Modification of Minister's Approval

Section 75W of the Environmental Planning and Assessment Act 1979

As delegate for the Minister for Planning, under the Instrument of Delegation executed on 11 October 2017, I approve the modification of the project approval referred to in Schedule 1, subject to the conditions outlined in Schedule 2.

Anthea Sargeant **Executive Director**

Key Sites and Industry Assessments

Sydney 9 April

2019

File: OBJ17/08916

SCHEDULE 1

Project Approval (MP 06_0239), granted by the former Minister for Planning on 6 November 2007 for Woodlawn Alternative Waste Technology Project at 619 Collector Road, Tarago in the Goulburn Mulwaree local government area.

SCHEDULE 2

This approval is modified as follows:

 Delete the definitions for DPI Water, Secretary and Sydney Catchment Authority and insert the following definitions in alphabetical order:

AQMP

Air Quality Management Plan

CEMP

Construction Environmental Management Plan

Conditions of this

Approval

Conditions contained in Schedule 2 to 6 of this approval

Construction

The demolition and removal of buildings or works, the carrying out of works for the purpose of the development, including bulk earthworks, and erection of buildings and

other infrastructure permitted by this approval

Council

Goulburn Mulwaree Council and Queanbeyan-Palerang Council

Department

Department of Planning and Environment

Development

The plane of Appendices 1 a

Layout

The plans at Appendices 1 and 5 of this approval

Dol L&W

Department of Industry - Lands & Water Division

EΑ

Environmental Assessment titled Woodlawn Alternative Waste Technology Project dated November 2005, and the Response to Submissions dated May 2007 as modified

by MP 06_0239 MOD 1 and MOD 2

Earthworks

Bulk earthworks, site levelling, import and compaction of fill material, excavation for

installation of drainage and services, to prepare the site for construction

ENM

Excavated Natural Material

Environment

Includes all aspects of the surroundings of humans, whether affecting any human as

an individual or in his or her social groupings

EP&A Act

Environmental Planning and Assessment Act 1979

FRNSW

Fire & Rescue NSW

Incident

An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance. Note: "material harm" is

defined in this approval

Land

Has the same meaning as the definition of the term in section 1.4 of the EP&A Act

Material Harm

Harm that:

- involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or
- results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment)

MBT

Mechanical Biological Treatment

MBT Facility

The Woodlawn Mechanical Biological Treatment Facility off Collector Road approved by the Minister for Planning (MP 06 0239) on 6 November 2007

NSW Minister for Planning (or delegate)

Minister Mitigation

Activities associated with reducing the impacts of the development prior to or during

those impacts occurring

MOD 1

Modification application MP 06 0239 MOD 1, accompanying Environmental Assessment dated 20 January 2014 and Response to Submissions dated 6 March

2014 prepared by Veolia Environmental Services (Australia) Pty Ltd

MOD 2

Modified application titled Modification of MP 06_0239 and MP 10_0012 to enable the construction and operation of a Solid Recovered Fuel (SRF) Processing Area within the Woodlawn Eco Precinct prepared by SG Haddad Advisory and CW Strategic Planning Services dated July 2018 and Response to Submissions prepared by Veolia

Environmental Services (Australia) Pty Ltd dated November 2018

Monitoring

Any monitoring required under this approval must be undertaken in accordance with section 9.40 of the EP&A Act

OEH

NSW Office of Environment and Heritage

OEMP

Operational Environmental Management Plan

Planning Secretary Planning Secretary under the EP&A Act, or nominee

Project

Woodlawn Alternative Waste Technology Facility approved under MP 06 0239 and Woodlawn Solid Recovered Fuel Processing Area approved under MP 06_0239 MOD

1 and MP 06_0239 MOD 2

SRF

Solid Recovered Fuel

SRF Processing The Woodlawn SRF Processing Area off Collector Road approved by the Executive

Area

Director, Key Sites and Industry Assessments (MP 06_0239 MOD 2)

VENM

Virgin Excavated Natural Material

Year

a period of 12 consecutive months

2. Delete all references to "Secretary" and replace with "Planning Secretary".

In Schedule 2: General Administrative Conditions

- 3. Delete Condition 2 and replace with the following:
 - 2. The Proponent shall carry out the project in accordance with the:
 - (a) Statement of Commitments;
 - (b) all written directions of the Planning Secretary;

- (c) MOD 1;
- (d) MOD 2;
- (e) the Development Layout in Appendices 1, 4 and 5; and
- (f) conditions of this approval.
- 3. Insert new Condition 10 immediately after Condition 9 as follows:
 - 10. Schedule 4 of this approval continues to apply to the MBT Facility until the commencement of operation of the SRF Processing Area at which time Schedule 6 will apply to both the MBT Facility and the SRF Processing Area.
- 4. Insert new Condition 11 immediately after Condition 10 as follows:
 - 11. Schedule 5 of this approval applies to construction and operation of the SRF Processing Area only.

