

# WASTE MONITORING MANAGEMENT PLAN

23-43 & 45 Tattersall Road, Kings Park

12 SEPTEMBER 2019





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# SELL AND PARKER KINGS PARK METAL RECOVERY, PROCESSING AND RECYCLING FACILITY

## Waste Monitoring Management Plan

Construction and Operation

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## REVISIONS

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A	February 2017	New document	MH	CM	MH
B	March 2017	Respond to DP&E comments	MH	CM	MH
C	July 2017	Revised Site Layout	MH	CM	MH
D	October 2017	Revised Site Layout – LEC S96	MH	CM	MH
E	March 2018	Revised Site Layout	MH	CM	MH
F	September 2019	Changes associated with MOD 3	FM, SF	HR	HR

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## GLOSSARY

Term	Definition
<b>Arcadis</b>	Arcadis Australia Pacific Pty Ltd
<b>AQMP</b>	Air Quality Management Plan
<b>BCC</b>	Blacktown City Council
<b>BEMS</b>	Blacktown Environment Management System
<b>BOM</b>	Bureau of Meteorology
<b>CEMP</b>	Construction Environmental Management Plan
<b>DA</b>	Development Application
<b>DPIE</b>	Department of Planning, Industry and Environment (from 1 July 2019)
<b>DP&amp;E</b>	(Former) Department of Planning and Environment
<b>ECS</b>	Emissions Collection System
<b>EIS</b>	Environmental Impact Statement
<b>EPA</b>	Environmental Protection Authority
<b>EPL</b>	Environment Protection Licence
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>ERM</b>	Environmental Resources Management
<b>The Facility</b>	The Kings Park Metal Recovery, Processing and Recycling Facility
<b>GEM</b>	Group Environmental Manager
<b>GHRM</b>	Group Human Resources Manager
<b>GSM</b>	Group Safety Manager
<b>HP</b>	Higgins Planning
<b>KPI</b>	Key Performance Index
<b>LMP</b>	Landscape Management Plan
<b>MOD</b>	Modification
<b>MOD 1</b>	The approved modifications to The Original Approval dated 6 July 2017
<b>MOD 2</b>	The approved modifications to The Original Approval and approved MOD 1 dated 26 February 2018

<b>Term</b>	<b>Definition</b>
<b>MOD 3</b>	The approved modifications to The Original Approval and approved MOD 3 dated 29 May 2019
<b>NMP</b>	Noise Management Plan
<b>NSW</b>	New South Wales
<b>OEMP</b>	Operational Environmental Management Plan
<b>The Original Approval</b>	The approved Environmental Impact Assessment for SSD 5041 dated 12 November 2015
<b>PIRMP</b>	Pollution Incident Response Management Plan
<b>POEO Act</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>The Project</b>	The approved activities under SSD 5041 and MODs 1 - 3
<b>Renzo Tonin</b>	Renzo Tonin & Associates
<b>Sell &amp; Parker</b>	Sell and Parker Pty Ltd
<b>SSD</b>	State Significant Development
<b>The Site</b>	The Sell & Parker Premises at 23-43 and 45 Tattersall Road, Kings Park NSW
<b>WMMP</b>	Waste Monitoring Management Plan

## 1 INTRODUCTION

### 1.1 Background

This Waste Monitoring Management Plan (WMMP) has been prepared by Higgins Planning (HP) and updated by Arcadis Australia Pacific Pty Ltd (Arcadis) in collaboration with Sell and Parker Pty Ltd (Sell & Parker) for the Kings Park Metal Recovery, Processing and Recycling Facility (the Facility) at 23-43 and 45 Tattersall Road, Kings Park (the Site).

The Facility has been approved by the Department of Environment, Planning and Industry (DPIE) (formerly DP&E) under the State Significant Development (SSD) application No. 5041 dated 12 November 2015 (the Original Approval), including three associated modifications (the Project).

### 1.2 Purpose of this WMMP

This WMMP has been prepared on behalf of Sell & Parker in response to Conditions A2 and B1 of the Project.

In particular, this WMMP:

- Describes the waste monitoring of the Project including activities to be undertaken and relative timing
- Provides specific mitigation measures and controls that can be applied on-site to avoid or minimise negative environmental impacts
- Provides specific mechanisms for compliance with applicable policies, approvals, licences, permits, consultation agreements and legislation
- Describes the waste monitoring related roles and responsibilities of personnel
- States objectives and targets for issues which are important to the environmental performance of the Project
- Outlines a monitoring regime to check the adequacy of controls.

The purpose of this WMMP is to provide detail on how Sell & Parker will manage potential emission impacts from construction and operation of the Site.

The structure of this WMMP is based on DPIE's (formerly Department of Infrastructure Planning and Natural Resources) "Guideline for the Preparation of Environmental Management Plans" (2004), as well as the requirements of the Environmental Impact Statement (EIS) and supporting documents. The plan also considers the requirements of DPIE's Environmental Management plan, Post Approval Guidelines (2018).

This WMMP has been prepared based on information from the EIS prepared by ERM dated June 2014, which forms part of Condition A2 in Schedule 2, Part A of the Original Approval and MODs 1 – 3, which states:

#### *TERMS OF CONSENT*

A2. *The Applicant shall carry out the Development in accordance with the:*

- a) EIS prepared by ERM dated July 2014;*
- b) Response to Submissions report prepared by ERM dated 7 January 2015;*

- c) *Supplementary Response to Submissions prepared by Mecone dated 30 June 2015;*
- d) *Supplementary Response to Submissions prepared by Sell & Parker Pty Ltd dated 3 September 2015;*
- e) *Site layout plans and drawings (See Appendix A);*
- f) *Management and Mitigation Measures (see Appendix B);*
- g) *Modification Application SSD 5041 MOD 1 and accompanying document titled Statement of Environmental Effects 23-43 and 45 Tattersall Road, Kings Park dated August 2016 prepared by Higgins Planning, additional information from Higgins Planning dated 22 December 2016, further additional information from Allens and Linklaters dated 9 February 2017 and the Town Planning Report prepared by Ethos Consulting on 29 September 2017;*
- h) *Modification SSD 5041 MOD 2 and accompanying document titled Statement of Environmental Effects 23-43 and 45 Tattersall Road, Kings Park dated December 2017 prepared by Higgins Planning; and*
- i) *Modification Application SSD 5041 MOD 3 and accompanying document titled Section 4.55(1A) Application (SSD 5041 – Mod 3), 23-43 and 45 Tattersall Road, Kings Park dated 11 February 2019 and Response to Submissions dated 4 April 2019 prepared by Arcadis Australia Pacific Pty Ltd.*

In addition, Sell & Parker have had consultation meetings and discussions with both the Environment Protection Authority (EPA) and DPIE as required to assist with the preparation of this WMMP.

### **1.3 Site Location and Context**

The Site is located in the mid-block of Tattersall Road, Kings Park and approximately 2.5 kilometres from the M7. This location is depicted in Figure 1. Kings Park is located within the Local Government Area (LGA) of Blacktown City Council (BCC), and is located approximately 41.2 kilometres from the Sydney Central Business District (CBD).



- LEGEND
- Site boundary
  - Waterways
  - Cadastre

ARCADIS AUSTRALIA PACIFIC PTY LTD  
 48/51 TILLY STREET  
 SUITE 10, 802 OCEAN DR | DUNEDIN FC 2000  
 TEL: 616 22 66 33 33 | FAX: 616 22 66 33 33  
 Coordinates: GCS: GDA94  
 For all maps: developed by: Arcadis (18 Aug 2016)  
 480 meters high resolution, 2015  
 1:2,000 at A3



Date: 9/08/2016 Path: \\G:\AUS\NS-F&D\1\ps\01003580\GIS\Map\1003580\_05\01\_Site\_AAP\_10.mxd  
 Created by: AG  
 QA by: RJ

Figure 1 Site location

## 1.4 Site Description

The Site is located on the southern side of Tattersall Road, Kings Park (see Figure 1). The Site has a legal description of Lot 2 in DP 550522 and Lot 5 in DP 7086. The Site is significantly lower than the level of Tattersall Road to the north and is relatively flat/level with a fall towards its rear boundary. The Site is largely cleared, with the exception of some trees and screening plants scattered across the perimeter front and rear boundaries.

The existing Facility is screened by mature trees along the Tattersall Road frontage of the land between the property boundary and the existing acoustic wall along the frontage of the portion of the site at 45 Tattersall Road. An open storm water drainage channel, Waller Creek, runs along the eastern boundary. Adjacent to the Site's southern boundary is Breakfast Creek.

## 1.5 Existing Environment and Sensitive Receptors

The Facility is primarily surrounded by commercial and industrial land uses within a 500 metre radius. The exception to this is where residential land uses back on to Sunnyholt Road around 350 metres to the east of the site.

The nearest watercourse is located along the rear or southern boundary of the Site, known as Breakfast Creek. This is a modified urban waterway that flows through the industrial estate from east to west (refer to Figure 2 below).

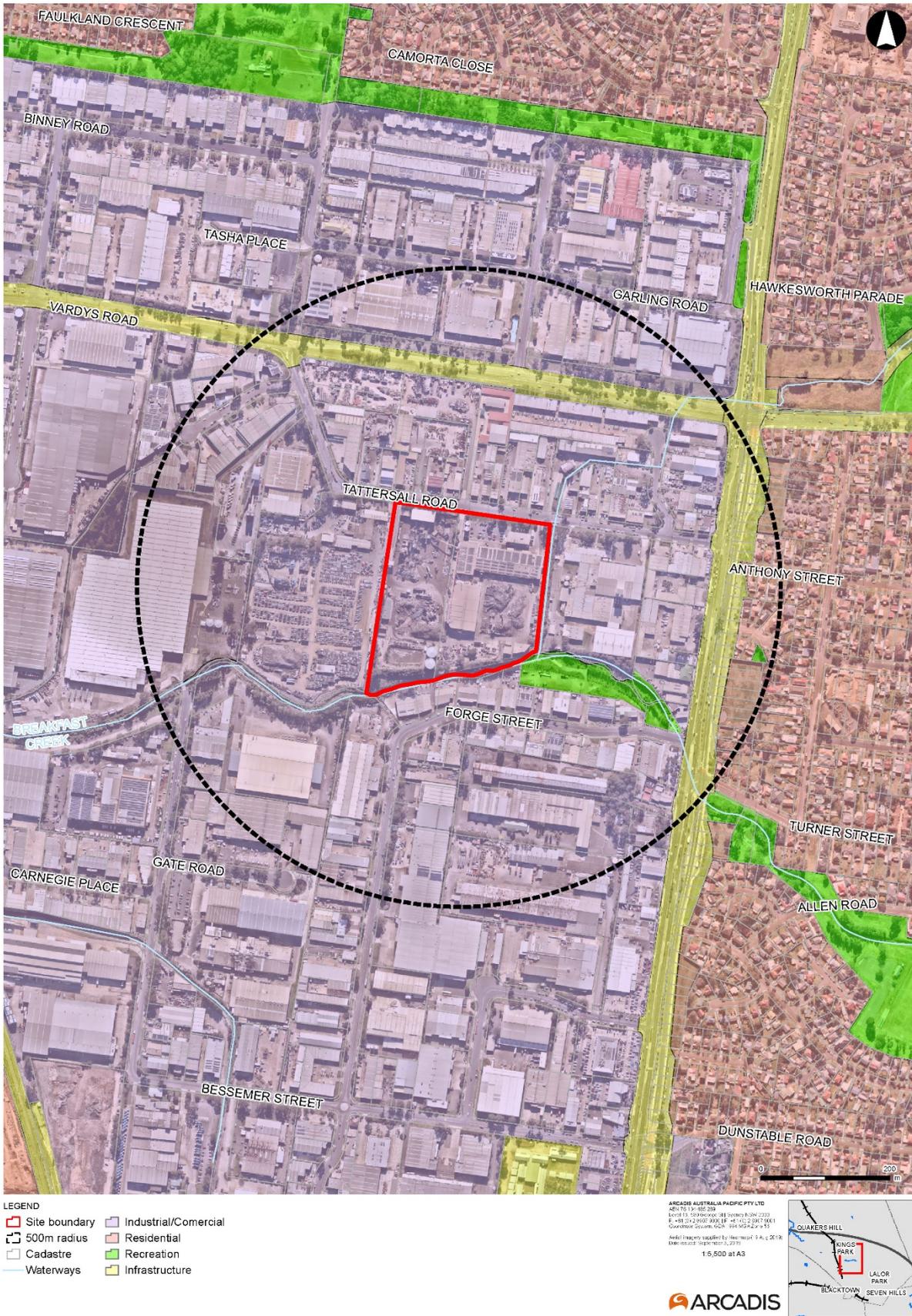


Figure 2 Nearby sensitive receptors

## Waste Monitoring Management Plan

For information on monitoring, controls and exceedance management measures refer to Sections 6, 7, 8 and 9 of this WMMP.

## 1.6 Scope

The scope of this WMMP includes:

- An overview of the potential environmental impacts from waste created by activities of the site
- A description of the management measures to protect the environment
- An overview of the Site operations (refer to the Site Layout Plan in Appendix A)
- Guidance on compliance with the relevant environmental legislation including the Environment Protection Licence (EPL) (copy at Appendix G) and Original Approval (copy at Appendix C)
- Provision of appropriate mitigation measures for the key environmental issues
- Definitions of the roles and responsibilities of the construction and operational teams
- The basis for monitoring, reporting and maintaining compliance with regulatory requirements.

## 1.7 Environmental Management System Context

Figure 3 below describes the structure of the Environment Management System (EMS) for the Facility and how it relates to this WMMP.



Figure 3 Structure of the EMS for the Facility

The EMS establishes management responses and frameworks for each management plan and implementation at Sell & Parker Kings Park. The EMS sets the evaluation triggers which will ensure systems and processes are reviewed in the drive for continuous improvement.

## 1.8 WMMP Objectives and Outcomes

Table 1 below outlines the key objectives of this WMMP.

Table 1: WMMP Objectives and Outcomes

Objectives	Outcome
To ensure compliance with all applicable regulatory conditions for the Facility.	Compliance is achieved, maintained and verified through independent auditing.

Objectives	Outcome
To minimise non-compliances.	Improved environmental protection.
To use technology when it becomes available to ensure ongoing improvement and environmental protection.	Continuous improvement so compliance is met now and into the future.

## 1.9 Environmental Policy

Sell & Parker are committed to operating to the principles of continuous improvement and reducing the sites environmental footprint. This is outlined in the Sell & Parker Environment Policy, a copy of which is included at Appendix B and available on the Sell & Parker website, [www.sellparker.com.au](http://www.sellparker.com.au) under 'About Us', 'Links' and 'Environmental Reports'. All employees and contractors undergo an induction which includes familiarisation with the requirements of the Environment Policy.

Sell & Parker is committed to operating to the principles of continuous improvement and reducing the Site's environmental footprint. This is outlined in the Sell & Parker Environment Policy, a copy of which is included at Appendix B and available on the Sell & Parker website, [www.sellparker.com.au](http://www.sellparker.com.au) under 'About Us', 'Links' and 'Environmental Reports'. All employees and contractors undergo an induction which includes familiarisation with the requirements of the Environment Policy.

The key aspects of the Sell & Parker Environment Policy are:

- Ensure all employees, contractors and associates have an understanding of this Policy, the Environment Management System (EMS), Stormwater Management Plan and Safe Working Procedures
- Ensure all operations are undertaken in an environmentally responsible manner and in accordance with the relevant environmental legislation, regulations, statutory obligations and relevant voluntary codes of practice
- Measure, monitor and report on environmental initiatives
- Regularly review our business operations to identify and implement opportunities for improvement
- Record, investigate and implement the appropriate corrective action for all environment incidents
- Periodically review and revise this Policy and Safe Working Procedures to maintain their relevance.

Sell & Parker is committed to complying with all of its legal obligations. Compliance to applicable regulatory requirements in regard to the operations at the Facility will be achieved through:

- Identifying and assessing statutory requirements that are directly applicable
- Consulting with relevant government bodies and agencies
- Internally communicating relevant statutory requirements
- Providing relevant training
- Monitoring and reviewing internally and via third parties the Sell & Parker environmental management system
- Inspections by the Site, Group Safety and Group Environment Managers

## Waste Monitoring Management Plan

- Updating EMP's where required should legislation change.

## 2 LEGAL AND CONSENT REQUIREMENTS

This section details the legislative requirements that relate to the site in terms of waste management.

### 2.1 Legislation

Legislation relevant to construction management:

- *Protection of the Environment Operations Act 1997*
- *Protection of the Environment Operations Amendment (Illegal Waste Disposal) Act 2013*
- *Protection of the Environment Operations (Waste) Regulation 2014*
- *Waste Avoidance and Resource Recovery Act 2001.*

### 2.2 Consent Conditions

Table 2 below details the WMMP Condition B1 and where in this document each component has been addressed:

Table 2: WMMP Condition B1 summary and document reference

Section	SSD 5041 Waste Conditions	Document Reference
<b>B1.</b> <i>Within 14 days of the issue of the Construction Certificate for the Development, the Applicant shall implement a Waste Monitoring Program for the Development. The program must:</i>		
<b>B1 a)</b>	<i>Be prepared by a suitably qualified and experienced person(s);</i>	Sections 1.1 & 1.6
<b>B1 b)</b> <i>Include suitable provisions to monitor the:</i>		
<b>B1 b)i)</b>	<i>Quantity, type and source of waste received on site; and</i>	Sections 5.2 & 6.1
<b>B1 b)ii)</b>	<i>Quantity, type and quality of the outputs produced on site.</i>	Section 5.3
<b>B1 c)</b> <i>Ensure that:</i>		
<b>B1 c)i)</b>	<i>All waste that is controlled under a tracking system has appropriate documentation prior to acceptance at the site; and</i>	Section 6
<b>B1 c)ii)</b>	<i>Staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos.</i>	Section 4

### 2.3 Consent Conditions Compliance

The Original Approval (refer Appendix C) and MODs 1 – 3 (refer to Appendix D, Appendix E & Appendix F), provide details of all DPIE requirements for the Site's development. In Table 3 below are the specific waste monitoring control, mitigation and

Waste Monitoring Management Plan

monitoring requirements. The table has a document reference column indicating where the requirement is specifically addressed in the WMMP and/or other documentation.

Table 3: Development Consent Waste Conditions Compliance Table

Section	SSD 5041 Waste Conditions	Document Reference
A7	<i>The Applicant shall not receive or process on the site more than 350,000 tonnes per calendar year of waste, subject to Condition A8.</i>	Section 5.1
A8	<i>Despite Condition A7, the Applicant shall not receive or process on the site more than 90,000 tonnes per calendar year of waste (on a weekly pro-rata basis) until:</i>	Section 5.1
A8 a)	<i>the Emissions Collection System (ECS) for the hammermill has been commissioned in accordance with Condition B20 and approved by the Secretary for operation; and</i>	Section 5.1
A8 b)	<i>a Final Occupation Certificate has been issued for the Department.</i>	Section 5.1
A9	<i>In deciding whether to grant approval to operate the Emissions Collection System for the hammermill in accordance with Condition A8, the Secretary shall take into account the Commissioning Report submitted in accordance with Condition B21.</i>	
A10	<i>The Applicant must record the amount of waste (tonnes) received at the site on a daily basis.</i>	Section 5.2
A11	<i>The Applicant shall not cause, permit, or allow any materials or waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by an EPL.</i>	Section 6.1
B1	<i>Within 14 days of the issue of the Construction Certificate for the Development, the Applicant shall implement a Waste Monitoring Program for the Development. The program must:</i>	Section 5.1
B1 a)	<i>Be prepared by a suitably qualified and experienced person(s);</i>	Sections 1.1 & 1.6
B1 b)	<i>Include suitable provisions to monitor the:</i>	
B1 b)i)	<i>Quantity, type and source of waste received on site; and</i>	Sections 5.2 & 6.1
B1 b)ii)	<i>Quantity, type and quality of the outputs produced on site.</i>	Section 5.3
B1 c)	<i>Ensure that:</i>	
B1 c)i)	<i>All waste that is controlled under a tracking system has appropriate documentation prior to acceptance at the site; and</i>	Section 6
B1 c)ii)	<i>Staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos.</i>	Section 4

Section	SSD 5041 Waste Conditions	Document Reference
B35 b)	<i>Ensure the height of any stock pile of shredder floc does not exceed 4 metres.</i>	Section 6

## 2.4 Licence

The Sell & Parker Facility operates under an Environment Protection Licence (EPL) issued by the Environment Protection Authority (EPA). This EPL 11555 has been modified to reflect the Original Approval and the changed operational conditions as part of the Project.

EPL 11555 is available on the EPA website and the Sell & Parker website, [www.sellparker.com.au](http://www.sellparker.com.au), under links and Environmental Reports. The licence is attached in Appendix G.

## 2.5 Standards and Guidelines

The main standards, policies and guidelines relevant for the development and operation of the Site include:

- National Environment Protection (Movement of Controlled Waste between States and Territories) Measure, 2011
- Waste Classification Guidelines, EPA, November 2014
- Guideline for the Preparation of Environmental Management Plans: Department of Infrastructure Planning and Natural Resources, 2004
- Environmental Management Plans – Post Approval Guidelines, Department of Planning and Environment, 2018.

## 2.6 Consultation Process

Sell & Parker is committed to meaningful stakeholder engagement and has worked in collaboration with relevant government agencies and local community to work through issues associated with site approvals and operations.

### 2.6.1 Internal

Discussions with directors, senior managers, key personnel and contractors have been conducted in the development of this WMMP.

### 2.6.2 External

The following authorities have been consulted with in relation to requirements of this WMMP:

- Department of Planning, Industry and Environment (DPIE) (formerly DP&E)
- Environment Protection Authority (EPA)
- Blacktown City Council (BCC).

No issues have been raised by other government authorities.

### **2.6.3 Community**

Feedback from the community was sought during the development application process for the Original Approval. This feedback was considered in the development of this WMMP.

The process by which the community was consulted included:

- Community consultation meeting; and
- Mailbox drop.

Community feedback was made available on the DPIE's website.

Prior to the commencement of construction and during the construction process, letter box drops and informal meetings occurred with the closest neighbouring businesses along Tattersall Road.

### 3 ROLES AND RESPONSIBILITIES

The key positions and their environmental duties around waste monitoring management are outlined in Table 4 below.

Table 4: WMMP Roles and Responsibilities

Company	Role	Responsibility
Sell & Parker	Directors	<ul style="list-style-type: none"> <li>• Ensure resources and funding is available to perform required tasks</li> <li>• Ensure managers have required skills and training to fulfil required tasks</li> <li>• Ensure managers are fulfilling required monitoring and reporting tasks.</li> </ul>
Sell & Parker	Site Manager	<ul style="list-style-type: none"> <li>• Ensure all site personnel have and maintain recommended training</li> <li>• Ensure any non-conformances are investigated and where required reported.</li> </ul>
Sell & Parker	Legal	<ul style="list-style-type: none"> <li>• Ensure legislative updates are passed though and documents and licences are appropriately updated.</li> </ul>
Sell & Parker	Site Supervisors	<ul style="list-style-type: none"> <li>• Report any known or suspected issues.</li> </ul>
Sell & Parker	Group Safety Manger	<ul style="list-style-type: none"> <li>• Overall Site Safety</li> <li>• Approve any safety matters that impact site operations</li> <li>• Ensure there are site specific Safety Plans and Safe Work Method Statements, as required</li> <li>• Ensure compliance with Sell &amp; Parker Contractor Management System.</li> </ul>
Sell & Parker	Group Environmental Manager	<ul style="list-style-type: none"> <li>• Overall site environmental activities</li> <li>• Liaise with relevant authorities as required</li> <li>• Ongoing development of EMP's and revision where required</li> <li>• Review monitoring reports for compliance</li> <li>• Brief contractors of environmental requirements for their activities</li> <li>• Inspect works and when required do sampling</li> <li>• Ensure monitoring is taking place</li> <li>• Ensure reporting is taking place</li> <li>• Where applicable, community consultation is fulfilled.</li> </ul>

## Waste Monitoring Management Plan

Company	Role	Responsibility
Sell & Parker	Maintenance Manager	<ul style="list-style-type: none"> <li>• Ensure all plant and mobile plant is operating to specifications.</li> </ul>
Sell & Parker	All Personnel	<ul style="list-style-type: none"> <li>• Report any known or suspected issues</li> <li>• Be aware of and minimise fugitive dust generation in their activities.</li> </ul>
Contractor	Site Manager	<ul style="list-style-type: none"> <li>• Fulfilment of applicable Sell &amp; Parker EMP requirements</li> <li>• Reporting of any known or suspected issues</li> <li>• Be aware of and where applicable, minimise resource usage in their activities</li> <li>• Follow all reasonable directions.</li> </ul>

## 4 TRAINING

All on site employees and contractors will undergo site induction and training which is a combination of Sell and Parkers Learning Management System (LMS), regular toolbox talks/chats, and other on the job training. Training will vary depending on specific duties performed but will include:

- Relevant legislation.
- Consent requirements.
- Licence requirements.
- Monitoring processes.
- Mitigation measures.
- Complaint process.

Training programs are designed by the Group Human Resources Manager (GHRM), Group Safety Manager (GSM), Group Environment Manager (GEM) and Legal. The Site Manager is responsible for ensuring training is undertaken, as outlined in Section 4 of this WMMP.

## 5 WASTE MONITORING CRITERIA

Sell & Parker shall not cause, permit or allow any materials or waste generated outside the Site to be received at the Site for storage, treatment, processing, reprocessing, or disposal on the Site, except as expressly permitted by an EPL.

Specific Waste Management conditions in the consent are:

### 5.1 Tonnages

The Facility shall not receive or process on site on a weekly pro-rata basis more than 350,000 tonnes per calendar year.

The total amount of waste (tonnes) received at the site will be recorded daily.

### 5.2 Tracking, Monitoring and Recording

The tracking, monitoring and recording of material movement onto and off site is via an electronic software system and a visual record through cameras. The Data System is the electronic software system that generates and records the data for tracking, monitoring and recording the material movements on site. This includes the weighbridge systems, scales, input and output material tracking systems, material grade/type and quality and customer details.

#### 5.2.1 Tracking, Monitoring and Recording for material received on site

The process for tracking, monitoring and recording the material movement on site includes the recording of quantity, type and source of the material received on site.

The details recorded in the Data System are detailed in the below processes.

#### A vehicle enters the site at the ingress weighbridge/scales

- The following information is loaded into/generated by the Data System:
  - Ticket Number
  - Date
  - Entry Time
  - Vehicle registration
  - Company/customer actioning the transaction
- The record of the company/customer is the record of the source of the material:
  - Grade/Type/Quality of material
  - Vehicle gross weight in tonnes (entry weight)
  - Employee responsible for transaction
- This yard is filmed by cameras
- If the load is assessed to be acceptable for unloading and inspection, then unloading takes place
- If the load is deemed not acceptable (i.e. not as permitted by the EPL or according to commercial arrangements) then the load is removed from site.

