company and visitors vehicles shall be parked in the spaces provided on the subject premises and not on adjacent footway or landscaping areas.
- c. All car parking spaces shall be made available to staff and visitors to the premises and shall remain free from any storage or other obstructions at all times.

**Reason:** To ensure compliance with Fairfield City Wide Development Control Plan 2013.

#### 6. Deliveries

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.
- b. All vehicles awaiting loading, unloading, or servicing shall be parked on site and not on adjacent or nearby public roads.
- c. No more than six (6) delivery vehicles shall be located on the premises at any given time.
- d. No truck parking shall occur onsite.
- e. No vehicle larger than a 19-metre-long articulated vehicle shall be used to service the site at any given time.
- f. All deliveries to the premises shall be made to the loading bays provided.
- g. No more than thirty-three (33) waste deliveries shall be made to the premises per day.
- h. No more than four (4) waste removal trucks shall service the premises per day.
- i. Between 10:00pm – 5:00am, Monday to Sunday, there shall be no more than six (6) trucks (standard 10.3m HRV's) that can service the site during this time period. Furthermore during this time period, there shall only be one (1) delivery occurring at any given time.

**Reason:** To ensure the amenity of surrounding properties and ensure safe loading and unloading practices.

### 7. **Hours of Operation**

The approved hours of operation for the use of the premises are:

Monday to Sunday: 24 Hours

**Note:** The approved hours of operation shall be subject to review by Council in the event of any objections regarding noise nuisance etc. being received.

**Reason:** To ensure the acoustic amenity of surrounding properties.

### 8. **Advertising Sign**

No advertising signs or structures associated with the use of the premises are to be erected or displayed without prior approval being obtained from Council.

This requirement relates to all advertising matter, including any promotional material, displayed on the premises or in any public place.

**Reason:** To maintain the amenity of the streetscape and ensure consistency with the development approved by Council.

### 9. **Number of Persons**

No more than twenty (20) employees and two (2) visitors shall be onsite at any given time.

**Reason:** To comply with development application.

### 10. **Use of Premises**

The use of the premises shall comply with the following requirements:

- a. The operation of the business shall be conducted so as to avoid unreasonable noise and cause no interference to adjoining or nearby residences.
- b. The use of the premises shall not give rise to "offensive noise" as defined under the Protection of the Environment Operations Act, 1997.
- c. Emission of sound from the premises shall be controlled at all times so as not to unreasonably impact upon nearby owners/occupants.
- d. The use of the premises is not to interfere with the amenity of the residential dwellings west of the site.
- e. The premises shall be maintained in a clean and tidy state at all times. In this regard, cleaning shall be carried out as required to ensure that the premises is maintained in an environmentally satisfactory manner.

f. The premises shall be maintained in a clean condition and in good repair.

**Reason:** To protect the amenity of surrounding properties and ensure the development operates in accordance with the development consent.

### 11. Street Sweeping Waste

No street sweeping waste shall be accepted/processed onsite at any given time.

**Reason:** To comply with development application.

### 12. Storage of Goods

All works, storage and display of goods shall be contained wholly within the building.

**Reason:** To protect the amenity of the streetscape.

### 13. Unreasonable Noise and Vibration

The waste management facility, including operation of vehicles, shall be conducted so as to avoid unreasonable noise or vibration and cause no interference to adjoining or nearby occupations. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like. In the event of a noise or vibration problem arising at the time, the person in charge of the premises shall when instructed by Council, cause to be carried out, an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to Council's satisfaction.

**Reason:** To protect the amenity of neighbouring properties.

### 14. Waste or Resource Management Facility

The use of the premises shall comply at all times with the following definition of a waste or resource management facility (Fairfield LEP, 2013):

***“waste or resource management facility means any of the following—***

*(a) a resource recovery facility,*

*(b) a waste disposal facility,*

*(c) a waste or resource transfer station,*

*(d) a building or place that is a combination of any of the things referred to in paragraphs (a)-(c)”.*

**Reason:** To ensure the development is carried out in accordance with the relevant land use definition as prescribed in Fairfield Local Environmental Plan 2013.

### 15. Acoustic Report Recommendations

The Acoustic Assessment Report prepared by Acouras Consultancy, dated 28.10.2024, referenced as SYD2014-1079-R005E submitted as part of this development application shall be

complied with at all times. The recommendations as outlined within the acoustic report, listed below shall be complied with:

1. Between 10:00pm – 5:00am, Monday to Sunday, there shall be no more than six (6) trucks (standard 10.3m HRV's) incoming and outgoing. There shall only be one (1) delivery occurring at any given time.
2. All trucks must enter and exit the site in a forward direction.
3. There is no installation of any new external equipment.

**Reason:** To ensure acoustic report recommendations are implemented.

### 16. Odour Report Recommendations

The Odour Report, prepared by Air Labs Environmental, dated 03.12.2021, referenced as OCT21134.2, submitted as part of this development application shall be complied with at all times. The recommendations as outlined within the odour report, listed below shall be complied with:

1. All potential odours generated from the operational activities shall be captured and passed through a scrubbing system (activated carbon unit) before venting into the atmosphere.
2. The stack exit velocity shall be maintained at a minimum of 15 m/sec at all times during operation.

**Reason:** To ensure odour report recommendations are implemented.

### 17. Previous Development Consents

The use of the premises shall operate in accordance with all conditions of previous Development Consents issued for, and applicable to the operation of the site.

**Reason:** To ensure the development operates in accordance with previous approved development consents.

### 18. Environmental Protection Authority (EPA)

The attached Environment Protection Authority General Terms of Approval shall be complied with at all times.

**NB:** The EPA General Terms of Approval DO NOT constitute a license under the Protection of the Environment Operations (POEO) Act 1997. The applicant is required to obtain a license from the EPA for the approved development pursuant to the POEO Act 1997, prior to the commencement of any construction works, or any works or processes associated with the proposed development.

**Reason:** To protect the natural environment and ensure the development complies with the EPA General Terms of Approval.

### 19. NSW Protection of the Environment Operations Act 1997

The use of the premises shall operate in accordance with the *Protection of the Environment Operations Act (POEO) 1997*. All activities and operations carried out shall not give rise to air

pollution (including odour), offensive noise or pollution of land and/or water as defined under the *Protection of the Environment Operations Act 1997*.

**Reason:** To ensure compliance with POEO Act 1997.

### 20. **Storage of Flammable and Combustible Liquids**

Flammable and combustible liquids shall be stored in accordance with *AS 1940-2004 – The Storage and Handling of Flammable and Combustible Liquids*.

**Reason:** To ensure compliance with relevant Australian Standard.

### 21. **Storage of Hazardous Chemicals**

Should any 'hazardous chemicals' proposed to be stored on the premises exceed the manifest quantity as prescribed in Schedule 11 of the Work Health Safety Regulation 2011, Notification of schedule 11 hazardous chemicals is required to be submitted to SafeWork NSW.

**Reason:** To ensure compliance with relevant Australian Standard.

### 22. **Waste Receipts**

A permanent record of receipts for the removal of both liquid and solid waste from the site shall be kept and maintained up to date at all times. Such records are to be made available to Council's Officers, upon request.

**Reason:** To ensure best practice in waste disposal.

### 23. **Measurement of Waste**

All incoming and outgoing waste vehicles shall be weighed via the weighbridge, prior to unloading/loading activities.

**Reason:** To ensure compliance with development application.