In Schedule 3: Specific Environmental Conditions

5. Delete title of Schedule 3 Specific Environmental Conditions and replace with title of Schedule 3 Specific Environmental Conditions – Woodlawn Mechanical Biological Treatment Facility.

In Schedule 4: Environmental Management, Reporting & Audit

6. Delete title of Schedule 4 Environmental Management, Reporting & Auditing and replace with title of Schedule 4 Environmental Management, Reporting & Auditing – Woodlawn Mechanical Biological Treatment Facility.

Insert new Schedule 5: Specific Environmental Conditions - Solid Recovered Fuel Facility

 Insert new Schedule 5: Specific Environmental Conditions – Solid Recovered Fuel Facility immediately after Schedule 4 as follows:

SCHEDULE 5 SPECIFIC ENVIRONMENTAL CONDITIONS – SOLID RECOVERED FUEL PROCESSING AREA TRAFFIC AND ACCESS

Operating Conditions

- 1. The Proponent must ensure:
 - (a) internal roads, driveways and parking (including grades, turn paths, sight distance requirements, aisle widths, aisle lengths and parking bay dimensions) associated with the Solid Recovered Fuel (SRF) Processing Area are constructed and maintained in accordance with the latest version of AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004) and AS2890.2:2002 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2002);
 - (b) the swept path of the longest vehicle entering and exiting the site, as well as manoeuvrability through the site, is in accordance with the relevant AUSTROADS guidelines;
 - (c) the SRF Processing Area does not result in any vehicles queuing on the public road network;
 - (d) heavy vehicles associated with the SRF Processing Area are not parked on local roads or footpaths in the vicinity of the site;
 - (e) all vehicles are wholly contained on site before being required to stop;
 - (f) all loading and unloading of materials is carried out on-site;
 - (g) all trucks entering or leaving the site with loads have their load covered and do not track dirt onto the public road network; and
 - (h) the proposed turning areas in the car park are kept clear of any obstacles, including parked cars, at all times.

SOILS, WATER AND HYDROLOGY

Imported Soil

- 2. The Proponent must:
 - (a) ensure that only VENM, ENM, or other material approved in writing by EPA is brought onto 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.

Erosion and Sediment Control

3. Prior to the commencement of any construction or other surface disturbance associated with the SRF Processing Area, the Proponent must install and maintain suitable erosion and sediment control measures on-site, in

accordance with the relevant requirements of the Managing Urban Stormwater: Soils and Construction – Volume 1: Blue Book (Landcom, 2004) guideline and the Erosion and Sediment Control Plan included in the CEMP required by Condition 30 of Schedule 4.

Discharge Limits

4. The SRF Processing Area must comply with section 120 of the POEO Act, which prohibits the pollution of waters; except as expressly provided for in an EPL.

Stormwater Management System

- 5. Prior to the commencement of construction, the Proponent must design a stormwater management system for the SRF Processing Area. The system must:
 - (a) be designed by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;
 - (b) be generally in accordance with the conceptual design in the EA and RTS for MP 06_0239 MOD 2;
 - (c) be in accordance with applicable Australian Standards;
 - (d) ensure that the system capacity has been designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Manging Urban Stormwater: Council Handbook (EPA, 1997) guidelines;
 - (e) divert existing clean surface water around operational areas of the SRF Processing Area.

AIR QUALITY

Dust Minimisation

- The Proponent must take all reasonable steps to minimise dust generated during all works authorised by this consent.
- 7. During construction, the Proponent must ensure that:
 - (a) exposed surfaces and stockpiles are suppressed by regular watering;
 - (b) all trucks entering or leaving the site with loads have their loads covered;
 - (c) trucks associated with the SRF Processing Area do not track dirt onto the public road network; and
 - (d) land stabilisation works are carried out progressively on-site to minimise exposed surfaces.
- 8. Trucks transporting waste to and from the SRF Processing Area must be covered at all times, except for when they are loading or unloading.