## Unloading

- The load is then:
  - Inspected
  - Grading/Type/Quality confirmed
  - The truck proceeds to the exit weighbridge.
- The grading of the quality and type of material received is by a visual inspection. Certain non-recyclable waste materials such as insulating materials, foam, rubber, glass and concrete, amongst other materials, that form the internal parts of hot water services, fridges, washing machines and cars are not able to be visually identified. Non-recyclable waste and fluid items are not able to be recorded separately but are included in weight receipt. Fluid removal and evaporation during processing also impacts weights. These waste items are separated during the sorting process and sent to appropriate locations for landfilling or treatment. These waste items are weighed on exit which provides monitoring and tracking of measurable non-recyclable waste.

## A vehicle exits the site at the egress weighbridge/scales

- The following information is confirmed/generated by the Data System:
  - Ticket Number
  - Date
  - Exit Time
  - Vehicle registration
  - Company/customer actioning the transaction
  - Grade/Type/Quality of material
  - Vehicle tare weight in tonnes (exit weight)
  - Nett weight in tonnes (gross – tare weights)
  - The yard is filmed by cameras
  - The ticket is produced.

## Tracking, monitoring and recording for the outputs produced on site

- The material is delivered and unloaded into a central stockpile as per the above process and recorded in the Data System
- The load is sorted by mobile equipment:
  - Extra heavy metal is taken to the oxy cutting area and cut into lengths able to be processed by the shear
  - Non-ferrous is sorted by mobile equipment and the lighter materials by hand.
- Waste materials not able to be reused (i.e. insulating materials, foam, rubber, glass, concrete and fluids) are removed and sent to appropriate locations for landfilling or treatment
- Relevant materials are then processed by the shear
- Some materials would require additional separation through the floc plant..
- Aluminium materials are baled
- Once processed the materials are then sorted into grades and stockpiles

- The materials are then loaded onto a truck
- The product is onsold to customers. This sale process is recorded, and documentation produced through the Data System
- Export processes are also recorded and documentation produced through the Data System and include:
  - Sales Invoice
  - Bill of Exchange
  - Shipping and Transport Documents.
- On exit the weight (quantity) and grade (type/quality) of waste is recorded in the Data System
- The following sales information is confirmed/generated and recorded:
  - Ticket Number
  - Date
  - Exit Time
  - Vehicle registration
  - Company/customer details
  - Grade/Type/Quality of material
  - Vehicle tare weight in tonnes (exit weight)
  - Nett weight in tonnes (gross – tare weights)
  - Waste materials unable to be recycled are sent to land fill or treated as required
  - The above physical process is monitored and recorded by camera
  - For export materials further transport, customs and dock monitoring processes and documentation are applicable.
- All material entering and exiting the site both metal recyclable and other (non-recyclable waste) is measured and recorded.

### 5.3 Risk Assessment

The following are the potential impacts from waste reaching site:

Table 5: Waste Monitoring Risk Assessments

Issue	Potential Impacts	Comment	Risk Ranking
Waste	Land contamination	<ul style="list-style-type: none"> <li>• Rejection of unwanted foreign materials entering site. Site is fully sealed to prevent land contamination.</li> </ul>	Low
	Water contamination	<ul style="list-style-type: none"> <li>• All water is contained on site.</li> <li>• No discharge to neighbouring waterways is planned. All site water is treated in the on site water treatment system.</li> <li>• Stormwater drains fitted with sediment and hydrocarbon collection filters.</li> </ul>	Low

Issue	Potential Impacts	Comment	Risk Ranking
		<ul style="list-style-type: none"> <li>• Waste (floc) is processed damp not wet.</li> <li>• Floc that reaches the retention basin is captured and returned to the floc bay.</li> </ul>	
	Air contamination	<ul style="list-style-type: none"> <li>• Trommel is enclosed.</li> <li>• Floc processing area is enclosed .</li> </ul>	Medium
	Health and Safety	<ul style="list-style-type: none"> <li>• Account managers educated around purchasing of potential dangerous items.</li> <li>• Yard operators trained to identify unwanted materials.</li> <li>• Designated spotters for checking the loads.</li> </ul>	Low
	Resource use	<ul style="list-style-type: none"> <li>• Floc processing area designed to improve recovery.</li> <li>• Site has been upgraded to improve efficiency.</li> </ul>	Medium

## 6 MITIGATION AND IMPLEMENTATION MEASURES

The main aspects for waste management are:

- Avoidance – Minimise the amount of waste arriving on site
- Documentation – Ensure all waste materials are tracked
- Recovery – Maximise the amount of materials that can be recovered
- Removal – Ensure waste removed from site is via authorised transport to an authorised landfill
- Storage – floc stockpile height is not to exceed 4 metres.

Items such as white goods, water heaters and cars contain a large percentage of non-metal items. This is an unavoidable aspect of metal recovery. It is however a better outcome than sending the whole item to landfill.

### 6.1 Material Acceptance

Signs and agreements are in place to highlight materials we do not accept and provide negative consequences for breaching of acceptance rules.

- The waste levy (deduction) is imposed on all loads that contain non-metal materials
- Unwanted items such as gas bottles found in loads are returned to the vehicle from which the item came
- Deduction penalties are imposed on loads that contain unwanted items like gas bottles
- Material found after unloading is set aside and taken to landfill
- Recurring incidents can result in termination of approval to access site.

This is to ensure materials accepted are as permitted by the EPA Licence.

## **7 CONTROL MEASURES**

The waste management control measures for Site shall include, but will not be limited to:

### **7.1 Engineering Controls**

Sell and Parker have the following engineering controls designed to minimise waste loss from the system.

- Shredder separation system
- Floc storage
- Post floc recovery

### **7.2 Administrative Controls**

The following waste monitoring management administrative controls are conducted on site:

- Training
- Material acceptance agreement
- Load inspections
- Penalties
- Access denial
- Weighbridge – scrap assist
- Floc storage area
- Stockpile management
- Enforcement of WMMP by the Directors

## 8 MONITORING MEASURES

This section details the waste management monitoring measures for the Site.

### 8.1 Monitoring Systems and Processes

The tracking and monitoring systems and processes that are in place include:

- Cameras that are monitored several times daily by both onsite management and offsite senior management.
  - These cameras also provide a visual record.

A Data System of which the function is to record and generate documentation for:

- The purchase of scrap being the quantity, type and source of waste received on site
- The sale of metals being the quantity, type and quality of outputs produced on site
- These records are verified by onsite management on each delivery of material and exit of output
- The Export Sales Data System records and generate documentation for the export sales.
- When a sale is made, the Data System records the below documents
  - Sales invoice
  - Bill of exchange
  - Shipping and transport documents
- Each sale is verified by a Manager
- For export materials, further transport, customs and dock monitoring processes and documentation are applicable.

### 8.2 KPI Monitoring

Each month the floc weights shall be recorded by the GEM and tabled for baseline study. This information represents an item that will be discussed in the yearly board review.

### 8.3 Inspections

Each month there is a formal site inspection conducted by the GEM. The inspections, amongst other objectives, are designed to:

- Ensure all reasonable and feasible measures are employed to minimise losses
- Ensure compliance with conditions of the consent
- Ensure the development operations are being carried out in accordance to the WMMP.

Results of the inspections are recorded and kept on file.

## 9 CRITERIA EXCEEDANCE PROTOCOL

The GEM is responsible for criteria exceedance protocol checks.

Should there be a confirmed occurrence of an exceedance of an operational activity, then the below corrective actions are initiated.

### 9.1 Corrective Actions

When monitoring indicates that there is a confirmed occurrence of waste being incorrectly classified or controlled then corrective actions shall be instigated. Environmental corrective actions shall be the responsibility of GEM; it is their task to ensure:

- That the source/s of the exceedance are determined
- That the issue is promptly addressed
- Contingency measures, if required, shall be determined and put in place
- Directors are notified
- If required, relevant regulating authorities will be notified
- The issue will be detailed, and its rectification documented for reporting purposes
- An investigation report is completed
- An improvement process, where applicable, is implemented to ensure the incident is not repeated.

### 9.2 Incident Management

All incidents and near misses are documented and recorded by the Group Safety Manager (GSM). All issues with an environmental aspect are recorded by the GEM in the environmental incident and near miss register. Incident data is presented during the yearly review. Negative trends will be investigated and root causes determined. Changes will be made to reduce determined root causes of incidents.

If an event or activity occurs that has, is likely to, or could potentially cause harm to the environment, whether that harm is on or off the premise, the emergency management procedure will be enacted as set out in Section 9.3 below.

### 9.3 Emergency Management

Environmental emergencies will enact the Pollution Incident Response Management Plan (PIRMP). The PIRMP has been updated to reflect the expansion of the Facility. It is available on the Sell & Parker web site, [www.sellparker.com.au](http://www.sellparker.com.au) under 'About us', 'Links' and 'Environmental Reports'. If the PIRMP is enacted then the EPA and DPIE will be informed as will other regulatory authorities as outlined in the plan.

### 9.4 Investigations

Environmental incidents and high potential near misses will be scrutinised by the GEM to determine if an investigation is warranted. All proven exceedances will be investigated. When a formal environmental investigation is to be conducted, the GEM will be the lead investigator. Investigations shall be conducted as per the established procedure.

## **9.5 Reporting and Publishing of Results**

All environmental statutory reporting will be conducted by the GEM in consultation with management. Information will be issued after formal approval from a director. All information is available on the Sell & Parker website [www.sellparker.com.au](http://www.sellparker.com.au), as per Condition 14 in the Original Approval.

## 10 COMPLAINTS

Complaints are handled as outlined in the complaints handling procedure. Complaints are documented on the complaints handling form and recorded on the complaints handling register. The complaints register is available on the Sell & Parker website, [www.sellparker.com.au](http://www.sellparker.com.au).

Sell & Parker have a complaints phone number (02 8212 9561) as advertised next to the entry gate at 45 Tattersall Road. Complaints can also be registered through the Sell & Parker website [www.sellparker.com.au](http://www.sellparker.com.au), or by calling the Facility at 23-45 Tattersall Road, Kings Park on (02) 9621 2633.

## 11 AUDITS

### 11.1 Internal

Sell & Parker will conduct topic specific audits to validate that its systems are tracking and controlling environmental aspects that have a potential to cause non-conformances against its regulatory responsibilities. The GEM shall be responsible for audits.

### 11.2 External

Sell & Parker as per Condition C9 in the Original Approval, will conduct independent audits, conducted by a suitably qualified auditor, to assess the progress of the development against its consent conditions for the life of the consent. The auditor shall:

- be approved by the Secretary as per condition C9 (a) of the Original Approval
- meet Condition C9 (b) of the Original Approval
- audit against Conditions C9 (c), (d), (e) and (f) of the Original Approval.

The results of the audit will be presented to the Sell & Parker board and be available on the Sell & Parker website.

Within three (3) months of commissioning the audit, a copy of the report with Sell & Parker responses to any recommendations made will be provided to the Secretary.

## 12 WASTE MONITORING MANAGEMENT PLAN REVIEW

As per condition C12 of the Original Approval, a review of relevant sections of the EMS will be instigated:

- when conducting an annual review
- after an incident that results in regulator notification
- when conducting an external third party audit
- when modifying the consent.

A yearly review of the development including the environmental performance of the operations shall be presented at a Board Meeting. Issues to be discussed in the meeting include, but are not limited to, the items listed in Condition C11 of the Original Approval.

As part of Sell & Parkers continuous improvement commitment, to ensure compliance now and in the future, the CEMP will be revised as required to incorporate measures, protocols or procedures to improve the environmental performance of the Facility.

## 13 REVIEW OF PLANS

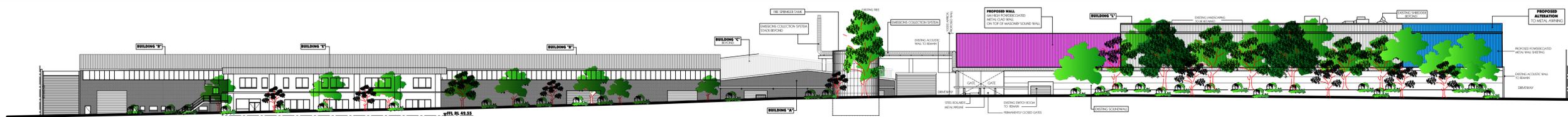
As per Condition C13 of the Original Approval, the operation of the Facility will be “undertaken in accordance with all relevant updated and/or amended strategies, management plans and programs approved by the Secretary (or as revised and approved by the Secretary), unless otherwise agreed by the Secretary”.

Should a modification to the Original Approval be approved, the relevant management plan/s will be updated and sent to the Secretary for approval.

Rev. No	Rev. Date	Revision Description	Prepared By	Approved By	Signed
A	February 2017	New document	MH	CM	MH
B	March 2017	Respond to DP&E comments	MH	CM	MH
C	July 2017	Revised Site Layout	MH	CM	MH
D	October 2017	Revised Site Layout – LEC S96	MH	CM	MH
E	March 2018	Revised Site Layout	MH	CM	MH
F	September 2019	Changes associated with MOD 3	FM, SF	HR	HR

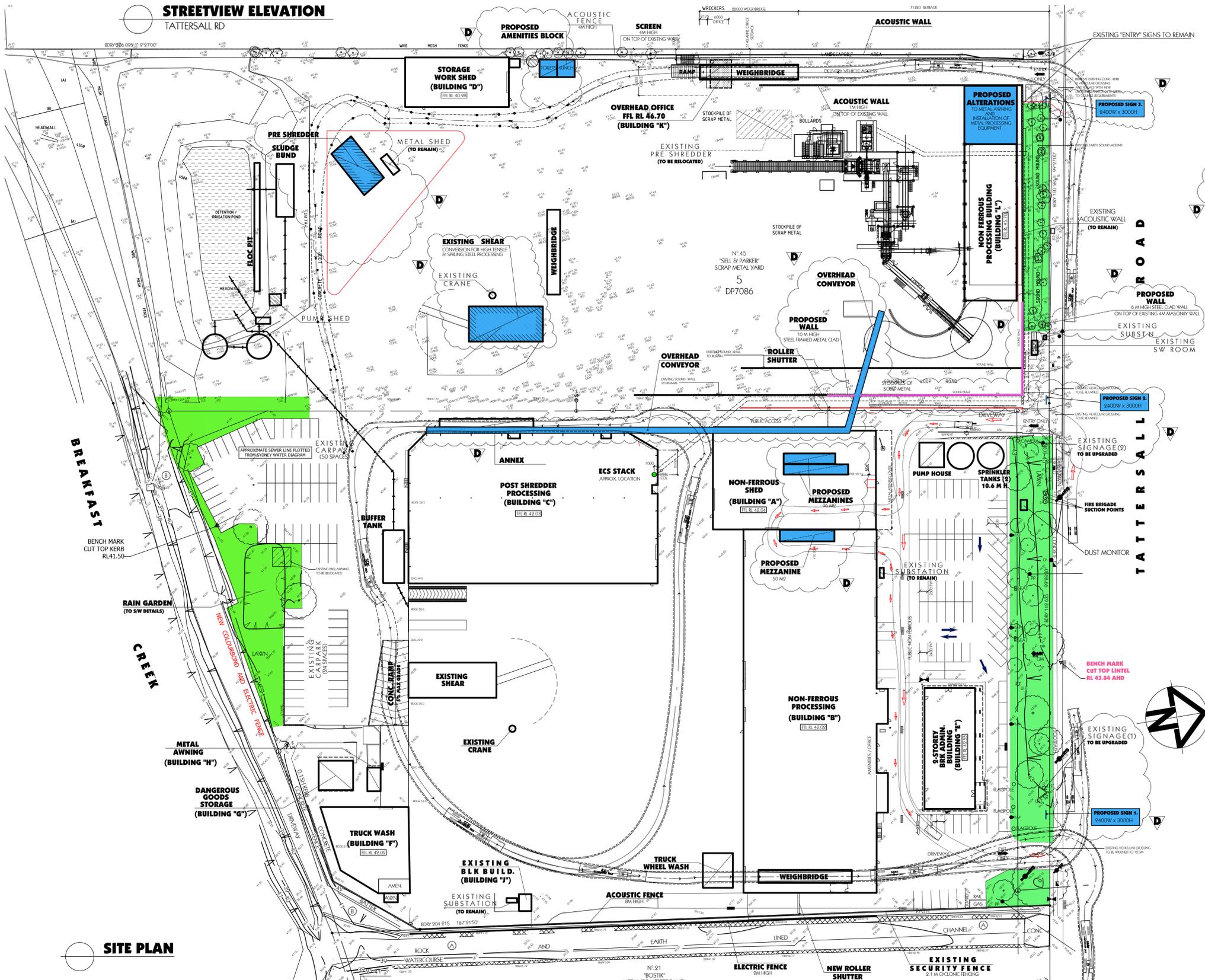


## **APPENDIX A AMENDED SITE LAYOUT**



**STREETVIEW ELEVATION**

TATTERSALL RD

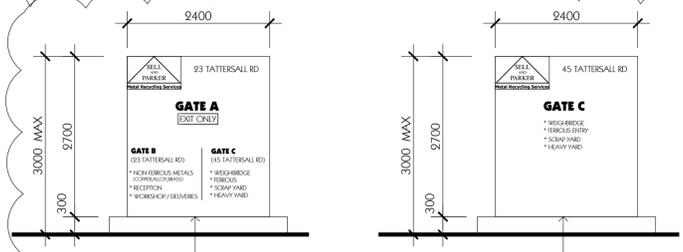


**LEGEND**

- EXISTING STRUCTURE TO REMAIN
- EXISTING STRUCTURE TO BE REMOVED
- PROPOSED ALTERATIONS & ADDITIONS
- EXISTING STRUCTURE TO BE FOR REUSE OR TO BE RELOCATED
- PROPOSED WALL EXTENSION
- LANDSCAPED AREAS TO REMAIN

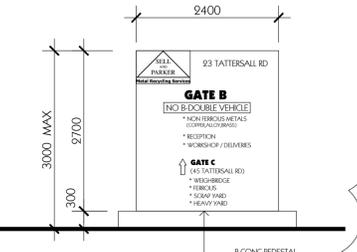
**DEVELOPMENT DATA**

SITE AREA	59 475 M2 approx.		
	FLOOR AREAS	OFFICE / AMEN	AWNING
BUILD "A"	1978 M2	194 M2	
BUILD "B"	3162 M2	488 M2	
BUILD "C"	2981 M2		106 M2
BUILD "D"	415 M2		
BUILD "E"	984 M2		
BUILD "F"	494 M2		
BUILD "G"	81 M2		
BUILD "H"	25 M2		
BUILD "I"	17 M2		
BUILD "K"	47 M2		
BUILD "L"	593 M2		
<b>TOTAL</b>	<b>10 077 M2</b>	<b>462 M2</b>	<b>106 M2</b>



**PROPOSED SIGN 1.**  
NB: INDICATIVE ONLY AND SUBJECT TO DETAILED DESIGN

**PROPOSED SIGN 3.**  
NB: INDICATIVE ONLY AND SUBJECT TO DETAILED DESIGN



**PROPOSED SIGN 2.**  
NB: INDICATIVE ONLY AND SUBJECT TO DETAILED DESIGN

**SITE PLAN**

Issue	By	Description	Date
A	CZ	SECTION 96	01/06/18
B	CZ	MODIFICATION APPLICATION 4.55	03/12/18
C	CZ	MODIFICATION APPLICATION 4.55	21/01/19
D	CZ	MODIFICATION APPLICATION 4.55	29/01/19

- GENERAL NOTES**
- All dimensions and floor areas are to be verified by the Builder prior to the commencement of any building work. Any discrepancies are to be brought to the attention of the designer.
  - Levels shown are approximate unless accompanied by reduced levels.
  - Figured dimensions must be taken in preference to scaling.
  - All boundary clearances must be verified by the surveyor prior to the commencement of any building works.
  - Where engineering drawings are required such must take preference to this drawing.
  - Stormwater to be discharged to Council's requirements and AS 3500.3-1990.
  - All services to be located and verified by the Builder with relevant authorities before any building work commences.
- COPYRIGHT:**  
This design and the associated documents is subject to copyright laws and may not be reproduced in any form without written consent from Algorry Zappia & Associates Pty Ltd.

Date	Scale	Drawn	Checked	Certified
NOVEMBER 2017	1:500 UNO	JLARA	CZAPPA	

**ALGORRY ZAPPIA & ASSOCIATES PTY. LTD.**  
Consulting Civil & Structural Engineers & Building Designers

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Web: www.algorryzappia.com.au

Project: PORPOSED ALTERATIONS TO EXISTING RECYCLING CENTRE LOT 2 DP550529 & LOT 5 DP7086, No 23 & 45 TATTERSALL RD, KINGS PARK		Project No. P4144
Client: SELL & PARKER METAL	Title: DEVELOPMENT APPLICATION SITE PLAN	Activity Type: DA
Job No.: 2182-17	Sheet No.: A101	Issue: D

**APPENDIX B ENVIRONMENTAL POLICY**



**Metal Recycling Services**

**ENVIRONMENTAL POLICY**

This Policy applies to all Sell and Parker and associates entities (Sell and Parker) employees, contractors and visitors.

Sell and Parker are committed to achieving a clean and healthy environment by providing services, conducting operations and recycling material that will not cause harm to the environment.

Sell and Parker are committed to minimizing our environmental footprint in the course of our business operations.

Sell and Parker are committed to developing, implementing and maintaining an Environmental Management System (EMS) that complies with the requirements of international standard ISO 14001.

We will meet these commitments through the following objectives:

- Ensure all employees, contractors and associates have an understanding of this Policy, the EMS, Storm water Management Plan and Safe Working Procedures.
- Ensure all operations are undertaken in an environmentally responsible manner and in accordance with the relevant environmental legislation, regulations, statutory obligations and relevant voluntary codes of practice.
- Measure, monitor and report on environmental initiatives.
- Regularly review our business operations to identify and implement opportunities for improvement.
- Record, investigate and implement the appropriate corrective action for all environment incidents.
- Periodically review and revise this Policy and Safe Working Procedures to maintain their relevance.

Sell and Parker reserves the right to remove from the work site anyone who breaches these conditions. For employees any breach of this Policy will be considered serious and may result in disciplinary action, up to and including termination of employment, legal action could be taken against them and they could be exposing Sell and Parker to liability.

All Sell and Parker Managers are held accountable for ensuring this Policy is effectively implemented.

Responsibility for the application of this Policy lies with all Sell and Parker employees, contractors and visitors undertaking activities on behalf of Sell and Parker and within Sell and Parker control.

Luke Parker  
**Director**  
Sell and Parker Pty Ltd

Morgan Parker  
**Director**  
Sell and Parker Pty Ltd

<b>Doc #:</b> PM-P01	<b>Version:</b> 1.0	<b>Date:</b> 06/2014	<b>Review Date:</b> 06/2015
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## **APPENDIX C ORIGINAL APPROVAL**

# Development Consent

## Section 89E of the *Environmental Planning and Assessment Act 1979*

I grant consent to the development application referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.

  
Daniel Keary  
**A/Executive Director**  
**Key Sites and Industry Assessments**

Sydney 12<sup>th</sup> NOVEMBER 2015

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### SCHEDULE 1

**Application No.:** SSD 5041

**Applicant:** Sell and Parker Pty Ltd

**Consent Authority:** Minister for Planning

**Land:** 23-43 and 45 Tattersall Road, Kings Park (Lot 2 DP 550522 and Lot 5 DP 7086)

**Development:** Increasing the processing capacity of the existing metal recycling facility, including reconfiguration and expansion of the facility into the adjoining site at 23-43 Tattersall Road, Kings Park.

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## DEFINITIONS

Act	<i>Environmental Planning and Assessment Act 1979</i>
Applicant	Sell and Parker Pty Ltd, or anyone else entitled to act on this consent
Construction	The demolition of buildings or works, the carrying out of works, including bulk earthworks, and erection of buildings and other infrastructure covered by this consent
Council	Blacktown City Council
Day	The period from 7 am to 6 pm on Monday to Saturday
Department	Department of Planning and Environment
Development	The development that is approved by this development consent and as generally described in Schedule 1
EIS	Environmental Impact Statement prepared by ERM dated July 2014
ENM	Excavated Natural Material
EPA	Environment Protection Authority
EPL	Environment Protection Licence under the <i>Protection of the Environment Operations Act 1997</i>
Evening	The period from 6 pm to 10 pm
Feasible	Feasible relates to engineering considerations and what is practical to build
Heavy vehicle	Any vehicle with a gross vehicle mass of 5 tonnes or more
Heritage Item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> .
Incident	A set of circumstances that: <ul style="list-style-type: none"><li>• causes or threatens to cause material harm to the environment; and/or</li><li>• breaches or exceeds the limits or performance measures/criteria in this consent</li></ul>
Material harm to the environment	Actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial
Mitigation	Activities associated with reducing the impacts of the development prior to or during those impacts occurring
Morning shoulder	The period from 6 am to 7 am on Monday to Saturday
OEH	Office of Environment and Heritage
Operation	The receipt or processing of waste
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements
Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
Secretary	Secretary of the Department, or nominee
Site	Land referred to in Schedule 1
VENM	Virgin Excavated Natural Material

## SCHEDULE 2

### PART A ADMINISTRATIVE CONDITIONS

#### OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT

- A1. The Applicant shall implement all reasonable and feasible measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or decommissioning of the Development.

#### TERMS OF CONSENT

- A2. The Applicant shall carry out the Development in accordance with the:
- EIS prepared by ERM dated July 2014;
  - Response to Submissions report prepared by ERM dated 7 January 2015;
  - Supplementary Response to Submissions prepared by Mecone dated 30 June 2015;
  - Supplementary Response to Submissions prepared by Sell and Parker Pty Ltd dated 3 September 2015;
  - Site layout plans and drawings (See Appendix A); and
  - Management and Mitigation Measures (see Appendix B).
- A3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this consent shall prevail to the extent of any inconsistency.
- A4. The Applicant shall comply with any reasonable requirement/s of the Secretary arising from the Department's assessment of:
- any reports, plans, strategies, programs or correspondence that are submitted in accordance with this consent; and
  - the implementation of any actions or measures contained in these reports, plans, strategies, programs or correspondence.

#### STATUTORY REQUIREMENTS

- A5. The Applicant shall ensure that all licences, permits, and approvals/consents are obtained as required by law and maintained as required throughout the life of the Development. No condition of this consent removes the obligation for the Applicant to obtain, renew or comply with such licences, permits or approvals/consents.

#### BUILDING CODE OF AUSTRALIA

- A6. The Applicant shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures are constructed in accordance with the relevant requirements of the *Building Code of Australia*.

#### LIMITS OF CONSENT

##### Waste limits

- A7. The Applicant shall not receive or process on the site more than 350,000 tonnes per calendar year of waste, subject to Condition A8.
- A8. Despite Condition A7, the Applicant shall not receive or process on the site more than 90,000 tonnes per calendar year of waste (on a weekly pro-rata basis) until:
- the Emissions Collection System for the hammer mill has been commissioned in accordance with Condition B20 and approved by the Secretary for operation; and
  - a Final Occupation Certificate has been issued for the Development.

A9. In deciding whether to grant approval to operate the Emissions Collection System for the hammer mill in accordance with Condition A8, the Secretary shall take into account the Commissioning Report submitted in accordance with Condition B21.