Air Quality Discharges

- 9. The SRF Processing Area is limited to process 50,000 tonnes per annum of residual waste from the MBT facility.
- 10. The SRF Processing Area must be designed and constructed so as not to preclude the retrofit of odour controls to the processing building and dryer exhaust.
- 11. The Proponent must install and operate equipment in line with best practice to ensure that the development complies with all load limits, air quality criteria/air emission limits and air quality monitoring requirements as specified in the EPL applicable to the site.

Air Quality Management Plan

- 12. Prior to the commencement of operation, the Proponent must prepare an Air Quality Management Plan (AQMP) for the SRF Processing Area to the satisfaction of the Planning Secretary. The AQMP must form part of the OEMP required by Condition 5 of Schedule 6. The AQMP must:
 - (a) be prepared by a suitably qualified and experienced person(s) whose appointment has been endorsed by the Planning Secretary;
 - (b) detail and rank all emissions from all sources of the development, including particulate emissions;
 - (c) describe a program that is capable of evaluating the performance of the operation and determining compliance with key performance indicators;
 - (d) identify the control measures that will be implemented for each emission source; and
 - (e) nominate the following for each of the proposed controls:
 - (i) key performance indicator;
 - (ii) monitoring method;
 - (iii) location, frequency and duration of monitoring;

- (iv) record keeping;
- (v) complaints register;
- (vi) response procedures; and
- (vii) compliance monitoring.

13. The Proponent must:

- (a) not commence operation until the Air Quality Management Plan required by Condition 12 is approved by the Planning Secretary; and
- (b) implement the most recent version of the Air Quality Management Plan approved by the Planning Secretary for the duration of development of the SRF Processing Area.

Odour Management

- 14. The Proponent must carry out an Air Quality and Odour Audit of the SRF Processing Area within 3 months of the commencement of operation. The audit must:
 - (a) be carried out by a suitably qualified and experienced expert;
 - (b) validate the emissions from the SRF Processing Area against air quality and odour emissions predictions made in the modification application;
 - (c) should the Proponent install dryer exhaust(s), assess particulate matter emissions from the dryer exhaust against limits set out in the Protection of the Environment Operations (Clean Air) Regulation 2010;
 - (d) review design and management practices of the SRF Processing Area against industry best practice for air emissions and odour management; and
 - (e) assess the need for any additional mitigation measures based on the findings of the audit and provide recommendations for their implementation.
- 15. Within 6 weeks of the completion of an Air Quality and Odour Audit, the Proponent shall submit a copy of the audit report to both the EPA and the Department with a response to any recommendations contained in the audit report.

Air Quality and Odour Management

- 16. The Proponent must ensure that SRF Processing Area does not cause or permit the emission of any offensive odour (as defined in the POEO Act).
- 17. The Proponent must ensure that all SRF product is stored in a manner that maintains it in a dry state. If stored outside the processing building, storage must prevent water ingress.
- 18. SRF product must not be used as fuel on the premises.

NOISE

Hours of Work

19. The Proponent must comply with the hours detailed in Table 6, unless otherwise agreed in writing by the Planning Secretary.

Table 6: Hours of Work

Activity	Day	Time
Earthworks and construction	Monday – Friday	7 am to 6 pm
	Saturday	8 am to 1 pm
	Sunday and Public Holidays	Nil
Operation	Monday – Saturday	6 am to 10 pm
	Sunday, Christmas Day and Good Friday	Nil

- 20. Works outside of the hours identified in Condition 19 may be undertaken in the following circumstances:
 - (a) works that are inaudible at the nearest sensitive receivers;
 - (b) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
 - (c) where it is required in an emergency to avoid the loss of lives, property or to prevent environmental harm.

Construction Noise Limits

21. The development must be constructed to achieve the construction noise management levels detailed in the Interim Construction Guideline (DECC, 2009) (as may be updated or replaced from time to time). All feasible and reasonable noise mitigation measures must be implemented and any activities that could exceed the construction noise management levels must be identified and manged in accordance with the management and mitigation measures in the Appendix 6.

Road Traffic Noise

22. Prior to the commencement of construction, the Proponent must prepare a Driver Code of Conduct and induction training for the development to minimise road traffic noise. The Proponent must update the Driver Code of Conduct and induction training for construction and operation and must implement the Code of Conduct for the life of the SRF Processing Area.

FIRE MANAGEMENT

23. Prior to the commencement of construction, the final design of the development must be finalised in consultation with and to the satisfaction of Fire and Rescue (FRNSW) and include suitable provisions for special hazards by specifically addressing Clauses E1.10 and E2.3 of Volume One of the National Construction Code (NCC) Series.

WASTE MANAGEMENT

Waste Monitoring Program

- 24. From the commencement of operation, the Proponent must implement a Waste Monitoring Program for the SRF Processing Area. The program must:
 - (a) be prepared by a suitably qualified and experienced person(s) prior to the commencement of operation;
 - (b) include suitable provision 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; and
 - (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.

ENVIRONMENTAL MANAGEMENT

Waste receipt and Vehicle Flow Control Plan

25. Prior to the commencement of construction of the SRF Processing Area, the Proponent must prepare a Waste Receipt and Vehicle Flow Control Plan in consultation with the EPA to the satisfaction of the Planning Secretary and the EPA. The Plan must show all vehicle entry and exit points, including emergency exists, where waste is transported into, out of, and between (a) the SRF Processing Area and (b) the adjoining Woodlawn Mechanical Biological Treatment facility and (c) the Woodlawn Bioreactor.

Construction Environmental Management Plan

- 26. The Proponent must prepare a Construction Environmental Management Plan (CEMP) for the SRF Processing Area in accordance with the requirements of Condition 1 of Schedule 6 and to the satisfaction of the Planning Secretary.
- 27. As part of the CEMP required under Condition 26 of Schedule 4 of this approval, the Proponent must include the following:
 - (i) Erosion and Sediment Control Plan; and
 - (ii) Community Consultation and Complaints Handling.
- 28. The Proponent must:
 - (a) not commence construction of the SRF Processing Area until the CEMP is approved by the Planning Secretary; and
 - (b) carry out the construction of the SRF Processing Area in accordance with the CEMP approved by the Planning Secretary and as revised and approved by the Planning Secretary.

Insert new Schedule 6: Environmental Management, Reporting and Auditing - Site Wide

8. Insert new Schedule 6: Environmental Management, Reporting and Auditing – Site Wide immediately after Schedule 5 as follows:

SCHEDULE 6 ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING - SITE WIDE

ENVIRONMENTAL MANAGEMENT

Management Plan Requirements

- Management plans required under this approval must be prepared in accordance with relevant guidelines, and include:
 - (a) detailed baseline data where applicable;
 - (b) details of:
 - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - · any relevant limits or performance measures and criteria; and
 - 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;
 - (c) a description of the measures to be implemented to comply with the relevant statutory requirements, limits, or performance measures and criteria;
 - (d) a program to monitor and report on the:
 - impacts and environmental performance of the development; and
 - effectiveness of the management measures set out pursuant to paragraph (c) above;
 - (e) a contingency plan to manage any unpredicted impacts and their consequences and to ensure that ongoing impacts reduce to levels below relevant impact assessment criteria as quickly as possible;
 - (f) a program to investigate and implement ways to improve the environmental performance of the development over time;
 - (g) a protocol for managing and reporting any:
 - incident and any non-compliance (specifically including any exceedance of the impact assessment criteria and performance criteria);
 - complaint;
 - failure to comply with statutory requirements; and
 - (h) a protocol for periodic review of the plan.

Note: The Planning Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.

Revision of Strategies Plans and Programs

- 2. Within three months of:
 - (a) the submission of a Compliance Report under Condition 13 of Schedule 6;
 - (b) the submission of an incident report under Condition 8 of Schedule 6;
 - (c) the submission of an Independent Audit under Condition 16 of Schedule 6;
 - (d) the approval of any modification of the conditions of this approval; or
 - (e) the issue of a direction of the Planning Secretary under Condition 2(b) of Schedule 2 which requires a review.
- The strategies, plans and programs required under this approval must be reviewed, and the Department must be notified in writing that a review is being carried out.
- 4. If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this approval must be revised, to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.

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

Operational Environmental Management Plan - Site Wide

5. The Proponent must prepare an Operational Environmental Management Plan (OEMP) for the site in accordance with the requirements of Condition 1 of Schedule 6 and to the satisfaction of the Planning Secretary.