A10. The Applicant must record the amount of waste (in tonnes) received at the site on a daily basis.

**Waste type**

A11. The Applicant shall not cause, permit or allow any materials or waste generated outside the site to be received at the site for storage, treatment, processing, reprocessing, or disposal on the site, except as expressly permitted by an EPL.

**DEMOLITION**

A12. The Applicant shall ensure that all demolition work is carried out in accordance with *Australian Standard AS 2601:2001: The Demolition of Structures*, or its latest version.

**SURRENDER OF CONSENT**

A13. In order for the development of land to proceed in a coordinated and orderly manner and to avoid potential conflicts with this consent, the Applicant shall and in the manner prescribed by clause 97 of the Regulation, surrender the development consents described in Table 1 within 14 days of the issue of a Construction Certificate for the Development.

**Table 1 – Consents to be surrendered**

<b>Development Application No. DA-96-305</b>	
<b>Land description</b>	45 Tattersall Road, Kings Park
<b>Development Description</b>	Metal recycling facility on the southern portion of the site.
<b>Date</b>	27 November 1996
<b>Development Application No. 10204 of 2000</b>	
<b>Land description</b>	45 Tattersall Road, Kings Park
<b>Development Description</b>	Establishment of a hammermill and associated components and an approved handling capacity of 60,000 tpa on the northern portion of the site.
<b>Date</b>	11 May 2001

**STAGED SUBMISSION OF PLANS OR PROGRAMS**

A14. With the approval of the Secretary, the Applicant may:

- a) submit any strategy, plan or program required by this consent on a progressive basis; and/or
- b) combine any strategy, plan or program required by this consent.

A15. Until they are replaced by an equivalent strategy, plan or program approved under this consent, the Applicant shall continue to implement existing strategies, plans or programs for operations on site that have been approved by previous consents or approvals.

*Note:*

- *If the submission of any strategy, plan or program is to be staged, then the relevant strategy, plan or program must clearly describe the specific stage to which the strategy, plan or program applies, the relationship of this stage to any future stages and the trigger for updating the strategy, plan or program.*
- *There must be a clear relationship between the strategy, plan or programs that are to be combined.*

## **OPERATION OF PLANT AND EQUIPMENT**

- A16. The Applicant shall ensure that all plant and equipment used for the Development is:
- a) maintained in a proper and efficient condition; and
  - b) operated in a proper and efficient manner.

## **METEOROLOGICAL MONITORING**

- A17. Within 14 days of the issue of a Construction Certificate for the Development, the Applicant shall install a suitable meteorological station on the site that complies with the requirements in the latest version of the *Approved Methods for Sampling of Air Pollutants in New South Wales*. The Applicant shall operate the meteorological station for the life of the Development.

## **PROTECTION OF PUBLIC INFRASTRUCTURE**

- A18. The Applicant shall:
- a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the Development; and
  - b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the Development.

## **DISPUTE RESOLUTION**

- A19. In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this consent or relevant matter relating to the Development, either party may refer the matter to the Secretary for resolution. The Secretary's determination of any such dispute shall be final and binding on the parties.

## **PART B ENVIRONMENTAL PERFORMANCE**

### **WASTE MANAGEMENT**

- B1. Within 14 days of the issue of a Construction Certificate for the Development, the Applicant shall implement a Waste Monitoring Program for the Development. The program must:
- a) be prepared by a suitably qualified and experienced person(s);
  - b) include suitable provisions to monitor the:
    - (i) quantity, type and source of waste received on site; and
    - (ii) quantity, type and quality of the outputs produced on site.
  - c) ensure that:
    - (i) all waste that is controlled under a tracking system has the appropriate documentation prior to acceptance at the site; and
    - (ii) staff receive adequate training in order to be able to recognise and handle any hazardous or other prohibited waste including asbestos.

### **SOIL AND WATER**

#### **Compliance Certificate**

- B2. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water prior to the commencement of construction.

#### **Pollution of waters**

- B3. The Development shall comply with section 120 of the POEO Act, which prohibits the pollution of waters, except as expressly provided in an EPL.

#### **Water Management Plan**

- B4. Prior to the commencement of construction of the Development, the Applicant shall prepare a Water Management Plan to the satisfaction of the Secretary. The plan must:
- a) be prepared by a suitably qualified and experienced person(s) in consultation with the EPA;
  - b) include a detailed site water balance;
  - c) include details of water management, monitoring and incident response arrangements;
  - d) include the details of the:
    - (i) Water Management System for the site (see Condition B6);
    - (ii) Water Management System commissioning, including the time frames for each stage of the commissioning (see Condition B7);
    - (iii) Water Treatment Plant Trial, if required (see Condition B8);
    - (iv) erosion and sediment controls (see Condition B9);
    - (v) bunding (see Condition B10);
    - (vi) flood management (see Condition B11); and
    - (vii) clean water runoff areas that discharge direct to stormwater without treatment (i.e. car parks and roofs).
- B5. The Applicant shall carry out the Development in accordance with the Water Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

#### **Water Management System**

- B6. The Applicant shall operate a Water Management System for the site. The system must:
- a) be designed by a suitably qualified and experienced person(s) in consultation with the EPA;
  - b) include a treatment system with primary, secondary and tertiary treatment components;
  - c) be consistent with the guidance in *Managing Urban Stormwater - Soils and Construction Vol. 1* (Landcom, 2004);
  - d) divert clean surface water around operational areas of the site;
  - e) include water quality monitoring that can determine the performance of the water management system against the EPL discharge limits;
  - f) include water reuse based on a risk assessment of environment and human health impacts; and
  - g) be commissioned in accordance with Condition B7.

### **Water Management System commissioning**

- B7. The Applicant shall commission the Water Management System prior to discharging any water from the site. The commissioning must:
- a) be completed within 2 years from the date of this consent, or within such other time agreed in writing by the Secretary;
  - b) be undertaken by a suitability qualified and experienced person(s) in consultation with the EPA;
  - c) include a program for acquiring baseline data of receiving waters and the establishment of site specific stormwater discharge criteria in the EPL;
  - d) including testing of the performance of all components of the Water Management System, including the primary, secondary, and tertiary treatment systems;
  - e) identify and implement changes to the Water Management System that may be necessary to achieve compliance with the discharge criteria in the EPL; and
  - f) include off-site trials of treatment technologies if necessary.

### **Water Treatment Plant trial**

- B8. As part of commissioning the Water Management System, the Applicant may implement off-site trials of components of the Water Management System. Any trial must be conducted by a suitably qualified and experienced person(s) in consultation with the EPA.

### **Erosion and sediment control**

- B9. The Applicant shall implement erosion and sediment control measures on-site in accordance with *Managing Urban Stormwater: Soils and Construction Vol. 1* (Landcom, 2004).

### **Bunding**

- B10. The Applicant shall store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's *Storing and Handling Liquids: Environmental Protection – Participant's Manual 2007*.

### **Flood management**

- B11. The Applicant shall ensure that:
- a) the finished floor level of any new building is a minimum of 0.5 metres above the 1 in 100 year Average Recurrence Interval flood level;
  - b) any part of a new structure below the 1 in 100 year Average Recurrence Interval flood level is designed and constructed to be compatible with flooding; and
  - c) any perimeter fence or wall does not restrict or impede the flow of overland flow.

### **Imported soil**

- B12. The Applicant shall:
- a) ensure that only VENM, or ENM, or other material approved in writing by the EPA is used as fill on the site;
  - b) keep accurate records of the volume and type of fill to be used; and
  - c) make these records available to the Department upon request.

### **Contamination**

- B13. Prior to commencing any excavation works, the Applicant shall:
- a) identify all potential contaminants that could be disturbed, mobilised and discharged to receiving waters;
  - b) detail the procedures for testing, classifying, handling, storing and disposing of contaminated water, soils and/or groundwater encountered in excavations, in particular during excavation of the stormwater detention basin; and
  - c) detail the measures for periodically testing surface water run-off that may accumulate in excavations, and the procedures for off-site disposal of contaminated water.
- B14. The Applicant shall provide a contamination report to the Department detailing any contamination investigation carried out in the immediate vicinity of the existing detention basin. This report shall be provided to the Department on completion of the works to upgrade the detention basin.

## **AIR QUALITY**

### **Odour**

B15. The Applicant shall ensure the Development does not cause or permit the emission of any offensive odour (as defined in the POEO Act).

### **Emissions limits**

B16. The Applicant shall ensure that emissions from the Development do not exceed the emission limits specified in the EPL.

### **Air Quality Management Plan**

B17. Prior to the commencement of construction of the Development, the Applicant shall prepare an Air Quality Management Plan to the satisfaction of the Secretary. The plan must:

- a) be prepared by a suitably qualified and experienced person(s) in consultation with the EPA;
- b) describe the measures that would be implemented to ensure:
  - (i) all reasonable and feasible measures are employed to minimise air emissions;
  - (ii) compliance with the relevant conditions of this consent;
  - (iii) contingency measures are deployed to minimise impacts should adverse air emissions occur or appear likely to occur;
- c) include well defined triggers for the deployment of construction and operational air quality measures;
- d) include well defined triggers for ceasing or partially ceasing operations on site during adverse air quality conditions;
- e) include an Air Quality Monitoring System to evaluate the performance of the Development commensurate with the system proposed in the Air Quality Assessment, prepared by ERM dated September 2015;
- f) include details of the location, frequency and duration of monitoring; and
- g) include a protocol to determine the occurrence of any exceedance of the criteria in the EPL should an exceedance occur.

B18. The Applicant shall carry out the Development in accordance with the Air Quality Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

### **Air emissions mitigation**

B19. The Applicant shall:

- a) operate the Development so that air emissions are minimised during all meteorological conditions; and
- b) implement best management practice, including all reasonable and feasible air and odour emissions mitigation measures to minimise emissions from the Development, including but not limited to:
  - (i) installation of an Emissions Collection System servicing the hammer mill that is capable of achieving emission control performance equivalent to the system described in the Air Quality Assessment prepared by ERM dated September 2015;
  - (ii) operating one oxy-acetylene torch at a time;
  - (iii) operating the oxy-acetylene torch only between the hours of 9 am and 3 pm;
  - (iv) cutting any metal beam that is up to 100 millimetres thick with the shear, where possible;
  - (v) enclosure of all conveyors and conveyor transfer points;
  - (vi) dust suppression through the use of water sprays/misters;
  - (vii) sealing of on-site surfaces and regularly maintaining them to prevent dust re-entrainment from vehicle movements and other equipment use; and
  - (viii) installation of appropriate dust screens at the property boundaries.

### **Emissions Collection System commissioning**

B20. The Applicant shall commission the Emissions Collection System for the hammer mill. The commissioning must:

- a) be undertaken by a suitably qualified and experienced person(s) in consultation with the EPA;

- b) test the performance of the system against the performance parameters set out in the Air Quality Assessment prepared by ERM dated September 2015; and
- c) identify and implement any changes to the system that may be necessary to achieve environmental air quality performance commensurate with that set out in the Air Quality Assessment prepared by ERM dated September 2015.

**Commissioning Report**

B21. The Applicant shall submit to the Secretary a Commissioning Report detailing the outcomes of the commissioning of the Emissions Collection System for the hammer mill.

**Construction emissions mitigation**

- B22. During construction, the Applicant shall ensure that:
- a) all vehicles on site do not exceed a speed of 30 kilometres per hour;
  - b) all loaded construction vehicles entering or leaving the site have their loads covered; and
  - c) all construction vehicles leaving the site are cleaned of dirt, sand and other materials before they leave the site, to avoid tracking the materials on public roads.

**Stockpile management**

B23. The Application shall manage stockpiles of scrap metal and processed material to ensure air emissions are minimised.

**EXPLOSION LIMITS**

**Airblast overpressure**

B24. The Applicant shall undertake all reasonable and feasible measures necessary to prevent explosions from occurring at the Premises.

B25. The Applicant shall ensure that the airblast overpressure level from any explosions on the premises does not exceed 120dB (Lin Peak) when measured at the boundary of the premises.

**NOISE AND VIBRATION**

**Noise criteria**

B26. The Applicant shall ensure that noise generated by the construction and/or operation of the Development does not exceed the noise criteria in Table 2.

**Table 2: Noise criteria (dB(A))**

Location	Noise criteria (dB(A))			
	Day	Evening	Morning Shoulder	
	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (1 minute)
<b>189 Sunnyholt Road</b>	46	46	46	58

**Noise compliance measurement**

B27. Noise generated by the Development is to be measured in accordance with the relevant requirements and exemptions (including certain meteorological conditions) of the latest version of the *NSW Industrial Noise Policy*.

**Vibration criteria**

B28. The Applicant shall ensure that vibration resulting from the Development does not exceed the continuous or impulsive vibration criteria in EPA's *Assessing Vibration: A Technical Guideline* (February 2006) at residential receivers.

**Noise Management Plan**

- B29. Prior to the commencement of construction of the Development, the Applicant shall prepare a Noise Management Plan to the satisfaction of the Secretary. The plan must:
- a) be prepared by a suitably qualified and experienced persons(s) in consultation with the EPA;
  - b) describe the measures that would be implemented to ensure:
    - (i) all reasonable and feasible measures are employed to minimise noise impacts;

- (ii) the installation and maintenance of appropriate physical noise barriers;
  - (iii) air handling devices are designed and located to minimise noise impacts;
  - (iv) truck drivers are aware of suitable truck noise mitigation measures;
  - (v) contingency measures are deployed to minimise impacts should an exceedence of the criteria occur or appear likely to occur; and
  - (vi) compliance with the relevant conditions of this consent;
- c) include a Noise Monitoring Program to evaluate the performance of the Development; and
- d) include a protocol to determine the occurrence of an exceedence of the criteria in this consent should such an exceedence occur.

B30. The Applicant shall carry out the Development in accordance with the Noise Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

**Construction and operation hours**

B31. The Applicant shall comply with the construction and operation hours in Table 3 unless otherwise agreed to in writing by the Secretary.

**Table 3: Hours of Construction and Operation**

Activity		Day	Hours
Construction		Monday – Friday	7 am to 6 pm
		Saturday	8 am to 1 pm
		Sunday & Public Holidays	Nil
Operation	Oxy-acetylene torch cutting	Monday – Saturday	9 am to 3 pm
		Sunday & Public Holidays	Nil
	All other activities	Monday – Saturday	6 am to 9 pm
		Sunday & Public Holidays	Nil

B32. Despite condition B31, the delivery of material to the site may occur at any time, if that delivery is required by police or other authorities; and/or of there is an on-site emergency that poses an immediate danger to personnel or equipment; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification shall be provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

**Noise mitigation**

B33. The Applicant shall:

- a) implement best management practice, including all reasonable and feasible noise management and mitigation measures to prevent and minimise operational, low frequency and traffic noise generated by the Development;
- b) minimise the noise impacts of the Development during adverse meteorological conditions;
- c) maintain the effectiveness of any noise suppression equipment on plant at all times and ensure defective plant is not used operationally until fully repaired; and
- d) regularly assess noise monitoring data and relocate, modify and/or stop operations to ensure compliance with the noise criteria in this consent.

**TRAFFIC AND ACCESS**

B34. The Applicant shall ensure that:

- a) site access, driveways and parking areas are constructed and maintained in accordance with the latest versions of *Australian Standard AS 2890.1* and *AS 2890.2*;
- b) the swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, is in accordance with *AUSTROADS Guide to Road Design*;
- c) the Development does not result in any vehicles parking or queuing on the public road network;
- d) all vehicles are wholly contained on site before being required to stop;
- e) all loading and unloading of heavy vehicles is carried out on-site;

- f) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times; and
- g) all vehicles enter and leave the site in a forward direction.

## HAZARD AND RISK

### Fire management

B35. The Applicant shall:

- a) implement suitable measures to minimise the risk of fire on-site including but not limited to the recommendations in the *Preliminary Hazard Analysis of Sell & Parker Pty Ltd Metal Recycling Facility Expansion* prepared by Arriscar dated 10 March 2014;
- b) ensure the height of any stock pile of shredder floc does not exceed 4 metres;
- c) extinguish any fires on-site promptly; and
- d) maintain adequate fire-fighting capacity on-site.

### Emergency Response

B36. The Applicant shall prepare and implement an emergency response plan for the site. The plan must:

- a) include a risk assessment of likely incidents that could occur on-site (e.g. spills, explosion, fire and flood) based on the activities being undertaken, site risks and consequence to the receiving environment;
- b) include the early warning flood readiness and evacuation plan for the site;
- c) document the systems and procedures to deal with the types of incidents identified including relevant incident notification procedures; and
- d) be accessible on the site at all times.

## VISUAL AMENITY

### Lighting

B37. All external lighting associated with the Development shall be mounted, screened, and directed in such a manner so as not to create a nuisance to the surrounding environment, properties and roadways. The lighting shall be the minimum level of illumination necessary and shall comply with *Australian Standard AS 4282 1997*.

### Signage

B38. The Applicant shall install any new signage in consultation with Council.

*Note: This condition does not apply to signage identified as exempt or complying development in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.*

### Landscaping

B39. Prior to the commencement of construction of the Development, the Applicant shall prepare a Landscape Management Plan to the satisfaction of the Secretary. The plan shall:

- a) be prepared by a suitably qualified and experienced person(s);
- b) detail the landscaping measures including vegetation that would be implemented to minimise the visual impact of the Development, particularly from adjoining premises and public vantage points;
- c) describe the measures to be implemented to protect and retain the mature trees along the northern boundary of the site; and
- d) include measures for monitoring and maintenance of revegetated areas.

B40. The Applicant shall carry out the Development in accordance with the Landscape Management Plan approved by the Secretary (as revised and approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

## HERITAGE

B41. The Applicant shall cease all works on site in the event that any Aboriginal cultural object(s) or human remains are uncovered onsite. The NSW Police, the Aboriginal Community and the

OEH are to be notified. Works shall not resume in the designated area until consent in writing from the NSW Police and/or the OEH has been obtained.

## **SECURITY**

B42. The Applicant shall:

- a) install and maintain a perimeter fence and security gates on the site; and
- b) ensure that the security gates on site are locked whenever the site is unattended.

## PART C ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

### ENVIRONMENTAL MANAGEMENT

#### Construction Environmental Management Plan

- C1. Prior to the commencement of construction of the Development, the Applicant shall prepare a Construction Environmental Management Plan to the satisfaction of the Secretary. The Plan must:
- a) be prepared by a suitably qualified and experienced person(s);
  - b) describe all activities to be undertaken on the site during construction, including a clear indication of construction stages;
  - c) identify the statutory approvals that apply to the Development;
  - d) outline all environmental management practices and procedures to be followed during construction (e.g. construction traffic management and construction noise and vibration management), including all reasonable and feasible mitigation measures to protect the amenity of the surrounding environment;
  - e) detail how the environmental performance of construction will be monitored, and what actions will be taken to address identified adverse environmental impacts;
  - f) describe of the roles and responsibilities for all relevant employees involved in construction;
  - g) include arrangements for community consultation and complaints handling procedures during construction; and
  - h) consolidate the construction related parts of any management plans and monitoring programs required in the conditions of this consent;
- C2. The Applicant shall carry out the development in accordance with the Construction Environmental Management Plan approved by the Secretary (as revised approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

#### Operational Environmental Management Strategy

- C3. Within 6 months of the date of this consent, the Applicant shall prepare an Operational Environmental Management Strategy to the satisfaction of the Secretary. This strategy must:
- a) be prepared by a suitably qualified and experienced person(s);
  - b) provide a strategic framework for environmental management of the Development;
  - c) identify the statutory approvals that apply to the Development;
  - d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the Development;
  - e) describe in general how the environmental performance of the Development would be monitored and managed; and
  - f) describe the procedures that would be implemented to:
    - (i) keep the local community and relevant agencies informed about the operation and environmental performance of the Development;
    - (ii) receive, handle, respond to, and record complaints;
    - (iii) resolve any disputes that may arise;
    - (iv) respond to any non-compliance; and
    - (v) respond to emergencies.
- C4. The Applicant shall carry out the Development in accordance with the Operational Environmental Management Strategy approved by the Secretary (as revised approved by the Secretary from time to time), unless otherwise agreed by the Secretary.

#### Management plan requirements

- C5. The Applicant shall ensure that the environmental management plans/strategies required under this consent are prepared in accordance with any relevant guidelines and include:
- a) detailed baseline data;
  - b) a description of:
    - (i) the relevant statutory requirements (including any relevant approval, licence or lease conditions);
    - (ii) any relevant limits or performance measures/criteria;

- (iii) the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the Development or any management measures;
- (iv) the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
- c) a program to monitor and report on the:
  - (i) impacts and environmental performance of the Development;
  - (ii) effectiveness of any management measures;
  - (iii) a contingency plan to manage any unpredicted impacts and their consequences;
  - (iv) a program to investigate and implement ways to improve the environmental performance of the Development over time;
- d) a protocol for managing and reporting any:
  - (i) incidents;
  - (ii) complaints;
  - (iii) non-compliances with statutory requirements; and
  - (iv) exceedances of the impact assessment criteria and/or performance criteria; and
  - (v) a protocol for periodic review of the plan.

C6. The Secretary may waive some of the requirements in Condition C5 if they are unnecessary or unwarranted for particular management plans/strategies.

## **REPORTING**

### **Incident reporting**

C7. The Applicant shall notify, at the earliest opportunity, the Secretary and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the Development, the Applicant shall notify the Secretary and any other relevant agencies as soon as practicable after the Applicant becomes aware of the incident. Within 7 days of the date of the incident, the Applicant shall provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.

### **Regular reporting**

C8. The Applicant shall provide regular reporting on the environmental performance of the Development on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent.

## **INDEPENDENT ENVIRONMENTAL AUDIT**

C9. Within 1 year of the date of this consent, and every 3 years thereafter, unless the Secretary directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the Development. This audit must:

- a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
- b) led by a suitably qualified auditor, and include experts in fields specified by the Secretary;
- c) include consultation with the relevant agencies;
- d) assess the environmental performance of the Development and assess whether it is complying with the requirements in this consent, and any other relevant approvals and relevant EPL/s (including any assessment, plan or program required under the approvals);
- e) review the adequacy of any approved strategy, plan or program required under the abovementioned consents; and
- f) recommend measures or actions to improve the environmental performance of the Development, and/or any strategy, plan or program required under the consents.

C10. Within three months of commissioning this audit, or as otherwise agreed by the Secretary, the Applicant shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.

### **Annual review**

C11. Within 1 year of the date of this consent, and every year thereafter, the Applicant shall review the environmental performance of the Development. This review must:

- a) describe the Development that was carried out in the previous calendar year, and the Development that is proposed to be carried out over the next year;
- b) include a comprehensive review of the monitoring results and complaints records of the Development over the previous calendar year, which includes a comparison of the results against the:
  - (i) the relevant statutory requirements, limits or performance measures/criteria;
  - (ii) requirements of any plan or program required under this consent;
  - (iii) the monitoring results of previous years; and
  - (iv) the relevant predictions in the EIS;
- c) identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance;
- d) identify any trends in the monitoring data over the life of the Development;
- e) identify any discrepancies between the predicted and actual impacts of the Development, and analyse the potential cause of any significant discrepancies; and
- f) describe what measures will be implemented over the next year to improve the environmental performance of the Development.

### **Revision of strategies, plans and programs**

C12. Within 3 months of the submission of an:

- a) annual review under Condition C11 above;
- b) incident report under Condition C7 above;
- c) audit under Condition C9 above; or
- d) any modification to this consent,

the Applicant shall review, and if necessary revise, the strategies, plans, and programs required under this consent.

*Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the Development.*

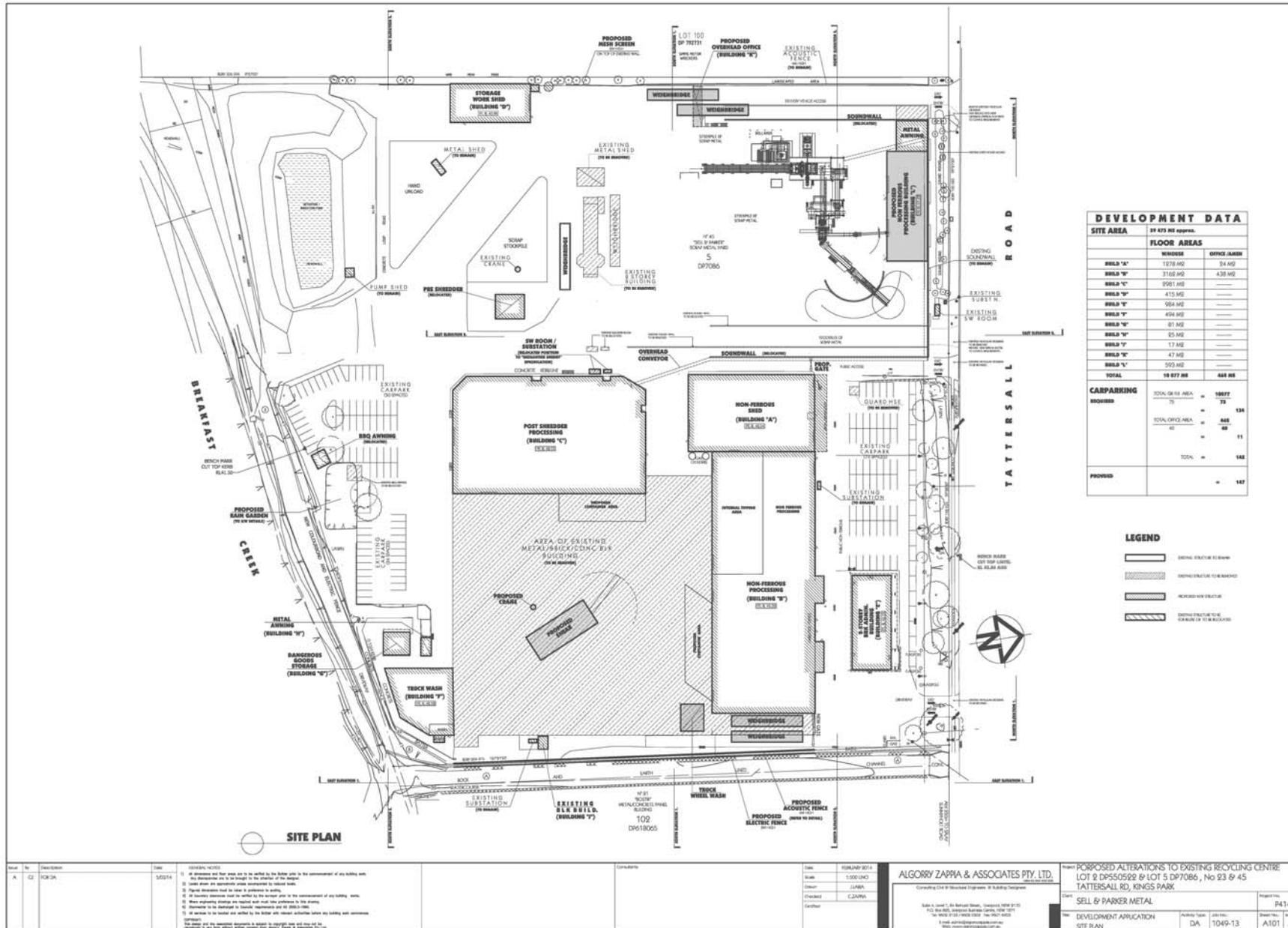
C13. The Applicant shall ensure that the operation of the Development is undertaken in accordance with all relevant updated and/or amended strategies, management plans and programs approved by the Secretary (or as revised and approved by the Secretary), unless otherwise agreed by the Secretary.

### **ACCESS TO INFORMATION**

C14. The Applicant shall:

- a) make copies of the following publicly available on its website:
  - (i) the documents referred to in Condition A2;
  - (ii) all current statutory approvals for the Development;
  - (iii) all approved strategies, plans and programs required under the conditions of this consent;
  - (iv) a comprehensive summary of the monitoring results of the Development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;
  - (v) a complaints register, updated on a monthly basis;
  - (vi) the annual reviews of the Development;
  - (vii) any independent environmental audit of the Development, and the Applicant's response to the recommendations in any audit; and
  - (viii) any other matter required by the Secretary; and
- b) keep this information up to date.

## APPENDIX A – SITE AND LAYOUT PLANS



DEVELOPMENT DATA		
SITE AREA	29 473 M2 approx.	
	FLOOR AREAS	
BUILD 'A'	1278 M2	54 M2
BUILD 'B'	3168 M2	438 M2
BUILD 'C'	2591 M2	---
BUILD 'D'	415 M2	---
BUILD 'E'	584 M2	---
BUILD 'F'	454 M2	---
BUILD 'G'	81 M2	---
BUILD 'H'	25 M2	---
BUILD 'I'	17 M2	---
BUILD 'J'	47 M2	---
BUILD 'K'	592 M2	---
TOTAL	19 877 M2	484 M2
CARPARKING	TOTAL GRASS AREA	= 19977
	REQUIRED	= 75
	TOTAL OFFICE AREA	= 466
	PROVIDED	= 68
TOTAL	= 168	
PROVIDED	= 147	

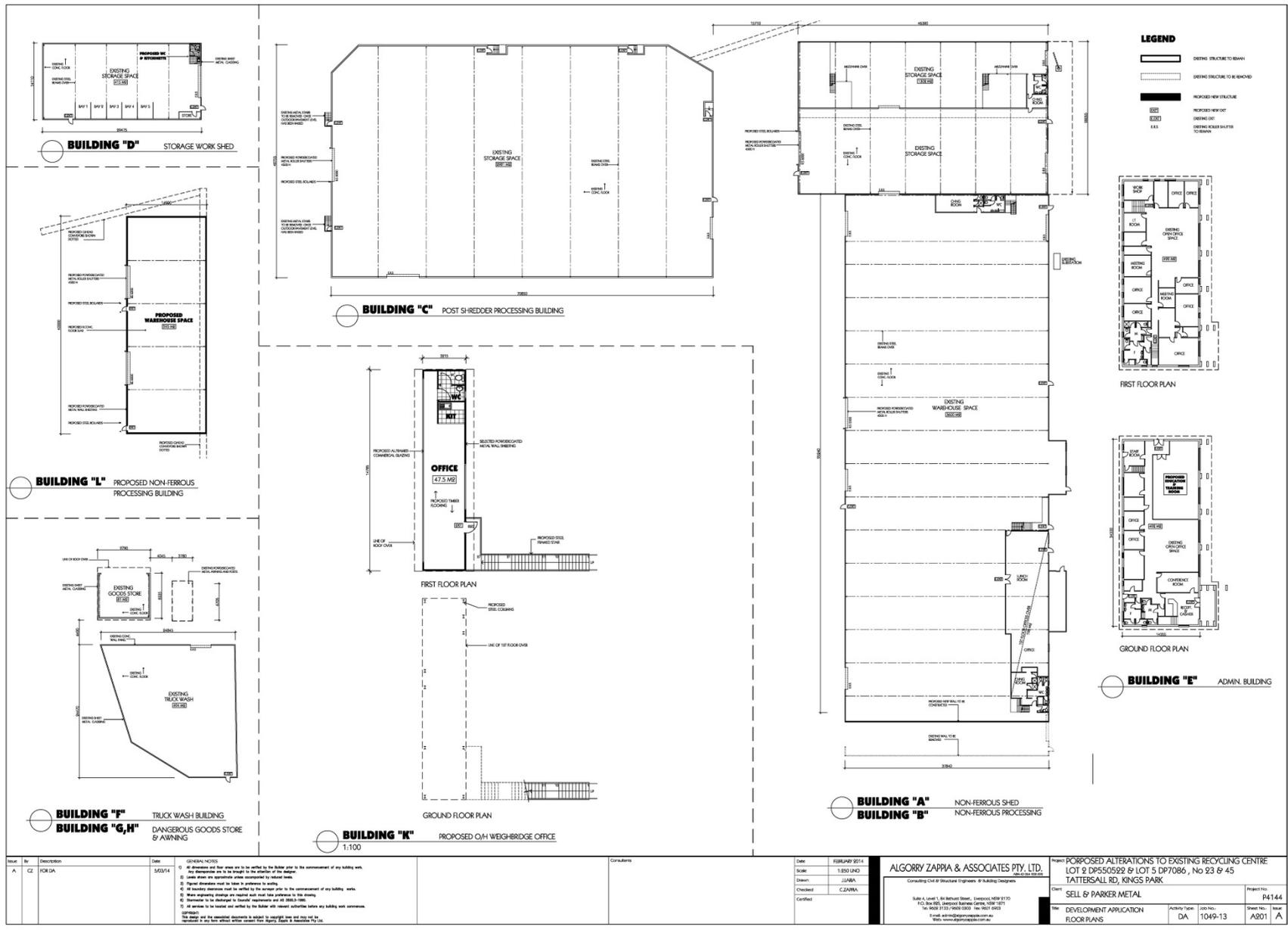
**LEGEND**

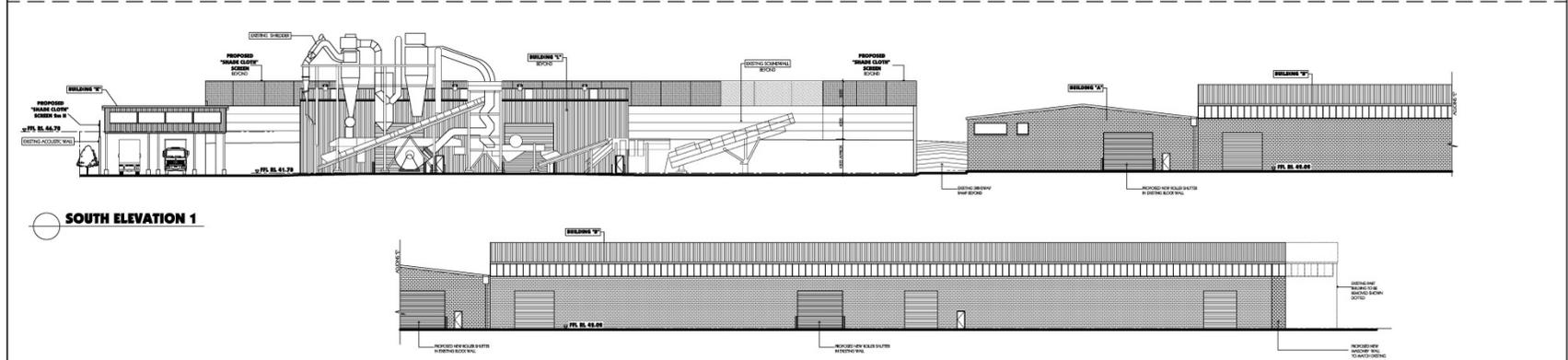
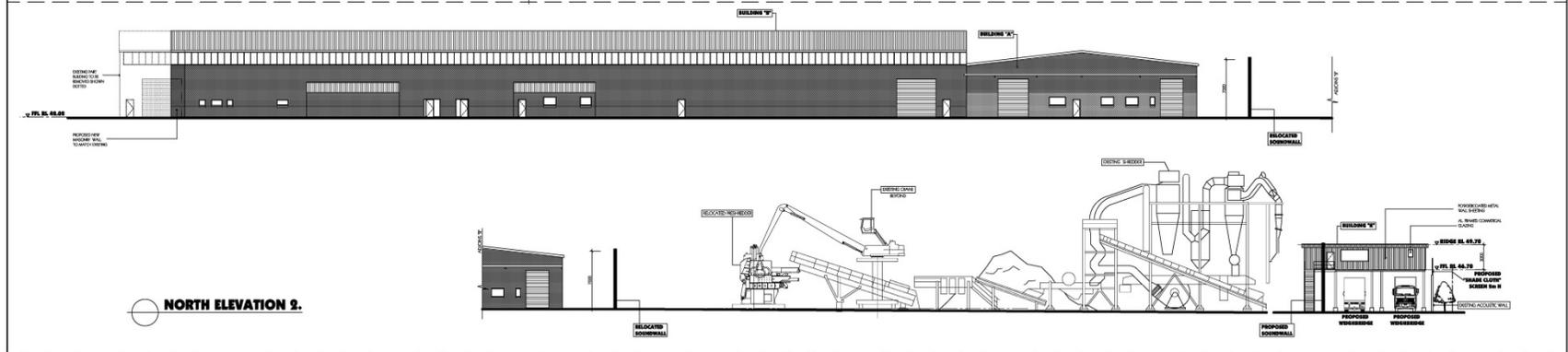
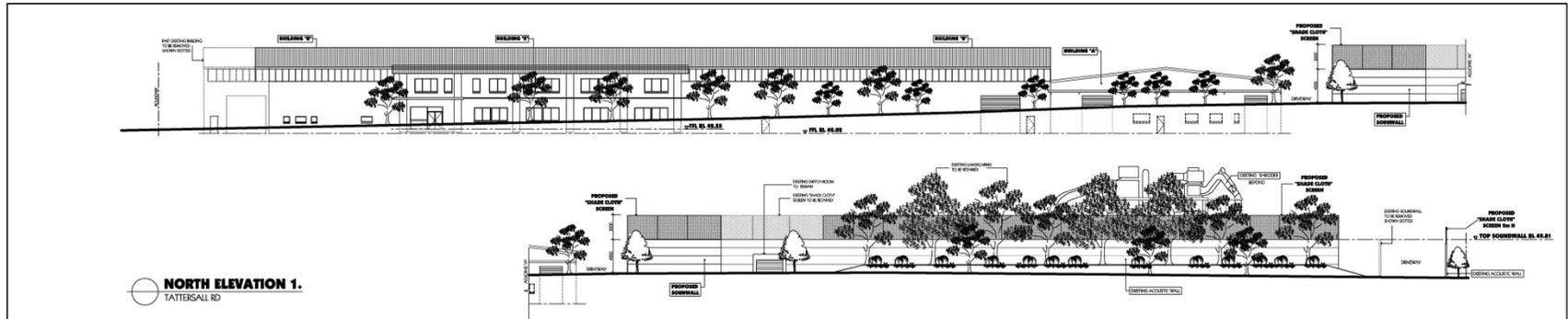
- EXISTING STRUCTURE REMAIN
- EXISTING STRUCTURE TO BE DEMOLISHED
- PROPOSED NEW STRUCTURE
- EXISTING STRUCTURE TO BE RELOCATED OR TO BE RECONSTRUCTED

Scale	1:500
Date	1/10/2014
Author	J. ZAPPA
Checked	C. ZAPPA
Drawn	J. ZAPPA

Client	ALGORRY ZAPPA & ASSOCIATES PTY. LTD.
Project	PROPOSED ALTERATIONS TO EXISTING RECYCLING CENTRE
Site	LOT 2 DP550592 & LOT 5 DP7086, No 23 & 45 TATTERSALL RD, KINGS PARK
Drawn	J. ZAPPA
Checked	C. ZAPPA
Date	1/10/2014

Project No.	PA144
Client	SELL & PARKER METAL
Development Application	DA 1049-13
Site Plan	A101





Rev	By	Description	Date	GENERAL NOTES	Comments	Date	Scale	Drawn	Checked	Project	Client	Activity/Type	Job No.	Sheet No.	Total	
A	CZ	FOR I/A	14/03/14	1. All dimensions and floor areas are to be verified by the Builder prior to the commencement of any building work. 2. All dimensions are to be taken to the exterior of the building. 3. Check with any appropriate state authorities to ensure that all proposed works comply with all applicable laws and regulations. 4. Where any proposed works are to be carried out in the vicinity of any existing works, the proposed works shall be carried out in a manner that does not interfere with the operation of any existing works. 5. Where any proposed works are to be carried out in the vicinity of any existing works, the proposed works shall be carried out in a manner that does not interfere with the operation of any existing works. 6. All work to be carried out shall be in accordance with the relevant Australian Standards and any applicable laws and regulations. 7. All work to be carried out shall be in accordance with the relevant Australian Standards and any applicable laws and regulations. 8. All work to be carried out shall be in accordance with the relevant Australian Standards and any applicable laws and regulations. 9. All work to be carried out shall be in accordance with the relevant Australian Standards and any applicable laws and regulations. 10. All work to be carried out shall be in accordance with the relevant Australian Standards and any applicable laws and regulations.		14/03/14	1:500 (L) & (S)	JLAMA	C.ZORVA	ALGORRY ZAPPA & ASSOCIATES PTY. LTD.	PROPOSED ALTERATIONS TO EXISTING RECYCLING CENTRE LOT 2 DP550522 & LOT 5 DP7086, No 23 & 45 TATTERSALL RD, KINGS PARK	SELL & PARKER METAL	DEVELOPMENT APPLICATION	1049-13	R4144	30





## APPENDIX B – MANAGEMENT AND MITIGATION MEASURES

**Table B.1 Summary of Mitigation Measures**

Issue	Potential Impact	Mitigation/ Management Measure
Ecology	The overall potential ecological impacts are considered low given the highly disturbed nature of the site. Only landscape trees separating the two current separate sites require removal. Potential impacts to threatened species are considered highly unlikely.	<p>The following recommendations aim to minimise ecological impacts of the proposed works:</p> <ul style="list-style-type: none"> <li>• sediment control barriers will be installed at the site during construction and while earthworks are undertaken to reduce the likelihood of silted runoff into adjacent Breakfast Creek in the event of high rainfall;</li> <li>• all vehicles are to keep to the existing and proposed access roads on-site at all times; and</li> <li>• all work should be undertaken to prevent the spread of pests and noxious weeds in accordance with the Noxious Weeds Act 1993 and the Noxious and environmental weed control handbook - A guide to weed control in non-crop, aquatic and bushland situations (NSW Government, 2011).</li> </ul>
Heritage (Indigenous)	Potential impacts to previously unknown indigenous artefacts or relics during ground disturbance activities.	<p>In accordance with the <i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales</i> (DECCW NSW, 2010) a conservative approach will be adopted at the site. The following mitigation measures will be implemented:</p> <ul style="list-style-type: none"> <li>• all staff, contractors and others involved in the construction works would be made aware of the statutory legislation protecting sites and places of heritage significance; and</li> <li>• all works would cease in the immediate area should any indigenous artefacts or relics be uncovered and the Cultural Heritage Division of the NSW National Parks and Wildlife Service (OEH) contacted.</li> </ul>
Heritage (Historical)	Potential impacts to previously unknown items of historical significance during ground disturbance.	<p>The following mitigation measures are recommended to ensure that if any historical heritage artefacts are encountered appropriate measures are implemented:</p> <ul style="list-style-type: none"> <li>• all staff, contractors and others involved in the works would be made aware of the statutory legislation protecting sites and places of heritage significance prior to works commencing; and</li> <li>• in the event that a site or artefact (as defined by the National Parks and Wildlife Act 1974 or Heritage Act 1977) is identified during construction works, works shall cease at the location. The find shall be immediately reported to the regulator in accordance with legislation. No work shall commence in the vicinity of the find until any required approvals have been given by the regulator.</li> </ul>
Acoustics	Noise and vibration impacts to nearby commercial premises during construction and operation.	<p>The following acoustic screen fencing is proposed to mitigate noise emissions from site operations to neighbouring existing and proposed new industrial premises:</p> <ul style="list-style-type: none"> <li>• retain the existing acoustic screen fencing at a height of 4m, which is currently erected around the existing site northern and western boundary and along existing driveways as shown on the site drawings; and</li> <li>• proposed new metal/colorbond and electric fence along the new eastern boundary shall be an acoustic screen fencing of 4m height</li> </ul> <p>In addition to the above, the noise screen will be designed with regard to the following:</p> <ul style="list-style-type: none"> <li>• the extent of noise reduction required of the noise screen as a whole as perceived from any potentially</li> </ul>

Issue	Potential Impact	Mitigation/ Management Measure
Air Quality	Potential localised air quality impacts associated with increased concentrations of TSP at nearby commercial and residential locations.	<p>affected receiver sites;</p> <ul style="list-style-type: none"> <li>• any penetrations through the fabric of the noise screen will be sealed air tight;</li> <li>• all joints between noise screen panels will be sealed air tight; and</li> <li>• noise screens will have no clearance gaps underneath them.</li> </ul> <p>The following mitigation measures will be implemented to manage potential localised air quality impacts during construction and operation:</p> <ul style="list-style-type: none"> <li>• vehicles and equipment shall be maintained in accordance with the manufacturer's specifications;</li> <li>• additional site fencing located on the eastern boundary of the site, should include appropriate dust screen to minimise airborne dust movements; and</li> <li>• all surplus soils from excavations during construction, not reused on-site, shall be removed from site by covered trucks and disposed of at an appropriately licensed facility.</li> </ul>
Greenhouse Gas	<p>Release of GHG emissions into the atmosphere.</p> <p>Based on the GHG assessment undertaken indicate that GHG emissions associated with the upgrade would represent an increase of 0.006% on Australia's national GHG emissions in 2010/11 of 563.1 Mt CO<sub>2</sub>-e, which is considered negligible.</p>	<p>Efficiency measures which will be implemented to manage GHG emissions during construction and operation include:</p> <ul style="list-style-type: none"> <li>• the site will be sealed, which will reduce the emission of GHGs from the mobile materials handling equipment due to a more consistent driving surface and the ability to select more direct routes across the site;</li> <li>• the new site design no longer requires trucks to enter the site twice but allows for one main entrance and exit point, reducing the kilometres travelled by trucks;</li> <li>• the increased throughput allows for efficiencies due to the economy of scale;</li> <li>• additional equipment purchased for the upgrade will conform to the standards of the latest technology including installation of conveyors to move material after processing rather than by FEL or truck;</li> <li>• post-upgrade the site has an additional capacity to recover ferrous and non-ferrous materials from the recycling processes, decreasing the need for end users to source raw materials from the extraction industries; and</li> <li>• where possible, the site will strive to continually improve the energy efficiency of its process and operations by implementing electricity and cost saving measures.</li> </ul>

Issue	Potential Impact	Mitigation/ Management Measure
Soil and Water	<p>Potential impacts include:</p> <ul style="list-style-type: none"> <li>• accidental release/spillage of contaminants and wastewater generated on-site;</li> <li>• earthworks resulting in potential erosional impacts; and</li> <li>• impacts to water balance as a result of the expansion</li> </ul>	<p>To manage and control stormwater, the following mitigation measures are proposed:</p> <ul style="list-style-type: none"> <li>• installation of two oil/water separators for the new drainage system within the existing and expanded site area;</li> <li>• regular cleaning of the oil/water separators should be carried out to maintain performance;</li> <li>• the existing network of underground stormwater pipes, inlets and oil water separators will be cleaned and, if damaged, replaced during the site refurbishment activities;</li> <li>• a bioretention filter will be installed to receive runoff from overland flows and the underground pipe network on the expanded site area; and</li> <li>• the existing stormwater pond on the existing site will be dredged and excavated to remove any contaminated sediments and lined with clay. Verification sampling will be required as will waste classification sampling to allow for the appropriate disposal of any dredged material.</li> </ul> <p>The general principles to be applied to erosion control for the disturbed site include:</p> <ul style="list-style-type: none"> <li>• plan for erosion and sediment control and assess site constraints during the design phase and before any earthworks begin;</li> <li>• minimise the area of soil disturbed and exposed to erosion;</li> <li>• control water flows from the top of and through the project area – divert up-slope ‘clean’ water away from disturbed areas and ensure concentrated flows are below erosive levels;</li> <li>• rehabilitate disturbed lands quickly; and</li> <li>• maintain erosion and control measures for the duration of the project and until the site is successfully rehabilitated.</li> </ul> <p>Key sediment controls include:</p> <ul style="list-style-type: none"> <li>• protecting stormwater inlets;</li> <li>• constructing a wheel wash;</li> <li>• creating stabilised site access points;</li> <li>• managing stockpiles; and</li> <li>• utilising sediment traps such as sediment fence during construction.</li> </ul> <p>Pollution control methods will include:</p> <ul style="list-style-type: none"> <li>• storage of chemicals within impervious bund of more than 110% of the largest container within the bund;</li> <li>• Material Safety Data Sheets (MSDS) for all chemicals stored on-site and made available to site personnel;</li> <li>• refuelling to occur away from drainage points, with drip trays used and spill kits available; and</li> <li>• trade waste receptacles will be provided for the storage and disposal of all wastes generated on-site.</li> </ul>

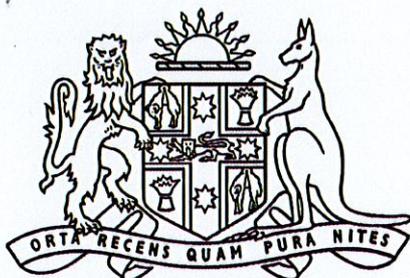
Issue	Potential Impact	Mitigation/ Management Measure
Contaminated Land	Potential risks to human health and the environment resulting from exposure to historical contamination during ground intrusive works.	<p>To minimise the use of potable water associated with the expansion of the site, the following measures should be implemented:</p> <ul style="list-style-type: none"> <li>• on-going use of collected runoff in the stormwater basin for operation requirements is recommended, as long as the water is of a quality such that impacts to site infrastructure, the surrounding environment and the health and safety of employees is avoided;</li> <li>• rainwater tanks may also be installed to utilise the runoff from roof spaces and would likely be best suited to providing water for personal use such as toilet flushing, reducing the requirement for mains supplied potable water.;</li> <li>• landscaped areas along the south boundary will include a range of locally endemic species to enhance the portion of the riparian corridor inside the operational boundary of the redeveloped site.</li> </ul> <p>The following management measures will be employed to manage potential exposure to contaminants during construction and operation:</p> <ul style="list-style-type: none"> <li>• a contingency for the appropriate management of potential unexpected contamination finds should be incorporated in the Construction Environmental Management Plan (CEMP) for the planned redevelopment of both properties;</li> <li>• if localised contaminated soils are encountered during construction works, they shall be segregated and assessed for waste classification and appropriately disposed of or re-used onsite, subject to the results of testing;</li> <li>• if significant contamination is encountered during construction works, further investigation in the form of a Phase 1/2 Environmental Site Investigation (ESA) may be required;</li> <li>• any imported fill must be certified at source location (e.g. quarry or property owner) as Excavated Natural Material (ENM) or Virgin Excavated Natural Material (VENM) in accordance with the Protection of the Environment Operations Act 1997 (POEO Act) and the Protection of the Environment (Waste) Regulation 2005 (POEO Waste Regulation);</li> <li>• all pollution incidents that threaten or harm the environment shall be reported immediately to relevant authorities in accordance with the Protection of the Environment Operations Act 1997 (POEO Act); and</li> <li>• a Hazardous Materials Register and respective Safety Data Sheets (SDSs) shall be kept on site at all times and regularly maintained.</li> </ul> <p>In relation to the management of oil, lubricants and other material during operations hammermill operations, the following management measures will be applied:</p> <ul style="list-style-type: none"> <li>• vehicles are to be adequately drained prior to coming on the site, if possible, to minimise the requirement for on-site processing. If fluids are present processing must occur prior to recycling the</li> </ul>

Issue	Potential Impact	Mitigation/ Management Measure
		<p>vehicle;</p> <ul style="list-style-type: none"> <li>• immediately after receiving a car on-site it should be confirmed that the fluid containing components have been drained/removed and that no leaks are present. If fluid containing components remain or leaks identified place drip trays and seal leaking pipes;</li> <li>• vehicle processing area is to be bunded to provide additional protection in the event of spills or overflows;</li> <li>• clean up spills within in the bunded area (and across the site more broadly) immediately to prevent interaction with water;</li> <li>• ensure all fluids drained from vehicles are stored in appropriate, labelled containers to avoid the potential for cross contamination;</li> <li>• always use funnels when transferring fluids to limit the potential for spillage;</li> <li>• flock management - if vehicles (and other scrap metals) still contain hydrocarbons or other contaminants there is potential for contamination of the flock. Ensure that it is stored on hardstand, roofed location, with bunding to prevent entry of rainwater and upslope runoff;</li> <li>• remove batteries and battery cable ends (that are often also constructed from lead);</li> <li>• fuel filters to be removed and stored in a leak proof container;</li> <li>• separate other fluids such as brake fluids, coolants, air conditioning fluid, window washing fluid, prior to recycling the vehicle; and</li> <li>• spill kits to be stored and maintained in the car handling location.</li> </ul>
Hazards and Risks	Potential off-site impacts include fatality, human injury or damage to property caused from activities undertaken at the site.	<ul style="list-style-type: none"> <li>• at least one hose reel and one fire extinguisher be provided for the oxygen and LPG cylinder storage (AS 4332-2004, Table 7.2). This is based upon the 3,000 L of oxygen in the store.</li> <li>• provide one powder type extinguisher and one foam extinguisher for all bulk class 3 dangerous goods on site. This includes the storage of fuel and oil removed from vehicles prior to shredding. This recommendation assumes the recovered liquids are stored in intermediate bulk containers.</li> <li>• maintain the height of the floc stockpile to less than 4 m, or the total volume to less than 1000 m<sup>3</sup>. This ensures the warehouse in which the floc is stored will not be a high hazard occupancy.</li> <li>• continue with the practice of providing water cannons to provide reach to feed and processed stockpiles in the event of a fire in any stockpile.</li> </ul>
Fire and Incident	Floc material has been identified as a potential source of fire. Any uncontrolled leaks or spills have the	The recommendations made in regards to fire protection requirements as detailed above will be implemented To ensure incidents such as accidental spills and / or leakages from machinery are contained and managed appropriately, the following measures will be implemented.

Issue	Potential Impact	Mitigation/ Management Measure
	<p>potential to contaminate soils within unsealed sections of the site, or be entrained in stormwater flow to the detention basin at the rear of the site. Overflow of potentially contaminated water from the detention basin, has the potential to detrimentally impact on Breakfast Creek.</p>	<ul style="list-style-type: none"> <li>the site will be kerbed to retain spillages or stormwater run-off, which outflow via a detention basin. The detention basin has a capacity of 1440 m3. This basin will be required to be managed in accordance with the measures identified in Section 6.6).</li> <li>spill kits will be available on-site and be deployed to manage and contain minor spills;</li> <li>all pollution incidents that threaten or harm the environment shall be reported immediately to relevant authorities in accordance with POEO Act.</li> <li>It is recommended that a Fire and Incident Response Management Plan, including but not limited to the mitigation measures above, be developed for the expanded site. Sell and Parker have an existing Emergency Response Plan, this may be updated to include the aforementioned information.</li> </ul>
Traffic and Transport	<p>Compared against the existing traffic volumes in the vicinity of the site, the additional traffic generated by the proposed development is considered negligible and is not be expected to compromise the safety or function of the surrounding road network.</p>	<ul style="list-style-type: none"> <li>a site-specific construction traffic management plan (CTMP) will be prepared prior to works commencing on-site. This is to outline construction traffic volumes, truck routes, access arrangements and construction worker parking arrangements.</li> </ul>
Social and Economic Resources	<p>The proposed development presents an overall positive impact to the local community in terms of employment opportunities and indirect contributions to the local community.</p>	<p>The following measures should be implemented to ensure positive socio-economic impacts of the proposed developed are maximised:</p> <ul style="list-style-type: none"> <li>seek to utilise local available labour force when recruiting for additional employees, including where possible those that have been affected by job losses at the Dexion site;</li> <li>where possible, investigate opportunities for offering apprenticeships for new work force and offer additional training to current workforce;</li> <li>communicate to local business and community the expected start date of construction; and</li> <li>any complaints received relating to site operations are to be recorded and attended to promptly.</li> </ul>
Visual Amenities	<p>The proposed development will not result in significant visual impacts in the vicinity of the site or neighbouring areas</p>	<p>Whilst visual amenity impacts associated with the proposed development are considered negligible the following management measure will be implemented:</p> <ul style="list-style-type: none"> <li>native trees, shrubs and grass species will be planted along site boundaries, particularly the frontage with Tattersall Road, which will complement and enhance existing landscaped vegetation in accordance with the Landscape Concept Plan provided in Annex M.</li> </ul>
Waste Management	<p>Potential impacts include:</p> <ul style="list-style-type: none"> <li>excessive waste being directed to</li> </ul>	<ul style="list-style-type: none"> <li>all waste transported to and removed from the site should be done so in accordance with road and transportation legislation;</li> </ul>

Issue	Potential Impact	Mitigation/ Management Measure
	<p>landfill;</p> <ul style="list-style-type: none"> <li>• various types of waste being generated and stored onsite, with the potential for misclassification;</li> <li>• contaminated waste not being correctly stored or disposed;</li> <li>• off-site impacts to soil and/or water and/or groundwater.</li> </ul>	<ul style="list-style-type: none"> <li>• in all cases, appropriately licenced transport contractors are to be engaged to transport waste material to and from the site. The contractors appointed to transport waste are to ensure they: <ul style="list-style-type: none"> <li>• are licenced to transport the type of waste they receive;</li> <li>• transport the waste to a licenced facility capable of receiving the type of waste and quantity they are carrying;</li> <li>• waste is adequately covered during transport; and</li> <li>• the contractor transporting the waste is to ensure that completed waste data forms are provided to the waste facility upon arrival</li> </ul> </li> <li>• the designated site manager or an appointed responsible delegate should prepare monthly reports clearly documenting the waste that has been received and generated. These should be prepared using waste receipts that have been retained and should include: <ul style="list-style-type: none"> <li>• waste classification data to assess compliance with the DECCW (2009) <i>Waste Classification Guidelines</i>;</li> <li>• a review of licences held by the facilities where waste has been disposed to assess/ ensure their ability to accept the waste in accordance with relevant legislation; and</li> <li>• include any incident reports relating to waste (i.e. spills) which have occurred over that month. Any corrective actions undertaken should also be included.</li> </ul> </li> <li>• all waste materials which meet the specification to be reused/ recycled will be processed on-site or be taken to an approved facility, capable of accepting those materials.</li> <li>• all other waste is to be disposed in accordance with the classification of the waste material at an approved licenced facility.</li> </ul>

**APPENDIX D MOD 1**



## Land and Environment Court New South Wales

<b>Medium Neutral Citation:</b>	<b>Sell &amp; Parker Pty Ltd v Minister for Planning [2017] NSWLEC 1586</b>
<b>Hearing dates:</b>	Conciliation conference on 19 September & 17 October 2017
<b>Date of orders:</b>	19 October 2017
<b>Decision date:</b>	19 October 2017
<b>Jurisdiction:</b>	Class 1
<b>Before:</b>	Maston AC
<b>Decision:</b>	See (4) below
<b>Catchwords:</b>	DEVELOPMENT APPLICATION: conciliation conference; agreement between the parties; orders
<b>Legislation Cited:</b>	Land and Environment Court Act 1979
<b>Category:</b>	Principal judgment
<b>Parties:</b>	Sell and Parker Pty Ltd (ACN 000 101 315) (Applicant) Minister for Planning (Respondent)
<b>Representation:</b>	Mr J Johnson, Allens(Applicant) Ms L Sims, Department of Planning (Respondent)
<b>File Number(s):</b>	2017/126126
<b>Publication restriction:</b>	No

### JUDGMENT

- 1 **COMMISSIONER:** In this matter, at or after a conciliation conference, an agreement under s 34(3) of the *Land and Environment Court Act 1979* (the Court Act) was reached between the parties as to the terms of a decision in the proceedings that was acceptable to the parties. As the presiding Commissioner, I was satisfied that the decision was one that the Court could have made in the proper exercise of its functions (this being the test applied by s 34(3) of the Court Act). As a consequence, s 34(3)(a) of the Act required me to “dispose of the proceedings in accordance with the decision”.

2

The Court Act also required me to “set out in writing the terms of the decision” (s 34(3) (b)). The orders made to give effect to the agreement constitute that document.

3 In making the orders to give effect to the agreement between the parties, I was not required to make, and have not made, any merit assessment of the issues that were originally in dispute between the parties.

4 The final orders to give effect to the parties’ agreement under s34(3) of the Land and Environment Court Act 1979 are:

(1) Leave is granted to the Applicant to rely on the following amended plans and documents:

<b>Document</b>	<b>Revision Date</b>	<b>Prepared by: (consultant)</b>
Drawing DA-1049-14 A101 Rev M	21/9/2017	Algorry Zappia and Associates Pty Ltd
Drawing DA-1049-14 A301 Rev H	27/9/2017	Algorry Zappia and Associates Pty Ltd
Drawing 14023-16-001-FH-01 Rev P4	25/9/2017	MJ Harvey and Associates Pty Ltd
Drawing SS15-3178-000-I	22/9/2017	Site Image (NSW) Pty Ltd
Drawing SS15-3178-101-J	22/9/2017	Site Image (NSW) Pty Ltd
Drawing SS15-3178-401-G	15/8/2017	Site Image (NSW) Pty Ltd
Drawing SS15-3178-402-I	22/9/2017	Site Image (NSW) Pty Ltd
Drawing SS15-3178-403-G	15/8/2017	Site Image (NSW) Pty Ltd
Drawing SS15-3178-404-G	22/9/2017	Site Image (NSW) Pty Ltd
Drawing SS15-3178-501-I	22/9/2017	Site Image (NSW) Pty Ltd
Town Planning Report	29/9/2017	Tim Ward (Ethos Urban)
Acoustic Report	25/9/2017	Renzo Tonin and Associates

(2) The Applicant is to pay the Respondent's costs thrown away by reason of the amended plans and documents listed above under section 97B of the *Environmental Planning and Assessment Act 1979* as agreed or assessed.

- (3) The appeal is upheld.
- (4) Modification application No. SSDMod 16\_8001, is approved, subject to the conditions set out in Annexure "A".

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John Maston

Acting Commissioner of the Land & Environment Court of NSW

[Annexure A \(75.7 KB, pdf\)](#)

[Plans \(8.24 MB, pdf\)](#)

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Decision last updated: 03 November 2017

**ANNEXURE A**

***Sell and Parker Pty Limited v Minister for Planning***

**SCHEDULE 1**

<b>Application No:</b>	SSD 5041
<b>Applicant:</b>	Sell and Parker Pty Ltd
<b>Consent Authority:</b>	Land and Environment Court of NSW
<b>Development:</b>	Increasing the processing capacity of the existing metal recycling facility, including reconfiguration and expansion of the facility into the adjoining site at 23-43 Tatersall Road, Kings Park.
<b>Date of Original Consent:</b>	12 November 2015
<b>Modification:</b>	SSD 5041 MOD 1- the modification includes amendments to the site layout, design of buildings and structures and alterations and additions to existing buildings and structures

**SCHEDULE 2**

This consent is modified as follows:

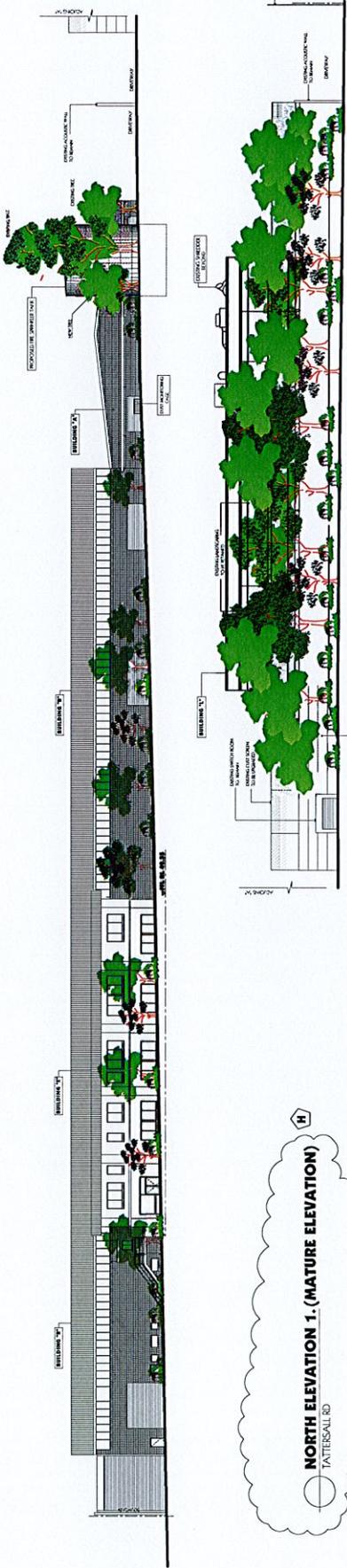
**In Schedule 1**

1. In the table of definitions, insert the following definitions in alphabetical order:  
Expanded Operations The point at which the site receives or processes in excess of 90,000 tonnes per calendar year of waste  
FRNSW Fire and Rescue New South Wales  
NCC National Construction Code  
Waste As defined in the POEO Act In Schedule 2
2. Delete and replace Condition A2 as follows:  
A2. The Applicant shall carry out the Development in accordance with the:
  - (a) EIS prepared by ERM dated July 2014;
  - (b) Response to Submissions report prepared by ERM dated 7 January 2015;
  - (c) Supplementary Response to Submissions prepared by Mecone dated 30 June 2015;

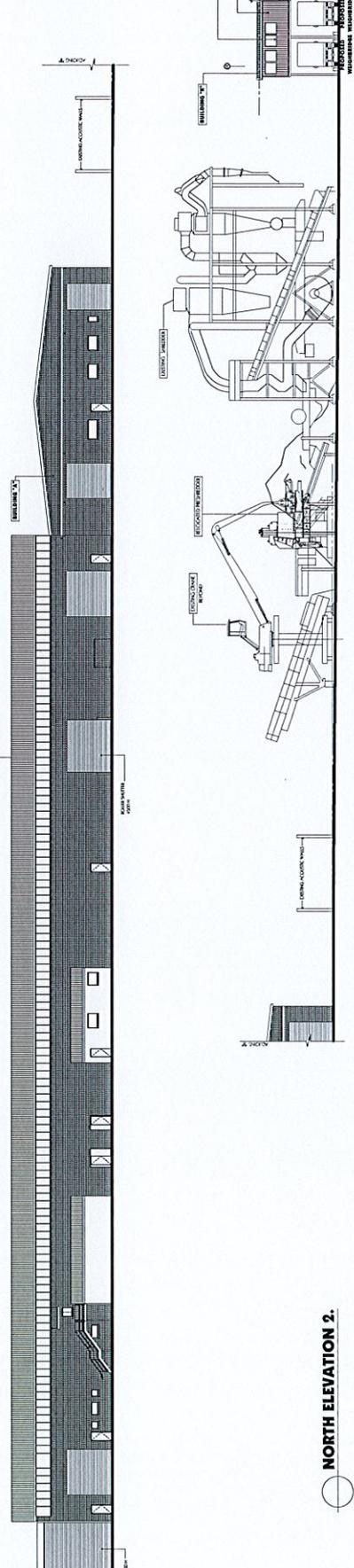
- (d) Supplementary Response to Submissions prepared by Sell and Parker Pty Ltd dated 3 September 2015;
  - (e) Site layout plans and drawings (See Appendix A);
  - (f) Management and Mitigation Measures (see Appendix B);
  - (g) Modification Application SSD 5041 MOD 1 and accompanying document titled *Statement of Environmental Effects 23-43 and 45 Tattersall Road, Kings Park* dated August 2016 prepared by Higgins Planning, additional information from Higgins Planning dated 22 December 2016, further additional information from Allens and Linklaters dated 9 February 2017 and the Town Planning Report prepared by Ethos Consulting on 29 September 2017.
3. Insert Condition B35A as follows:
- B35A. Prior to:
- (i) expanded operations;
  - (ii) the issue of an Occupation Certificate; or
  - (iii) the date being 6 months after the determination of MOD 1 by the Land and Environment Court,
- (whichever is sooner), the Applicant must ensure that an appropriate sprinkler system and smoke detection system have been installed within the floc storage area in Building C to the satisfaction of FRNSW.
4. Insert Condition E35B as follows: B35B
- Prior to:
- (i) expanded operations;
  - (ii) the issue of an Occupation Certificate; or
  - (iii) the date being 7 months after the determination of MOD 1 by the Land and Environment Court,
- (whichever is sooner), the Applicant must ensure that all fire safety measures required by the NCC for Buildings A, B, & C (as shown on drawing 14023-16-001-FH-01 Rev P4) have been installed and verified through a Fire Safety Audit in accordance with Australian Standard 4655 – Fire Safety Audits, to the satisfaction of FRNSW.
5. Delete Condition B19(viii) and replace as follows:
- (viii) installation of appropriate dust screens at the property boundary and replacement of dust screens and shade cloths at the Tattersall Road boundary of the 45 Tattersall Road site.

6. Replace all drawings in Appendix A with the following:

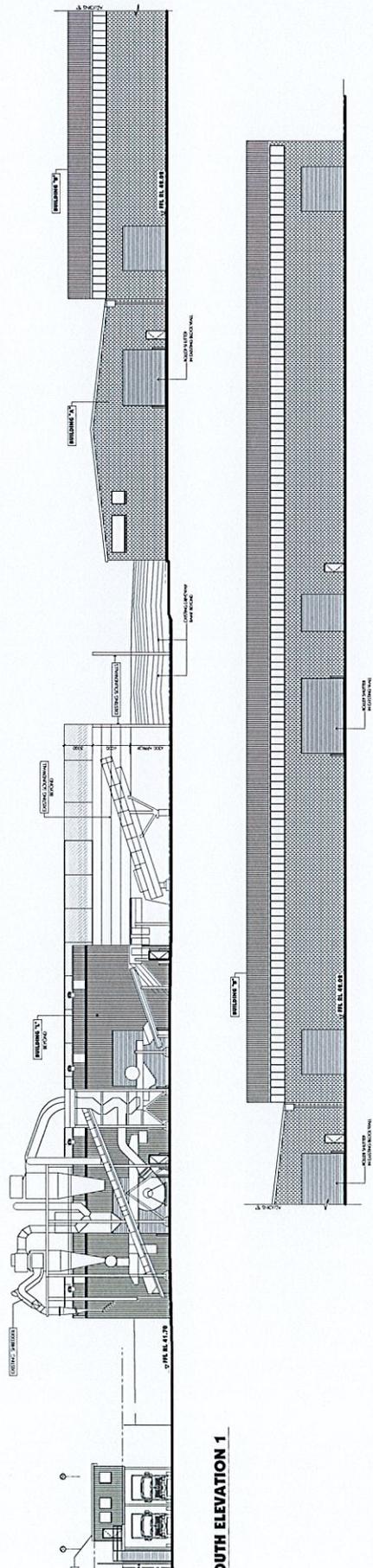




**NORTH ELEVATION 1. (MATURE ELEVATION)**  
TATTERSALL RD



**NORTH ELEVATION 2.**



**SOUTH ELEVATION 1**

NO.	DESCRIPTION	DATE	GENERAL NOTES
1	FOR SECTION	10/01/14	1) FOR SECTION
2	FOR SECTION	10/01/14	2) FOR SECTION
3	FOR SECTION	10/01/14	3) FOR SECTION
4	FOR SECTION	10/01/14	4) FOR SECTION
5	FOR SECTION	10/01/14	5) FOR SECTION
6	FOR SECTION	10/01/14	6) FOR SECTION
7	FOR SECTION	10/01/14	7) FOR SECTION
8	FOR SECTION	10/01/14	8) FOR SECTION
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PROJECT: PROPOSED ALTERATIONS TO EXISTING RECYCLING CENTRE  
LOT 2 DP550592 & LOT 5 DP7086, No 83 & 45  
TATTERSALL RD, KINGS PARK  
CLIENT: SELL & PARKER METAL  
BUILDING CERTIFICATE APPLICATION  
ELEVATIONS & SECTIONS

ALGOBY ZAPPA & ASSOCIATES PTY. LTD.  
CONSULTING CIVIL & STRUCTURAL ENGINEERS & ARCHITECTS  
1/100 TATTERSALL ROAD, KINGS PARK, WA 6003  
TEL: 08 9437 7000 FAX: 08 9437 7003  
WWW.ALGOBYZAPPA.COM.AU

DATE: 10/01/14  
DRAWN: J.ZAPPA  
CHECKED: J.ZAPPA  
SCALE: AS SHOWN

PROJECT NO: 14144  
JOB NO: DA  
DATE: 10/01/14

PROJECT: PROPOSED ALTERATIONS TO EXISTING RECYCLING CENTRE  
LOT 2 DP550592 & LOT 5 DP7086, No 83 & 45  
TATTERSALL RD, KINGS PARK  
CLIENT: SELL & PARKER METAL  
BUILDING CERTIFICATE APPLICATION  
ELEVATIONS & SECTIONS

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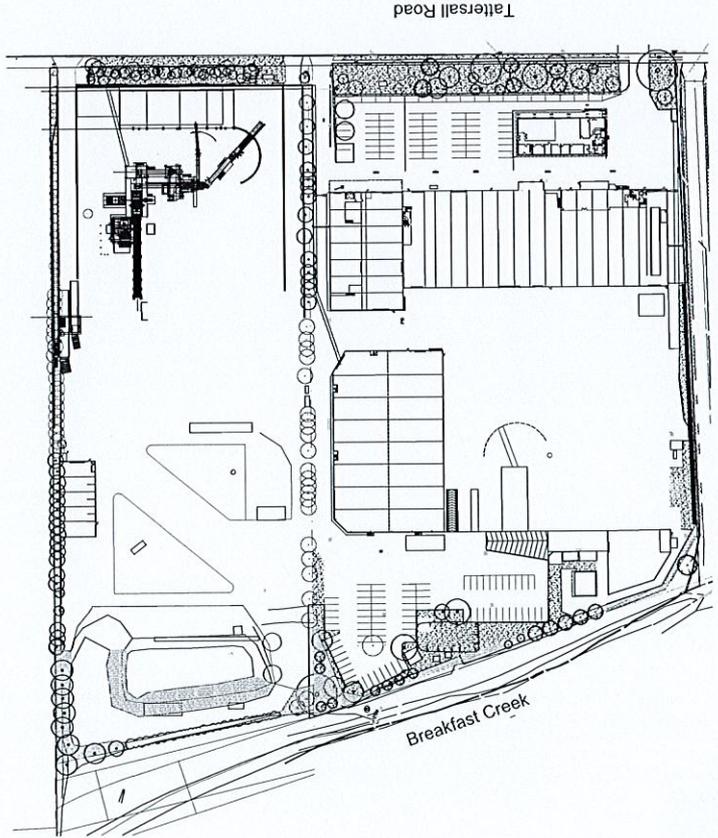
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CHECKED: J.ZAPPA  
SCALE: AS SHOWN

PROJECT NO: 14144  
JOB NO: DA  
DATE: 10/01/14



# PROPOSED ALTERATIONS TO EXISTING RECYCLING CENTRE 23-43 & 45 TATTERSALL RD, KINGS PARK LANDSCAPE

DRAWINGS	DWG NO.	DRAWING TITLE	SCALE
	000	COVERSHEET	N/A
	101	LANDSCAPE MASTERPLAN	1:500
	401	LANDSCAPE PLAN	1:250
	402	LANDSCAPE PLAN	1:250
	403	LANDSCAPE PLAN	1:250
	404	LANDSCAPE PLAN	1:250
	501	LANDSCAPE DETAILS	AS SHOWN



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REV	DATE	DESCRIPTION
1	15.08.2017	Final Design
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99	15.08.2017	Final Design
100	15.08.2017	Final Design

**LEGEND**

- I LCC Recommendations
- H Revised Criteria
- G Revised for the Services
- F Revised for the Services
- E Revised Planning
- D Revised for the Services
- C Construction conditions
- B General Reservations
- A Proposed Reservations
- Note: Refer to the Schedule

Key Plan:



Client:  
Sell and Parker Pty Ltd

Project:  
Proposed Alterations to  
Existing Recycling Center  
23 & 45 Tattersall Rd, Kings Park

**SITE IMAGE**  
Landscape Architects  
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Sydney NSW 2018  
Australia  
Tel: (61 2) 9693 2677  
Fax: (61 2) 9693 2677  
www.siteimage.com.au  
Site Image Pty Ltd  
ABN 42 742 282

**CONSTRUCTION CERTIFICATE**  
Drawing Name:  
Coversheet

Scale:  
Job Number:  
Drawing Number:  
Sheet:  
SS15-3178  
000 1

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Drawn	Checked	Date
JL	NM	22.03.2017
SM	NM	13.02.2017
SM	NM	13.02.2017
SM	NM	31.01.2017
JL	NM	18.12.2016
JL	NM	18.12.2016
SM	NM	04.10.2016
SM	NM	17.02.2016
JW	NM	17.02.2016
JW	NM	17.02.2016

- J LEC Amendments
- A Approved for construction
- C Approved for construction
- H Revised for the services
- I Updated landscaping
- E Updated landscaping
- D Construction certificate
- B General Remarks
- A For Comment
- None Revision Description

**LEGEND**

- Site Boundary
- Existing vegetation to be retained, with additional landscape vegetation
- Turf
- Existing tree to be removed
- Existing tree to be retained
- Proposed tree planting



Client: Sell and Parker Pty Ltd

Project: Proposed Alterations to Existing Recycling Center  
23 & 45 Tattersall Rd, Kings Park

**SITE IMAGE**

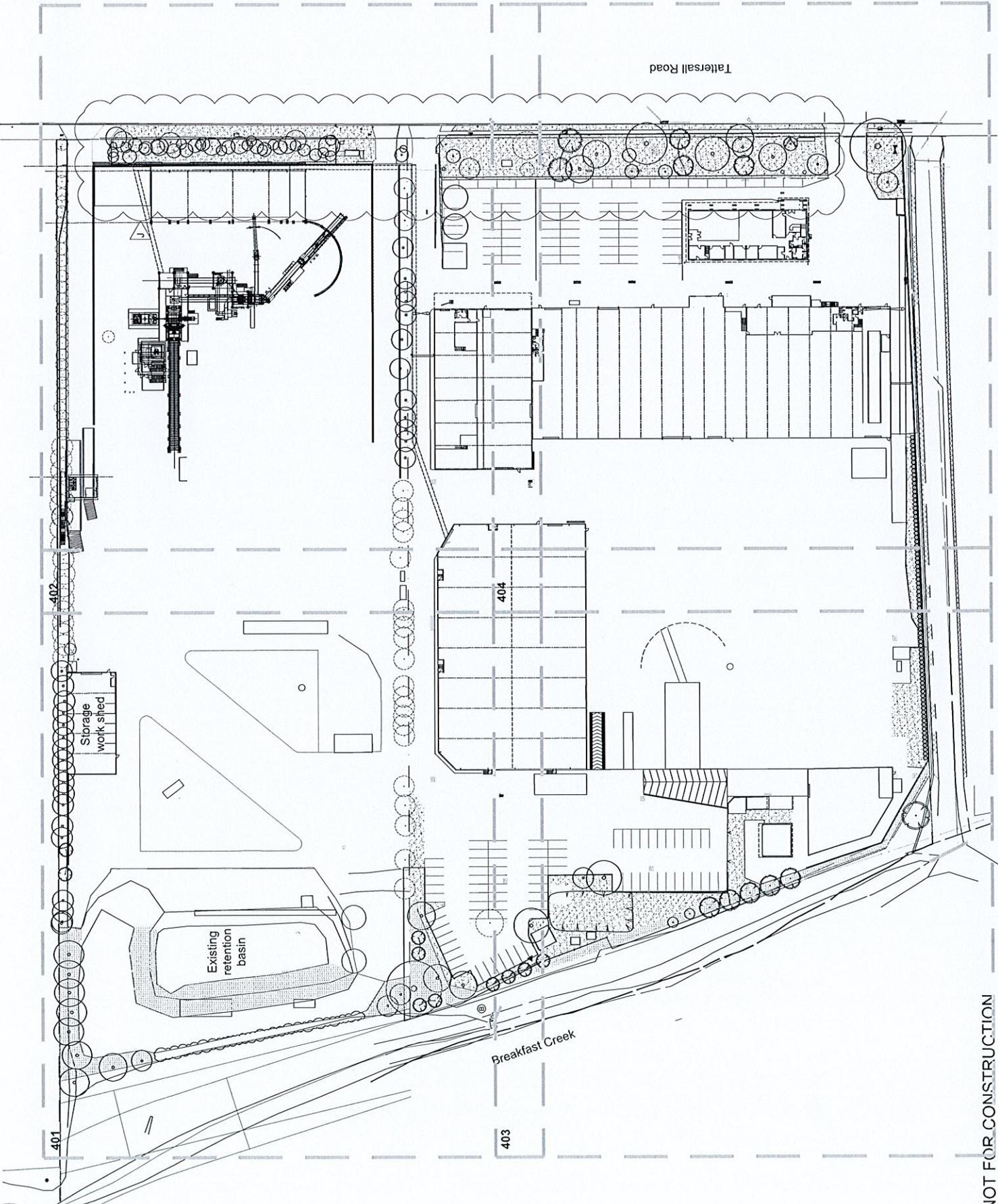
Level 1, 2 & 3 Project Office  
Level 4, 5 & 6 Project Office  
Australia  
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Fax: (61 7) 8332 0001  
www.siteimage.com.au  
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**CONSTRUCTION CERTIFICATE**

**Landscape Masterplan**

Scale: 1:500 @ A1  
Job Number: SS-15-3178  
Drawing Number: 101 J



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## **APPENDIX E MOD 2**

# Modification of Development Consent

## Section 96(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate for the Minister for Planning, under delegation executed on 11 October 2017, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions outlined in Schedule 2.



Chris Ritchie  
**Director**  
**Industry Assessments**

Sydney

26 FEBRUARY

2018

File: EF18/663

### SCHEDULE 1

<b>Application No:</b>	SSD 5041
<b>Applicant:</b>	Sell and Parker Pty Ltd
<b>Consent Authority:</b>	Minister for Planning
<b>Development:</b>	Increasing the processing capacity of the existing metal recycling facility, including reconfiguration and expansion of the facility into the adjoining site at 23-43 Tattersall Road, Kings Park.
<b>Date of Original Consent:</b>	12 November 2015
<b>Modification:</b>	SSD 5041 MOD 2 – minor amendments to the western acoustic wall, entry weighbridge arrangements and alterations and additions to existing buildings and structures.

## SCHEDULE 2

This consent is modified as follows:

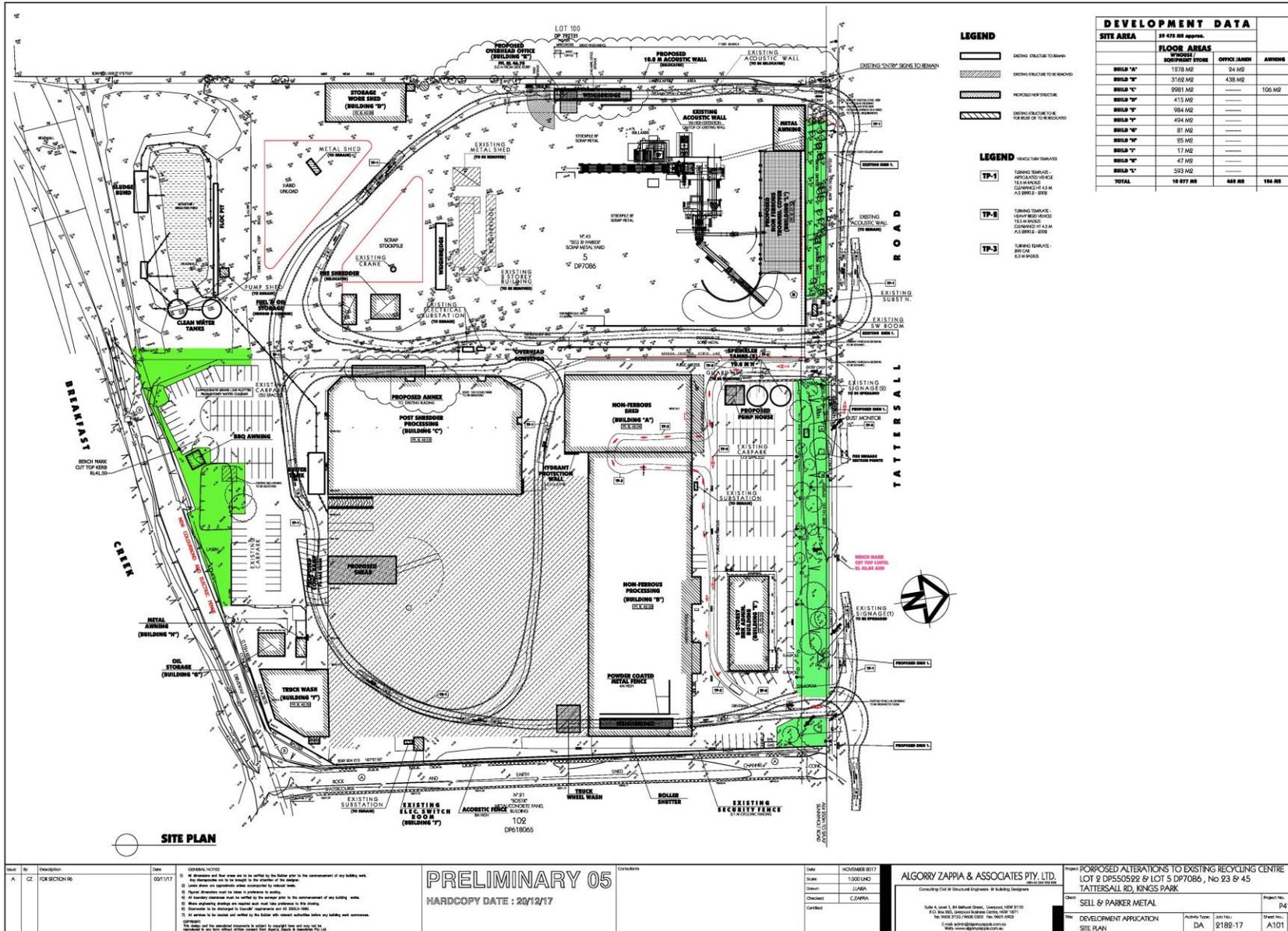
### In Schedule 2

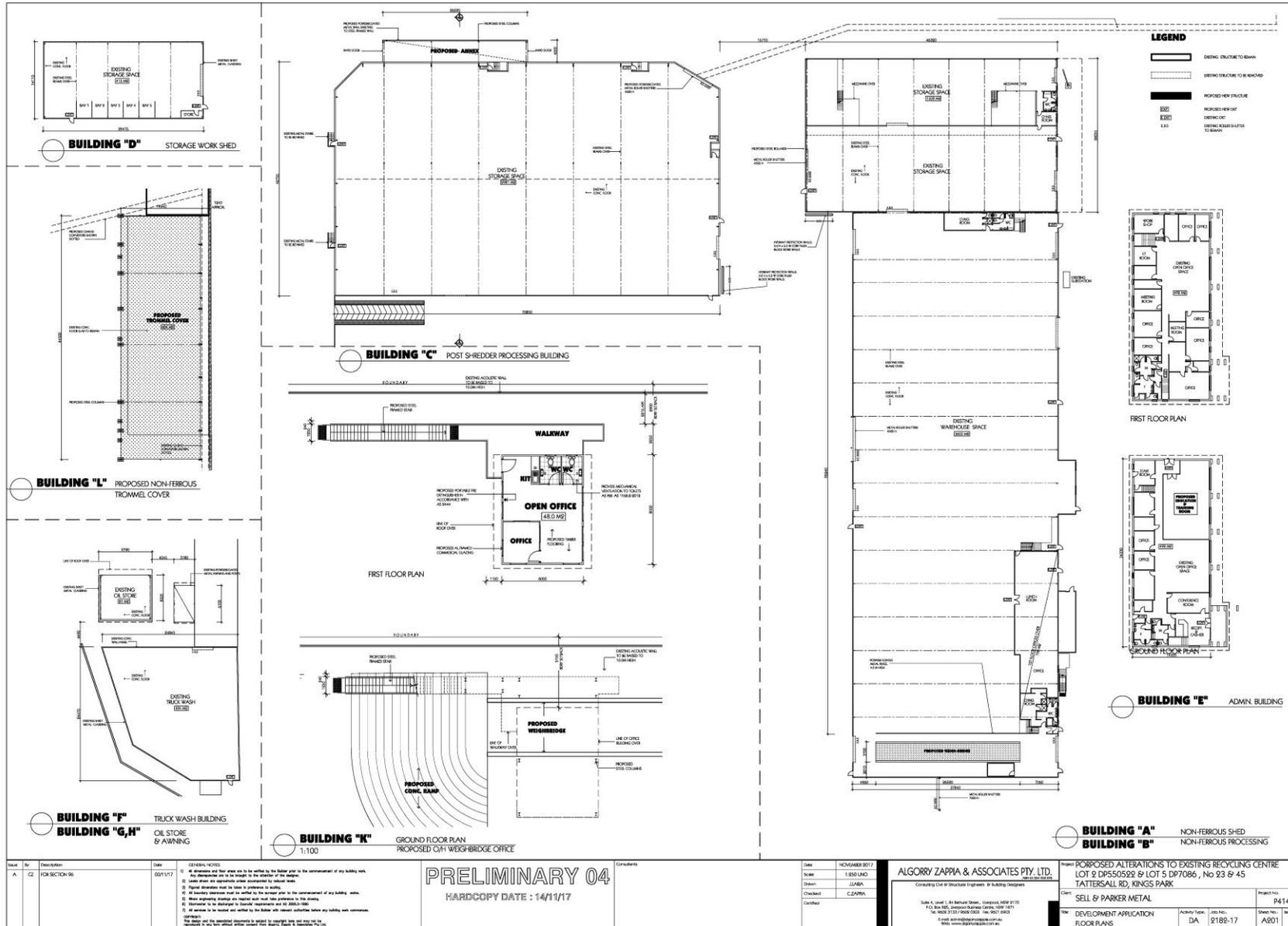
1. Delete Condition A2 and replace with the following:
  - A2. The Applicant shall carry out the Development in accordance with the:
    - (a) EIS prepared by ERM dated July 2014;
    - (b) Response to Submissions report prepared by ERM dated 7 January 2015;
    - (c) Supplementary Response to Submissions prepared by Mecone dated 30 June 2015;
    - (d) Supplementary Response to Submissions prepared by Sell and Parker Pty Ltd dated 3 September 2015;
    - (e) Site layout plans and drawings (See Appendix A);
    - (f) Management and Mitigation Measures (see Appendix B);
    - (g) Modification Application SSD 5041 MOD 1 and accompanying document titled *Statement of Environmental Effects 23-43 and 45 Tattersall Road, Kings Park* dated August 2016 prepared by Higgins Planning, additional information from Higgins Planning dated 22 December 2016 and further additional information from Allens and Linklaters dated 9 February 2017; and
    - (h) Modification Application SSD 5041 MOD 2 and accompanying document titled *Statement of Environmental Effects 23-43 and 45 Tattersall Road, Kings Park* dated December 2017 prepared by Higgins Planning.
2. Insert new Condition B35C immediately after Condition B35B as follows:
  - B35C. Prior to the issue of an occupation certificate for the awning annex adjacent to Building C, the Applicant must ensure that an appropriate sprinkler system has been installed within the awning annex, to the satisfaction of FRNSW.

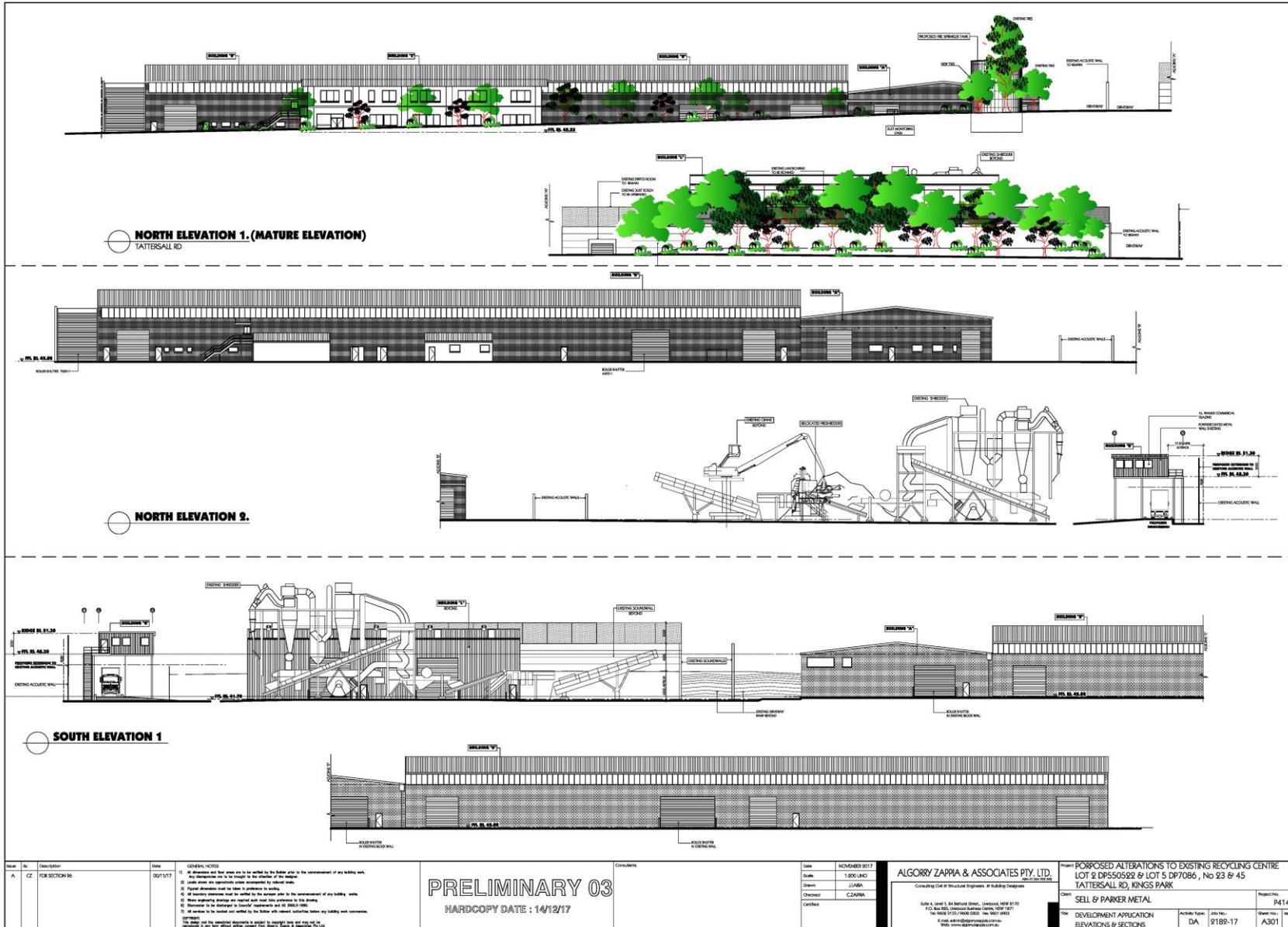
### In the Appendices

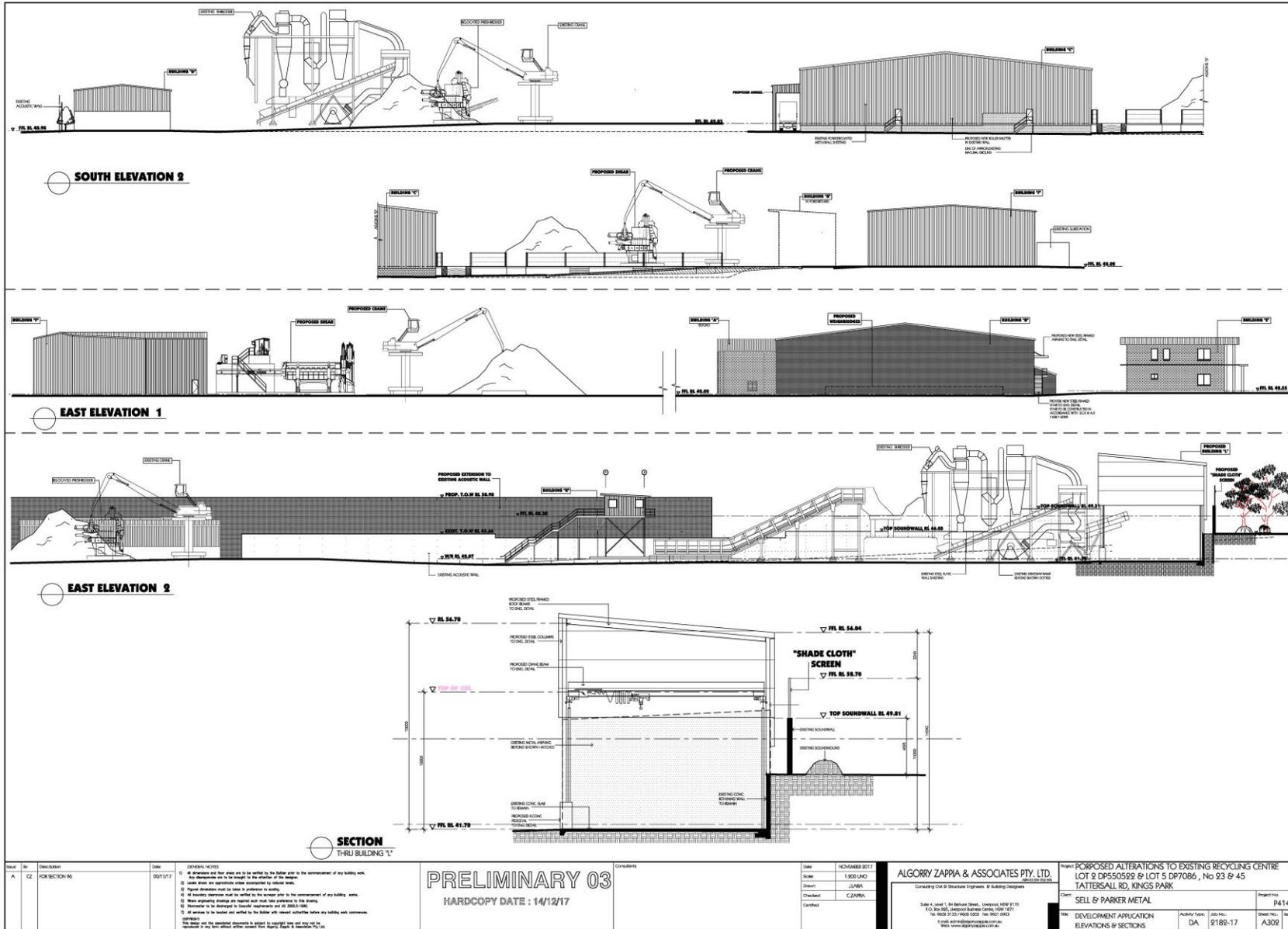
3. Delete Appendix A and replace with the following:

## APPENDIX A: SITE LAYOUT AND PLANS









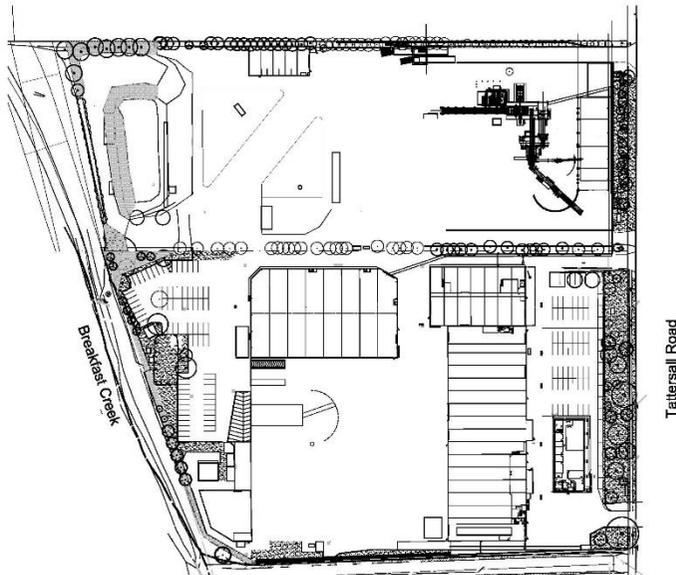


# PROPOSED ALTERATIONS TO EXISTING RECYCLING CENTRE

## 23-43 & 45 TATTERSAL RD, KINGS PARK LANDSCAPE

### DRAWINGS

DWG NO.	DRAWING TITLE	SCALE
000	COVERSHEET	N/A
101	LANDSCAPE MASTERPLAN	1:500
401	LANDSCAPE PLAN	1:250
402	LANDSCAPE PLAN	1:250
403	LANDSCAPE PLAN	1:250
404	LANDSCAPE PLAN	1:250
501	LANDSCAPE DETAILS	AS SHOWN



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A1

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Issue	Revised/Comment	Drawn	Check	Date
I	LEC Amendments	JD	NM	22.08.2017
II	Revised masterplan	JD	NM	12.08.2017
O	Revised for Fire Services	JW	NM	13.07.2017
F	Revised landscape plan	JD	NM	10.11.2016
E	Revised Parking	JD	NM	16.10.2016
D	Construction certificate	SH	NM	06.10.2016
C	Construction certificate	JD	NM	22.08.2016
B	General Refinement	JW	NM	17.02.2016
A	For Comment	JW	NM	12.02.2016

### LEGEND

Key Plan:



Client:  
Sell and Parker Pty Ltd

Project:  
Proposed Alterations to  
Existing Recycling Center  
23 & 45 Tattersal Rd, Kings Park

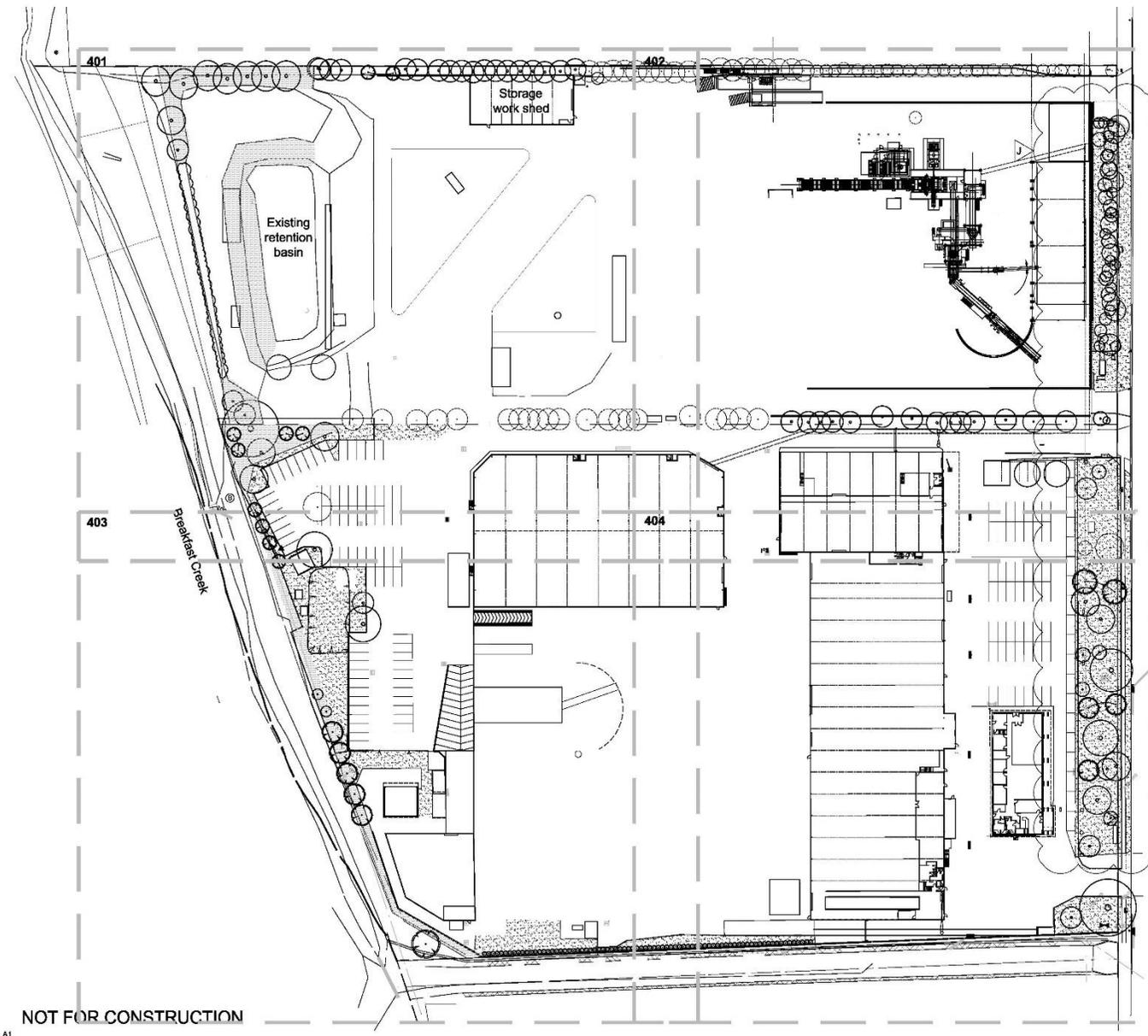
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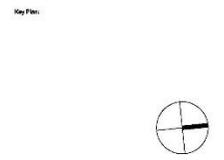
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Job Number: SS15-3178  
Drawing Number: 000  
Issue: 1



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Issue	Revised	Consultant	Drawn	Check	Date
J	NSW	22.08.2017			
I	NSW	16.03.2017			
H	NSW	15.07.2017			
O	NSW	21.01.2017			
F	NSW	10.11.2016			
E	NSW	18.10.2016			
D	NSW	06.10.2016			
C	NSW	25.08.2016			
B	NSW	11.05.2016			
A	NSW	13.02.2016			

- LEGEND**
- Site Boundary
  - Existing vegetation to be retained, with additional landscape vegetation
  - Turf
  - Existing area to be removed
  - Existing tree to be retained
  - Proposed tree planting



Client:  
**Sell and Parker Pty Ltd**

Project:  
**Proposed Alterations to Existing Recycling Center 23 & 45 Tattersall Rd, Kings Park**

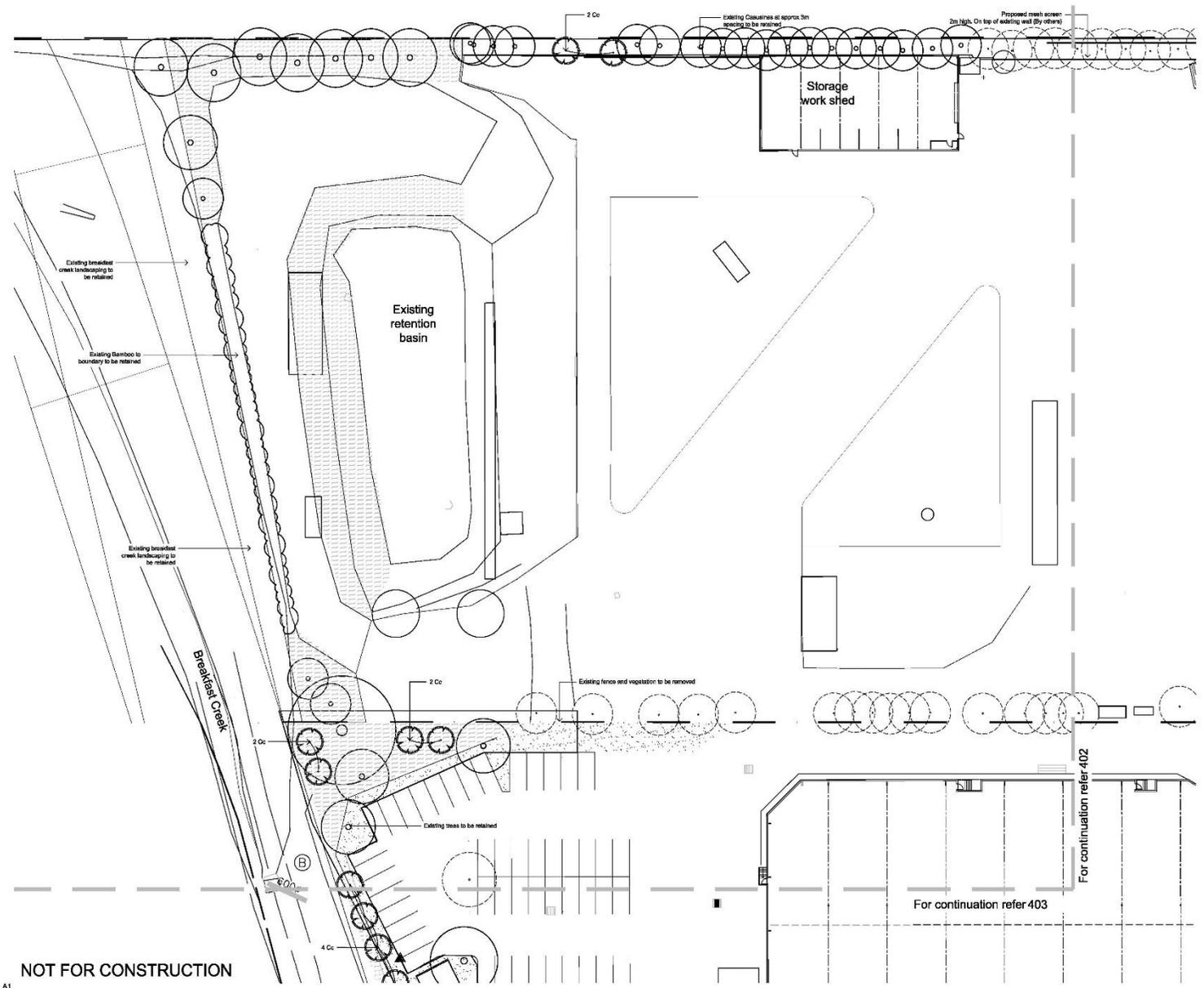
**SITE IMAGE**  
 Level 1, 3 & 5 Russell Street  
 Sydney NSW 2000  
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 Tel: (61 2) 8322 9922  
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 Landscape Architects

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Drawing Name:  
**Landscape Masterplan**

Scale: 1:500 @ A1  
 Job Number: **SS15-3178**  
 Drawing Number: **101** J

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Issue	Revised/Consultation	Drawn	Check	Date
O	Revised concept	JD	NM	15.03.2017
F	Revised landscape plan	JD	NM	15.11.2016
E	Revised planting	JD	NM	15.10.2016
D	Construction certificate	SM	NM	05.10.2016
C	Construction certificate	JD	NM	25.09.2016
B	General Review	JW	NM	11.05.2016
A	For Comment	JW	NM	12.02.2016

- LEGEND**
- Site Boundary
  - Existing vegetation to be retained, with additional landscape vegetation
  - Turf
  - Existing trees to be retained
  - Existing trees to be retained
  - Proposed tree planting

Key Plan:



Client:  
Sell and Parker Pty Ltd

Project:  
Proposed Alterations to Existing Recycling Center  
23 & 45 Tattersall Rd, Kings Park

**SITE IMAGE**

Level 1, 3-5 Russell Street  
Melbourne (VIC) 3000  
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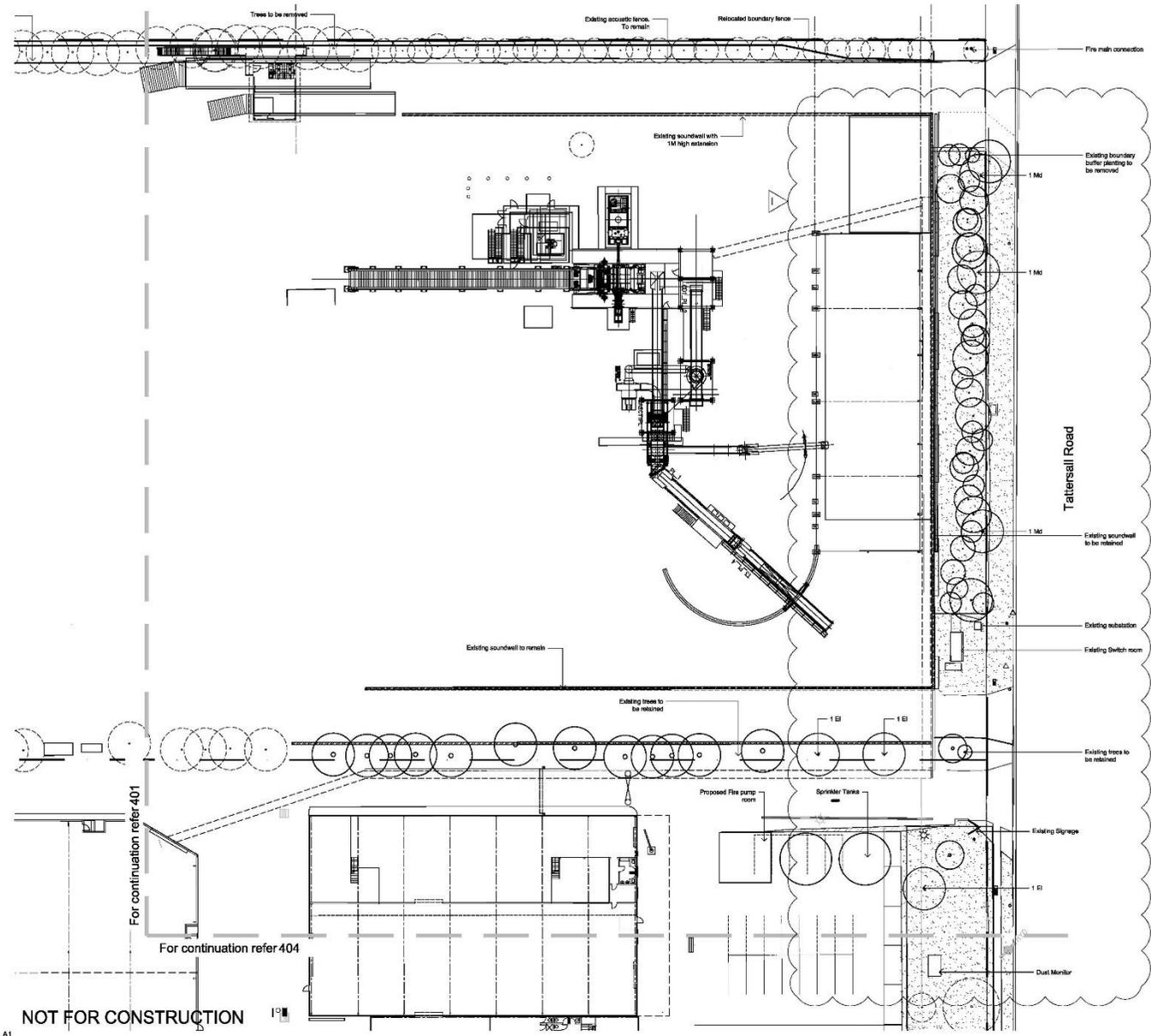
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Landscape Architects

**CONSTRUCTION CERTIFICATE**

Drawing Name:  
Landscape Plan

Scale: 1:250 @ A1  
Job Number: SS15-3178  
Drawing Number: 401 G



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Issue	Revision	Description	Drawn	Checked	Date
1	SI	SI	SI	SI	22.08.2017
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7	SI	SI	SI	SI	22.08.2016
8	SI	SI	SI	SI	17.05.2016
9	SI	SI	SI	SI	13.02.2016

**LEGEND**

- Site Boundary
- Existing vegetation to be retained with additional proposed vegetation
- Turf
- Existing trees to be removed
- Existing trees to be retained
- Proposed trees planting

Key Plan:



Client:  
**Sell and Parker Pty Ltd**

Project:  
**Proposed Alterations to Existing Recycling Center 23 & 45 Tattersall Rd, Kings Park**

**SITE IMAGE**

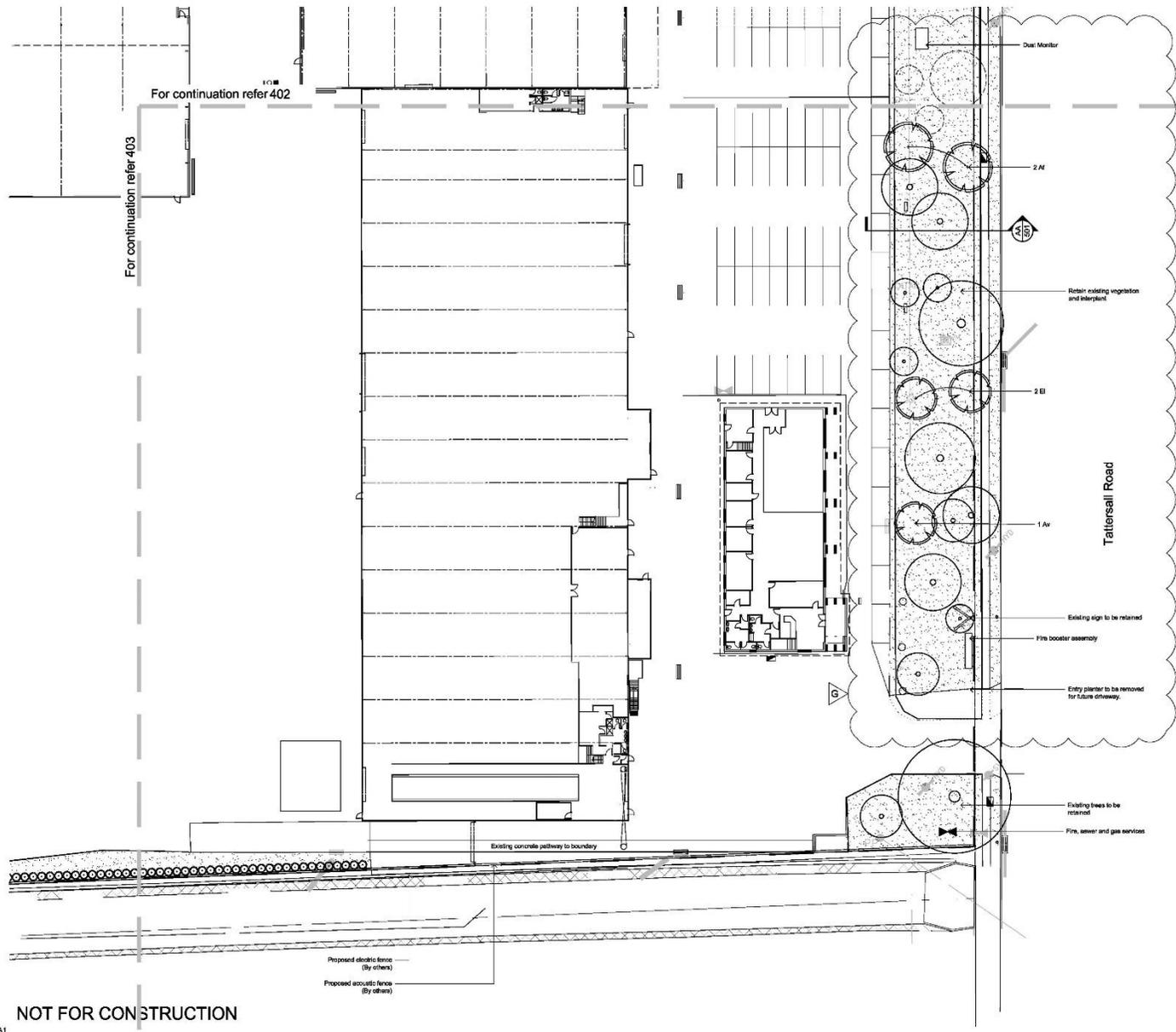
Level 1, 3 & 4 Bupa Rd  
Melbourne VIC 3206  
Australia  
Tel: (01 21 6322 8622  
Fax: (01 21 6322 2277  
www.siteimage.com.au  
Site Image (SI) Pty Ltd  
ABN 41 691 267 267

Landscape Architects

**CONSTRUCTION CERTIFICATE**

Drawing Name:  
**Landscape Plan**

Scale: 1:250 @ A1  
Job Number: **SS15-3178**  
Drawing Number: **402**



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The contractor shall check and verify all work on site including with it by other workers concerning the landscape installation. Any discrepancies to be reported to the Project Manager or Landscape Architect prior to commencing work. Do not take the drawing. Any unlabelled dimensions not shown shall be referred to the Landscape Architect for confirmation.

Issue	Revised/Consultation	Drawn	Check	Date
G	LCI Amendments	JD	NM	22.03.2017
F	Material Investigation	JD	NM	10.11.2016
E	Revised Paving	JD	NM	16.10.2016
D	Construction Outline	SM	NM	06.10.2016
C	Construction Outline	JD	NM	22.03.2016
B	General Referrals	JAF	NM	17.02.2016
A	For Comment	JW	NM	12.02.2016

- LEGEND**
- Site Boundary
  - Existing vegetation to be retained with additional landscape vegetation
  - Turf
  - Existing trees to be retained
  - Existing trees to be retained
  - Proposed tree planting

Key Plan:



Client:  
**Sell and Parker Pty Ltd**

Project:  
**Proposed Alterations to Existing Recycling Center 23 & 45 Tattersall Rd, Kings Park**

**SITE IMAGE**

Level 1, 3-5 Buzphal Street  
Mullumbidgee NSW 2586  
Australia

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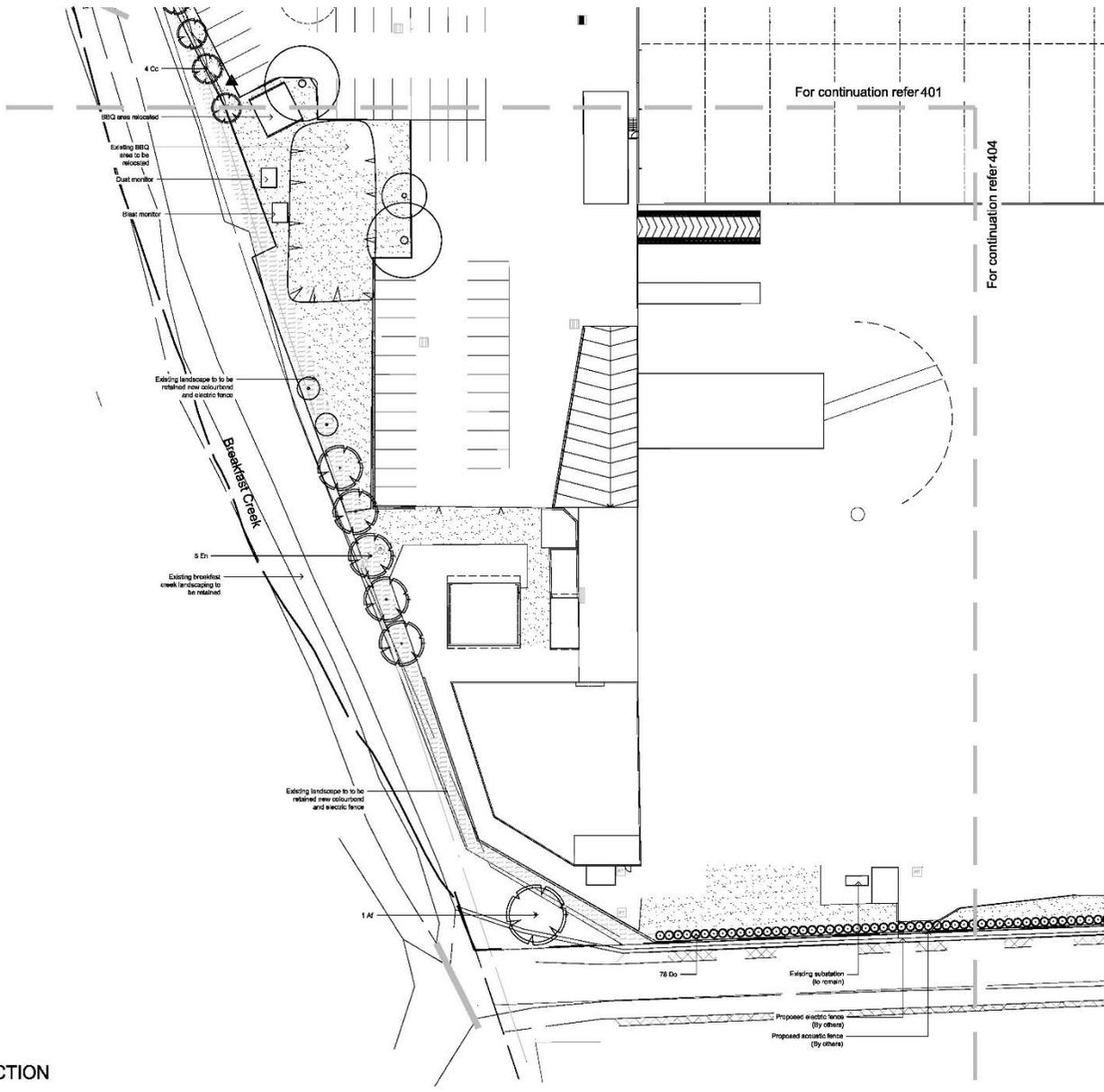
Landscape Architects

**CONSTRUCTION CERTIFICATE**

Drawing Name:  
**Landscape Plan**

Scale: 1:250 @ A1  
Job Number: SS15-3178  
Drawing Number: 404 G

NOT FOR CONSTRUCTION  
A1



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The contractor shall check and verify all work in the field including with it by client before commencing the landscape installation. Any discrepancies to be reported to the Project Manager or Landscape Architect prior to commencing work. Do not take the drawing. Any unlabelled dimensions not shown shall be referred to the Landscape Architect for confirmation.

Issue	Revised Construction	Drawn	Check	Date
O	Revised copy	JJ	NM	15.03.2017
F	Revised landscape	JJ	NM	15.11.2016
E	Revised Paving	JJ	NM	15.10.2016
D	Construction certificate	SM	NM	05.10.2016
C	Construction certificate	JJ	NM	25.09.2016
B	General Referrals	JJ	NM	17.05.2016
A	For Comment	JJ	NM	12.02.2016

- LEGEND**
- Site Boundary
  - Existing vegetation to be retained with additional landscape vegetation
  - Turf
  - Existing area to be retained
  - Existing line to be retained
  - Proposed tree planting

Key Plan:



Client:  
**Sell and Parker Pty Ltd**

Project:  
**Proposed Alterations to Existing Recycling Center 23 & 45 Tattersall Rd, Kings Park**

**SITE IMAGE**

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www.siteimage.com.au  
Site Image (SII) Pty Ltd  
ABN 61 671 367 345

Landscape Architects

**CONSTRUCTION CERTIFICATE**

Drawing Name:  
**Landscape Plan**

Scale: 1:250 @ A1  
Job Number: **SS15-3178**  
Drawing Number: **403 G**

**NOT FOR CONSTRUCTION**  
A1



**APPENDIX F MOD 3**

# Modification of Development Consent

## Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate for the Minister for Planning, under delegation executed on 11 October 2017, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions outlined in Schedule 2.



Chris Ritchie  
Director  
Industry Assessments

Sydney 29 MAY

2019

File: EF19/718

### SCHEDULE 1

<b>Application No:</b>	SSD 5041
<b>Applicant:</b>	Sell and Parker Pty Ltd
<b>Consent Authority:</b>	Minister for Planning
<b>Development:</b>	Increasing the processing capacity of the existing metal recycling facility, including reconfiguration and expansion of the facility into the adjoining site at 23-43 Tattersall Road, Kings Park.
<b>Date of Original Consent:</b>	12 November 2015
<b>Modification:</b>	SSD 5041 MOD 3 – changes to plant including conversion of an existing shear, realignment of the overhead conveyor and relocation of the pre-shedder, increase in operational hours for cleaning and maintenance, and administrative changes for the discharge of wastewater.

## SCHEDULE 2

This consent is modified as follows:

1. Insert the following definition in alphabetical order:

<b>Modification Assessments</b>	<p>The document assessing the environmental impact of a proposed modification of this consent and any other information submitted with the following modification applications made under the EP&amp;A Act:</p> <ol style="list-style-type: none"> <li>(a) Modification Application SSD 5041 MOD 1 and accompanying document titled <i>Statement of Environmental Effects 23-43 and 45 Tattersall Road, Kings Park</i> dated August 2016 prepared by Higgins Planning, additional information from Higgins Planning dated 22 December 2016 and further additional information from Allens and Linklaters dated 9 February 2017; and</li> <li>(b) Modification Application SSD 5041 MOD 2 and accompanying document titled <i>Statement of Environmental Effects 23-43 and 45 Tattersall Road, Kings Park</i> dated December 2017 prepared by Higgins Planning.</li> <li>(c) Modification Application SSD 5041 MOD 3 and accompanying document titled <i>Section 4.55(1A) Application (SSD 5041 – Mod 3), 23-43 and 45 Tattersall Road, Kings Park</i> dated 11 February 2019 and Response to Submissions dated 4 April 2019 prepared by Arcadis Australia Pacific Pty Ltd</li> </ol>
---------------------------------	--

### In Schedule 2

2. Delete Condition A2 and replace with the following:

- A2. The Applicant shall carry out the Development in accordance with the:
- (a) EIS prepared by ERM dated July 2014;
  - (b) Response to Submissions report prepared by ERM dated 7 January 2015;
  - (c) Supplementary Response to Submissions prepared by Mecone dated 30 June 2015;
  - (d) Supplementary Response to Submissions prepared by Sell and Parker Pty Ltd dated 3 September 2015;
  - (e) Modification Assessments
  - (f) Site layout plans and drawings (See Appendix A);
  - (g) Management and Mitigation Measures (see Appendix B);

3. Delete condition B6(e).

4. Delete condition B7(e)

5. Delete Condition B26 and replace with the following:

- B26. The Applicant shall ensure that noise generated by the construction and/or operation of the Development does not exceed the noise criteria in Table 2.

**Table 2: Noise criteria (dB(A))**

Location	Noise criteria (dB(A))				
	Day	Evening	Night	Morning Shoulder	
	L <sub>Aeq</sub> (15 minute)	L <sub>Aeq</sub> (1 minute)			
<b>189 Sunnyholt Road</b>	46	46	38	46	58

6. Delete Condition B31 and replace with the following:

B31. The Applicant shall ensure that noise generated by the construction and/or operation of the Development does not exceed the noise criteria in Table 3.

**Table 3: Hours of Construction and Operation**

Activity		Day	Hours
Construction		Monday – Friday	7 am to 6 pm
		Saturday	8 am to 1 pm
		Sunday & Public Holidays	Nil
Operation	Oxy-acetylene torch cutting	Monday – Saturday	9 am to 3 pm
		Sunday & Public Holidays	Nil
	Cleaning and maintenance	Monday – Saturday	9pm to 6 am
		Sunday & Public Holidays	24 hours
	All other activities	Monday – Saturday	6 am to 9 pm
		Sunday & Public Holidays	Nil

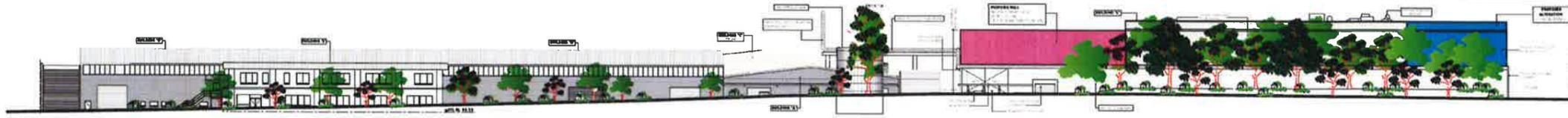
7. Insert new Condition after B35C as follows:

B35D. Prior to the commencement of operation of the relocated pre-shredder the Applicant shall submit a Final Stockpile Plan to the satisfaction of the Secretary and FRNSW.

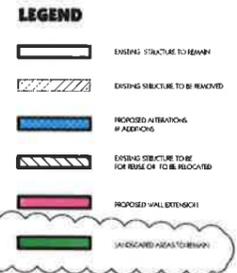
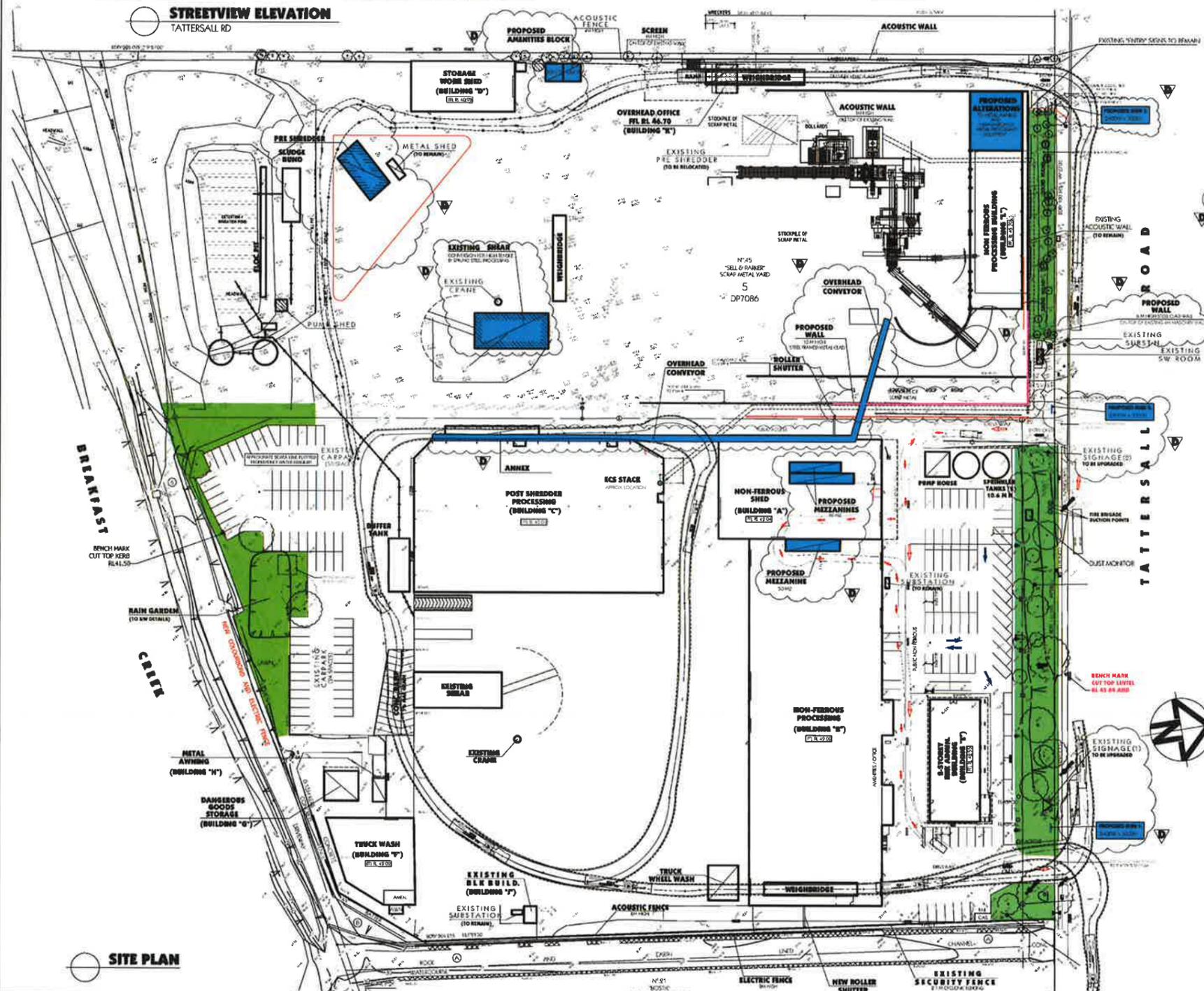
**In the Appendices**

8. Add new Site Plan to Appendix A.

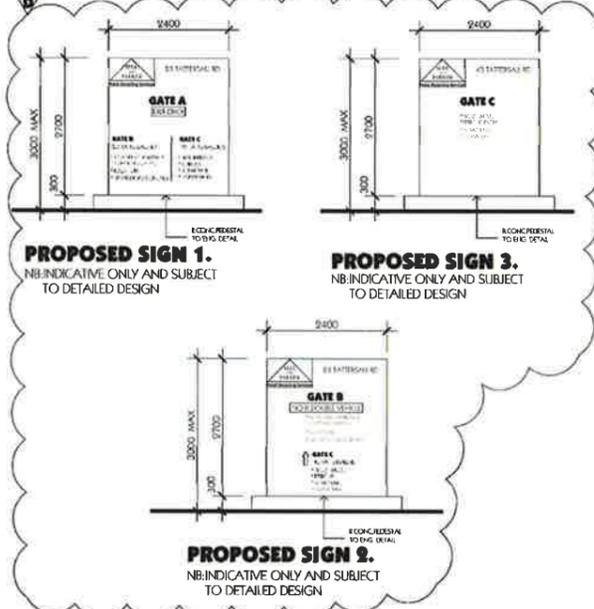
## APPENDIX A: SITE LAYOUT AND PLANS



**STREETVIEW ELEVATION**  
TATTERSALL RD



DEVELOPMENT DATA			
SITE AREA	39 478 M2 approx.		
	FLOOR AREAS	OFFICE / AMEN	ASPHALT
BUILD "A"	1878 M2	124 M2	
BUILD "B"	3162 M2	488 M2	
BUILD "C"	9981 M2		106 M2
BUILD "D"	415 M2		
BUILD "E"	984 M2		
BUILD "F"	494 M2		
BUILD "G"	81 M2		
BUILD "H"	25 M2		
BUILD "I"	17 M2		
BUILD "J"	47 M2		
BUILD "K"	593 M2		
<b>TOTAL</b>	<b>10 677 M2</b>	<b>688 M2</b>	<b>106 M2</b>



REV	BY	DESCRIPTION	DATE
A	CZ	SECTION 96	01/09/18
B	CZ	AMENDATION APPLICATION 4 55	03/10/18
C	CZ	MODIFICATION APPLICATION 4 55	01/01/19
D	CZ	MODIFICATION APPLICATION 4 55	09/01/19

**GENERAL NOTES**

- All dimensions and floor areas are to be verified by the builder prior to the commencement of any building work. Any discrepancies are to be brought to the attention of the engineer.
- Levels shown are approximate unless accompanied by reduced levels.
- Figure dimensions must be taken in preference to walls.
- All boundary alterations must be verified by the acceptor prior to the commencement of any building work.
- When engineering drawings are required, such must take preference to this drawing.
- Whenever to be designed to comply with requirements of AS 2002-1-1992.
- All services to be located and verified by the builder with relevant authorities before any building work commences.

**CONTRACTOR:**  
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**ALGRORY ZAPPIA & ASSOCIATES PTY. LTD.**  
Consulting Civil & Structural Engineers - Building Practitioners

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P.O. Box 93, Liverpool Business Centre, NSW 2157  
Tel: 9609 3150 / 9609 0305 Fax: 9601 4993  
E-mail: admin@algroryzappia.com.au  
Web: www.algroryzappia.com.au

PROJECT: PROPOSED ALTERATIONS TO EXISTING RECYCLING CENTRE  
LOT 2 DP550592 & LOT 5 DP7086, No 23 & 45  
TATTERSALL RD, KINGS PARK

CLIENT: SELL & PARKER METAL

DATE: DA 2182-17

PROJECT NO: P4144

TYPE: DEVELOPMENT APPLICATION

SCALE: A101

DATE: 17/01/20

L17 SHEET 5 OF 5

## **APPENDIX G EPA LICENCE**

# Environment Protection Licence



Licence - 11555

## Licence Details

Number:	11555
Anniversary Date:	19-April

## Licensee

SELL &amp; PARKER PTY LTD

PO BOX 755

MATRAVILLE NSW 2036

## Premises

SELL &amp; PARKER PTY LTD

23-43 AND 45 TATTERSALL ROAD

KINGS PARK NSW 2148

## Scheduled Activity

Metallurgical activities

## Fee Based Activity

## Scale

Scrap metal processing

> 100000-500000 T annual  
production capacity

## Region

Waste &amp; Resource Recovery

59-61 Goulburn Street

SYDNEY NSW 2000

Phone: (02) 9995 5000

Fax: (02) 9995 5999

PO Box A290 SYDNEY SOUTH

NSW 1232

# Environment Protection Licence

Licence - 11555



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# Environment Protection Licence



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# Environment Protection Licence

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Licence - 11555



## Information about this licence

### Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

### Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

### Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

### Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

### Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

# Environment Protection Licence

Licence - 11555



The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

## Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

## Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

## This licence is issued to:

<b>SELL &amp; PARKER PTY LTD</b>
<b>PO BOX 755</b>
<b>MATRAVILLE NSW 2036</b>

subject to the conditions which follow.

# Environment Protection Licence

Licence - 11555



## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Metallurgical activities	Scrap metal processing	> 100000 - 500000 T annual production capacity

### A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
SELL & PARKER PTY LTD
23-43 AND 45 TATTERSALL ROAD
KINGS PARK
NSW 2148
LOT 5 DP 7086, LOT 2 DP 550522

### A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

## 2 Discharges to Air and Water and Applications to Land

### P1 Location of monitoring/discharge points and areas

# Environment Protection Licence

Licence - 11555



P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

### Air

EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
3	Air discharge and monitoring	Air discharge and monitoring	Hammermill Stack

P1.2 The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.

### Noise

EPA identification no.	Type of monitoring point	Location description
1	Noise monitoring	189 Sunnyholt Road, BLACKTOWN NSW 2148 (Lot 23, DP 1063300)
11	Air blast overpressure monitoring	23-43 & 45 Tattersall Road, KINGS PARK NSW 2148
12	Meteorological Station	23-43 & 45 Tattersall Road, KINGS PARK NSW 2148

## 3 Limit Conditions

### L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

### L2 Concentration limits

L2.1 For each monitoring/discharge point or utilisation area specified in the table below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

L2.2 Air Concentration Limits

#### POINT 3

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	1	Dry 273K, 101.3kPa		1hr or the min. sampling period specified

# Environment Protection Licence



Licence - 11555

Solid Particles	milligrams per cubic metre	20	Dry, 273K, 101.3kPa	1hr or the min. sampling period specified
-----------------	----------------------------	----	---------------------	---

## L3 Waste

L3.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	Scrap metal	N/A	Metallurgical Activities	As outlined in L3.2, L3.3, L3.4 & L3.5 below

L3.2 A maximum of 90,000 tonnes of Scrap Metal is permitted to be received at the Premises per year on a weekly pro-rata basis until:

- The Hammermill Emission Collection System has been commissioned in accordance with Condition B20 of development consent No. SSD 5041 and approved by the Secretary of the NSW Department of Planning and Environment (or nominee) for operation; and
- A Final Occupation Certificate has been issued for the development approved by development consent No. SSD 5041.

L3.3 A maximum of 90,000 tonnes of Scrap Metal is permitted to be processed at the Premises per year on a weekly pro-rata basis until:

- The Hammermill Emission Collection System has been commissioned in accordance with Condition B20 of development consent No. SSD 5041 and approved by the Secretary of the NSW Department of Planning and Environment (or nominee) for operation; and
- A Final Occupation Certificate has been issued for the development approved by development consent No. SSD 5041.

L3.4 Once the Hammermill Emission Collection System has been commissioned and a Final Occupation Certificate issued in accordance with conditions L3.2 and L3.3, a maximum of 350,000 tonnes of scrap metal is permitted to be *received* at the Premises per year.

L3.5 Once the Hammermill Emission Collection System has been commissioned and a Final Occupation Certificate issued in accordance with conditions L3.2 and L3.3, a maximum of 350,000 tonnes of scrap metal is permitted to be *processed* at the Premises per year.

L3.6 The Licensee must record the amount of waste (in tonnes) received at the premises on a daily basis.

# Environment Protection Licence



Licence - 11555

## L4 Noise limits

L4.1 Noise generated at the premises that is measured at each noise monitoring point established under this licence must not exceed the noise levels specified in Column 4 of the table below for that point during the corresponding time periods specified in Column 1 when measured using the corresponding measurement parameters listed in Column 2.

### POINT 1

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	LAeq (15 minute)	-	46
Evening	LAeq (15 minute)	-	46
Morning-Shoulder	LAeq (15 minute)	-	46
Morning-Shoulder	Lmax OR LA1,1min	-	58

L4.2 For the purpose of condition L4.1;

- Day is defined as the period from 7am to 6pm Monday to Saturday.
- Evening is defined as the period from 6pm to 10pm Monday to Saturday.
- Morning Shoulder is defined as the period 6am to 7am Monday to Saturday.

L4.3 The noise limits set out in condition L4.1 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 at 10 metres above ground level; or
- c) Stability category G temperature inversion conditions.

L4.4 For the purposes of condition L4.3:

- a) Data recorded by a meteorological station installed on the premises 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 Part E4 of Appendix E to the NSW Industrial Noise Policy.

L4.5 To determine compliance:

- a) With the LAeq(15 minute) noise limits in condition L4.1, the noise measurement equipment at monitoring point 1 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 LA1,1min noise limits in condition L4.1, the noise measurement equipment at the monitoring

# Environment Protection Licence

Licence - 11555



point 1 must be located within 1 metre of a dwelling façade.

c) With the noise limits in condition L4.1, the noise measurement equipment at the noise monitoring point/s specified in this licence 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 L4.5(a) or L4.5(b).

L4.6 A non-compliance of condition L4.1 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 L4.5(a) and L4.5(b); and/or
- at a point other than the most affected point at a location.

L4.7 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.

Note: Noise is 'sound pressure levels' for the purposes of conditions L4.1 to L4.7.

Note: NSW Industrial Noise Policy is the document entitled "New South Wales Industrial Noise Policy published by the Environment Protection Authority in January 2000."

## L5 Hours of operation

L5.1 The hours of operation for oxy-acetylene torch cutting must be within the following hours:

Oxy-acetylene torch cutting	Hours of operation
Monday to Saturday	9:00am to 3:00pm
Sunday and Public Holidays	Nil

Note: The EPA will not permit any changes to hours of oxy-acetylene torch cutting unless the Secretary of the NSW Department of Planning and Environment (or nominee) agrees in writing to change the hours of operation specified in development consent No. SSD 5041.

L5.2 The hours of operation for all other activities must be within the following hours:

All other activities	Hours of operation
Monday to Saturday	6:00am - 9:00pm
Sunday and Public Holidays	Nil

L5.3 Condition L5.2 does not apply to the delivery of material outside the hours of operation permitted by condition L5.2, if that delivery is required by police or other authorities for safety reasons. In such circumstances, prior notification must be provided to the EPA and affected residents as soon as possible

# Environment Protection Licence

Licence - 11555



or within a reasonable period in the case of emergency.

## L6 Potentially offensive odour

L6.1 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.

## L7 Other limit conditions

### Airblast Overpressure

L7.1 The airblast overpressure level from explosions on the Premises must not exceed 120dB (Lin Peak) when measured at Monitoring Point 11.

L7.2 The licensee must measure airblast overpressure at the boundary of the premises whilst any activities are being carried out at the premises.

L7.3 The licensee shall undertake all reasonable and feasible measures necessary to prevent explosions from occurring at the premises.

L7.4 The licensee must prepare and implement an Air Blast Overpressure Management Plan. The Plan must include, but not be limited to, a description of all reasonable and feasible measures that will be implemented to achieve the noise limits in condition L7.1 such as:

- All petrol tanks and other dangerous chemical containers removed from scrap metal prior to shredding;
- Any potentially explosive devices including gas cylinders, not entering the shredder; and
- All potentially explosive devices, including gas cylinders must be disposed of in an environmentally satisfactory manner.

## 4 Operating Conditions

### O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

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## O2 Maintenance of plant and equipment

- O2.1 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.

## O3 Dust

- O3.1 All operations and activities occurring at the premises must be carried out in a manner that will minimise emission of dust from the premises.
- O3.2 The licensee must manage stockpiles of scrap metal and processed material to ensure air emissions are minimised.
- O3.3 All areas on the premises must be maintained, at all times, in a condition which effectively minimises the emission of wind-blown or traffic-generated dust.
- O3.4 The licensee must ensure that no material, including sediment or oil, is tracked onto public roads from the premises.
- O3.5 By 30 September 2016, ambient real time PM10 Dust Monitors must be installed and operated in accordance with the information supplied to the EPA in the report by ERM, Waste Metal Recovery, Processing and Recycling Facility 45 and 23-43 Tattersall Road, Kings Park, Blacktown, Air Quality Assessment, Sell & Parker Pty Ltd, September 2015.
- O3.6 The licensee must keep a legible record of when dust generating activities are reduced or ceased as a result of the dust monitoring required by Condition O3.4 including:
- the date and time that dust generating activities were reduced or ceased; and
  - what activities were reduced or ceased.
- These records must be made available to the EPA on request.

## O4 Emergency response

- O4.1 The licensee must develop, implement, maintain and test a Pollution Incident Response Management Plan (PIRMP) in accordance with the requirements under Part 5.7A of the *Protection of the Environment Operations Act 1997* and its regulations.

### Fire Control

- O4.2 There must be no burning or incineration of waste at the premises.
- O4.3 After the Final Occupation Certificate is issued for the development approved by development consent No. SSD 5041, the licensee must ensure that the height of any stockpile of shredder floc does not exceed 4 metres.

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## O5 Processes and management

- O5.1 The licensee must ensure that any waste generated and/or stored at the Premises is assessed and classified in accordance with the EPA's Waste Classification Guidelines as in force from time to time.
- O5.2 The licensee must ensure that waste identified for recycling is stored separately from other waste.
- O5.3 The Licensee must store all chemicals, fuels and oils at the Premises in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or the EPA's *Storing and Handling Liquids: Environment Protection - Participant's Manual 2007*.

## O6 Other operating conditions

- O6.1 By 30 September 2016 the hammermill must be serviced by a emission collection system consisting of a wet scrubber and cyclone or other pollution control equipment capable of achieving equivalent emission control performance. The use of alternate control equipment must be approved in writing by the EPA prior to installation.
- O6.2 (a) Oxy-cutting must be undertaken under wet conditions.  
  
(b) Within 28 days of the commissioning of the 1400 tonne shear or by 31 January 2017, whichever date occurs first, oxy-cutting must be undertaken by only one oxy-cutter at a time.
- O6.3 Truck unloading of raw materials and output from pre-shredder onto stockpiles must be completed with a water spray suppression control.
- O6.4 After the Final Occupation Certificate is issued for the development approved by development consent No. SSD 5041, by-product stockpiles, including all automotive shredder residue (floc), must be stored in an enclosed structure.
- O6.5 After the Final Occupation Certificate is issued for the development approved by development consent No. SSD 5041, all conveyors and conveyor transfer points must be fully enclosed.
- O6.6 All enclosures required by conditions O6.4 and O6.5 must be designed and operated to minimise the release of fugitive emissions.

## 5 Monitoring and Recording Conditions

### M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
  - a) in a legible form, or in a form that can readily be reduced to a legible form;
  - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
  - c) produced in a legible form to any authorised officer of the EPA who asks to see them.

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M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:

- a) the date(s) on which the sample was taken;
- b) the time(s) at which the sample was collected;
- c) the point at which the sample was taken; and
- d) the name of the person who collected the sample.

## M2 Requirement to monitor concentration of pollutants discharged

### Air Monitoring Requirements

M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

M2.2 Air Monitoring Requirements

### POINT 3

Pollutant	Units of measure	Frequency	Sampling Method
Dry gas density	kilograms per cubic metre	Yearly	TM-23
Moisture	percent	Yearly	TM-22
Molecular weight of stack gases	grams per gram mole	Yearly	TM-23
Solid Particles	milligrams per cubic metre	Yearly	TM-15
Temperature	Celsius	Yearly	TM-2
Type 1 substance	milligrams per cubic metre	Yearly	TM-12
Type 2 substance	milligrams per cubic metre	Yearly	TM-13
Velocity	metres per second	Yearly	TM-2
Volumetric flowrate	cubic metres per second	Yearly	TM-2

M2.3 The monitoring required by condition M2.2 must commence post commissioning of the Hammermill Emission Collection System.

M2.4 The selection of sampling positions for the above air monitoring condition must be selected in accordance with sampling method TM1.

## M3 Testing methods - concentration limits

### Air Emissions

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- M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:
- any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
  - if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
  - if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2010* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

## M4 Weather monitoring

- M4.1 At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.

### POINT 12

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Siting	AM-1	-	-	-
Sigma theta	AM-2 & AM-4	Degrees	10 minutes	Continuous
Temperature at 2 metres	AM-4	Kelvin	10 minutes	Continuous
Temperature at 10 metres	AM-4	Kelvin	10 minutes	Continuous
Total Solar Radiation	AM-4	Watts per square metre	10 minutes	Continuous
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	10 minutes	Continuous
Wind Speed at 10 metres	AM-2 & AM-4	metres per second	10 minutes	Continuous
Rainfall	AM-4	millimetres per hour	1 hour	Continuous

- M4.2 The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in Condition M4.1.
- M4.3 Monitoring of all parameters listed in Column 1 of the table in condition M4.1 must commence by 30 September 2016.

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## **M5 Recording of pollution complaints**

- M5.1 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.
- M5.2 The record must include details of the following:
- a) the date and time of the complaint;
  - b) the method by which the complaint was made;
  - c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
  - d) the nature of the complaint;
  - e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
  - f) if no action was taken by the licensee, the reasons why no action was taken.
- M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## **M6 Telephone complaints line**

- M6.1 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.
- M6.2 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.

## **M7 Other monitoring and recording conditions**

### **Airblast overpressure**

- M7.1 An airblast overpressure monitor must be operated continuously whilst any activities are being carried out at the premises to measure and electronically record airblast overpressure levels.
- M7.2 Instrumentation used to measure and record the airblast overpressure must meet the requirement of Australian Standard AS 2187.2-2006.
- M7.3 Explosions resulting in an airblast overpressure reading exceeding 120dB (Linear Peak) must be recorded and reported to the EPA's Environment Line within 24 hours of the explosion. The written record and report of the explosion must include:
- a) the time and date of the explosion; and
  - b) the airblast overpressure for the explosion.

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## 6 Reporting Conditions

### R1 Annual return documents

- R1.1 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; and
  7. a Statement of Compliance - Environmental Management Systems and Practices.

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.

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- R1.3 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.
- R1.4 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.
- R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or 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').
- R1.6 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.
- R1.7 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.

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.

Note: An application to transfer a licence must be made in the approved form for this purpose.

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## **R2 Notification of environmental harm**

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

Note: The licensee or its employees must notify all relevant authorities 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.

## **R3 Written report**

- R3.1 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.
- R3.2 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.
- R3.3 The request may require a report which includes any or all of the following information:
  - a) the cause, time and duration of the event;
  - b) the type, volume and concentration of every pollutant discharged as a result of the event;
  - c) 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;
  - d) 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;
  - e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
  - f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
  - g) any other relevant matters.
- R3.4 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.

## **R4 Other reporting conditions**

- R4.1 The licensee must complete and submit to the EPA an Annual Waste Summary Report each financial year commencing in 2016/17, comprising the following information:

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1. Amount of waste received and removed from the Premises (in tonnes);
2. Waste stream (Municipal, Commercial and Industrial, Construction and Demolition or Other) and waste type (Refer to Table 3.1 of the NSW EPA's Waste Levy Guidelines); and
3. Amount of waste processed to a Resource Recovery Order ("RRO"), if applicable.

R4.2 The Annual Waste Summary Report must be submitted to the EPA via the Waste and Resource Reporting Portal (WARRP) within 60 days of the end of the financial year.

## 7 General Conditions

### G1 Copy of licence kept at the premises or plant

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

## 8 Special Conditions

### E1 Air Emissions Commissioning Reports

#### Hammermill Emissions Collection System post commissioning assessment and report

- E1.1 By 30 September 2016, the licensee must commission the emissions collection system (ECS) for the hammermill.
- E1.2 The licensee must verify the air emissions predicted by the ERM Air Quality Assessment report dated September 2015 (the September 2015 ERM Report) from the hammermill. This verification must include:
- a) Post commissioning sampling of all pollutants from the hammermill assessed in the September 2015 ERM Report. Sampling must be undertaken by suitably qualified personnel.
  - b) Estimate of operating capacity and process rate of the activity at the time of sampling and an explanation of how the estimate was arrived at.
  - c) Sampling of emissions from the hammermill must be undertaken in accordance with the requirements specified in the Approved Methods for Sampling and Analysis of Air Pollutants in NSW or, where no suitable method is prescribed in the Approved Methods for Sampling and Analysis of Air Pollutants in NSW, a method approved in writing by the EPA.

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d) Results from post commissioning sampling must be compared with the modelled emissions in the September 2015 ERM Report and demonstrate compliance with the ground level criteria in the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW and ground level criteria adopted in the September 2015 ERM Report.

e) Identify and implement any changes to the hammermill ECS necessary to achieve environmental air quality performance commensurate with that set out in the September 2015 ERM Report.

E1.3 By no later than 6 months from the date of the issuing of the Final Occupation Certificate, the licensee must submit to the EPA a Commissioning Report for the verification of air emissions from the hammermill. The Commissioning Report must comprehensively address all requirements listed in Condition E1.1 and E1.2.

## **Oxy-Cutting post commissioning assessment and report**

E1.4 By no later than 6 months from the date of the issuing of the Final Occupation Certificate, the licensee must verify the air emissions predicted by the September 2015 ERM Report from the oxy-cutting activities.

E1.5 The verification required by condition E1.4 must include:

a) Post commissioning sampling of all pollutants from the oxy-cutting activities assessed in the September 2015 ERM Report. Sampling must be undertaken by suitably qualified personnel.

b) Record of the oxy-cutting activities being undertaken at the time of sampling.

c) The sampling method used for emissions from oxy-cutting must be clearly described and justified, and the analytical method referenced.

d) Results from sampling must be compared with the modelled emissions in the September 2015 ERM Report and demonstrate compliance with the ground level criteria in the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW.

e) Identify and implement any changes to the oxy-cutting activities necessary to achieve environmental air quality performance commensurate with that set out in the September 2015 ERM Report.

E1.6 By no later than 6 months from the date of the issuing of the Final Occupation Certificate, the licensee must submit a Commissioning Report to the EPA that comprehensively addresses all requirements listed in Condition E1.4 and E1.5.

## **E2 Post Commissioning Noise Validation Report**

E2.1 After the Final Occupation Certificate is issued for the development approved by development consent No. SSD 5041, the licensee must engage a suitably qualified and experienced expert to prepare a post commissioning noise validation report in accordance with Condition L4.5. The report must include an attended noise monitoring assessment carried out for three consecutive operating days, at monitoring point 1 listed in Condition L4.1. The assessment must be carried out during each day, evening and morning shoulder period as defined in Condition L4.2 for a minimum of:

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- 1.5 hours during the day;
- 30 minutes during the evening; and
- 1 hour during the morning shoulder.

E2.2 The post commissioning noise validation report must be prepared by a suitably qualified and experienced acoustical consultant and include:

- a) an assessment of compliance with noise limits presented in Condition L4.1; and
- b) an outline of any management actions taken within the monitoring period to address any exceedences of the limits contained in Condition L4.1.

E2.3 The post commissioning noise validation report must be submitted to the EPA within 3 months of the Final Occupation Certificate being issued for the development approved by development consent No. SSD 5041.

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## Dictionary

### General Dictionary

<b>3DGM [in relation to a concentration limit]</b>	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>AM</b>	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>BOD</b>	Means biochemical oxygen demand
<b>CEM</b>	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
<b>general solid waste (non-putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>general solid waste (putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>grab sample</b>	Means a single sample taken at a point at a single time
<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>restricted solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>special waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TM</b>	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

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<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids
<b>Type 1 substance</b>	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
<b>Type 2 substance</b>	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
<b>utilisation area</b>	Means any area shown as a utilisation area on a map submitted with the application for this licence
<b>waste</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>waste type</b>	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste

Ms Juanita Croft

Environment Protection Authority

(By Delegation)

Date of this edition: 16-April-2002

## End Notes

- 1 Licence varied by Admin corrections to archived record, issued on 10-Dec-2002, which came into effect on 10-Dec-2002.
- 2 Licence varied by notice 1080373, issued on 22-Nov-2007, which came into effect on 22-Nov-2007.
- 3 Licence varied by notice 1110271, issued on 18-Feb-2010, which came into effect on 18-Feb-2010.
- 4 Licence varied by notice 1113375, issued on 21-Apr-2010, which came into effect on 21-Apr-2010.
- 5 Licence varied by notice 1117853, issued on 10-Feb-2011, which came into effect on 10-Feb-2011.
- 6 Licence varied by notice 1536305 issued on 19-Apr-2016
- 7 Licence varied by notice 1547799 issued on 10-Jan-2017

**APPENDIX H DPIE PLAN APPROVAL**



Mr Sean Fishwick  
Senior Environmental Consultant  
Arcadis  
Level 16, 580 George Street  
SYDNEY NSW 2000

Dear Mr Fishwick

**Kings Park Metal Recycling Facility (SSD 5041)  
Approval of Environmental Management Plans**

I refer to your email dated 23 August 2019, seeking approval for the following management plans:

- Waste Monitoring Management Plan (WMMP) (Condition B1, Part B, Schedule 2)
- Water Management Plan (WMP) (Condition B4, Part B, Schedule 2)
- Air Quality Management Plan (AQMP) (Condition B17, Part B, Schedule 2)
- Noise Management Plan (NMP) (Condition B29, Part B, Schedule 2)
- Emergency Response Plan (ERP) (Condition B36, Part B, Schedule 2)
- Landscape Management Plan (LMP) (Condition B39, Part B, Schedule 2)
- Operational Environmental Management Strategy (OEMS) (Condition C3, Part C, Schedule 2).

The Department has reviewed the revised management plans and concludes they are consistent with the relevant conditions. As such, the following plans are approved:

- Waste Monitoring Management Plan, prepared by Arcadis, dated 12 September 2019, Revision F
- Water Management Plan, prepared by Arcadis, dated 12 September 2019, Revision H
- Air Quality Management Plan, prepared by Arcadis, dated 11 September 2019, Revision E
- Noise Management Plan, prepared by Arcadis, dated 12 September 2019, Revision E
- Emergency Response Plan, prepared by Arcadis, dated 11 September 2019, Revision F
- Landscape Management Plan, prepared by Arcadis, dated 11 September 2019, Revision E
- Operational Environmental Management Plan, prepared by Arcadis, dated 12 September 2019, Revision E.

Should you have any queries in relation to this matter, please contact Bruce Zhang, Acting Senior Environmental Assessment Officer on the above contact details.

Yours sincerely

Chris Ritchie

**Director**

**Industry Assessments**

*as delegate of the Planning Secretary*

8/10/19