- 6. As part of the OEMP required under Condition 5 of Schedule 6 of this approval, the Proponent must include the following:
 - (a) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the site;
 - (b) describe the procedures that would be implemented to:
 - 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;
 - (v) respond to emergencies; and
 - (c) incorporate the content of the Environmental Management Plans for the MBT Facility and the SRF Processing Area including:
 - (i) Rehabilitation and Closure Plan (RCP) for Woodlawn Mechanical Biological Treatment Facility (see Condition 13 of Schedule 3);
 - (ii) Soil, Water and Leachate Management Plan (SWLMP) for Woodlawn Mechanical Biological Treatment Facility (see Condition 16 of Schedule 3);
 - (iii) Environmental Management Plan for Woodlawn Mechanical Biological Treatment Facility (see Condition 1 of Schedule 4); and
 - (iv) Air Quality Management Plan (AQMP) for Solid Recovered Fuel Processing Area (see Condition 15 of Schedule 5);
 - (v) Operational Traffic Management Plan (OTMP) for Solid Recovered Fuel Processing Area; and
 - (d) Operational Waste Management Plan for the site.
- 7. The Proponent must operate the site in accordance with the OEMP approved by the Planning Secretary.

REPORTING AND AUDITING

Incident Notification, Reporting and Response

8. The Department must be notified in writing to compliance@planning.nsw.gov.au immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident. Subsequent notification requirements must be given, and reports submitted in accordance with the requirements set out in Appendix 7.

Non-Compliance Notification

- The Department must be notified in writing to <u>compliance@planning.nsw.gov.au</u> within seven days after the Applicant becomes aware of any non-compliance.
- 10. A non-compliance notification must identify the development and the application number for it, set out the condition of approval that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.
- 11. A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.

Compliance Reporting

- 12. No later than 6 weeks before the date notified for the commencement of operation, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department.
- 13. Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).
- 14. The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least 7 days before this is done.

Independent Audit

15. No later than 4 weeks before the date notified for the commencement of operation, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department.

- 16. Independent Audits of the development must be carried out in accordance with:
 - (a) the Independent Audit Program submitted to the Department under Condition 15 of this approval; and
 - (b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).
- 17. In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:
 - (a) review and respond to each Independent Audit Report prepared under Condition 16 of this approval;
 - (b) submit the response to the Department; and
 - (c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done.

Monitoring and Environmental Audits

18. Any condition of this approval that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification, compliance reporting and independent auditing.

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Note:

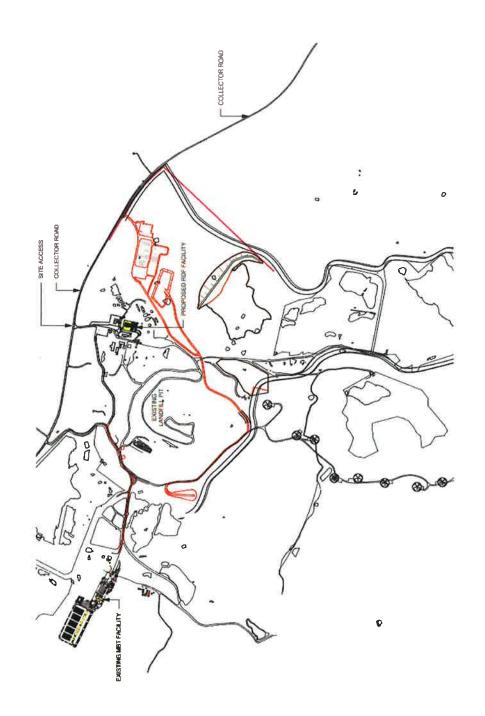
For the purposes of this condition, as set out in the EP&A Act, "monitoring" is monitoring of the development to provide data on compliance with the approval or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the approval or the environmental management or impact of the development.

ACCESS TO INFORMATION

- 19. At least 48 hours before the commencement of construction until the completion of all works under this approval, including rehabilitation and remediation, the Applicant must:
 - (a) make the following information and documents (as they are obtained or approved) publicly available on its website:
 - the documents referred to in Condition 2 of Schedule 2 of this approval;
 - all current statutory approvals for the development;
 - all approved strategies, plans and programs required under the conditions of this approval;
 - all proposed staging plans for the development if the construction, operation or decommissioning of the development is to be staged;
 - regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this approval;
 - a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this approval, or any approved plans and programs;
 - a summary of the current stage and progress of the development;
 - contact details to enquire about the development or to make a complaint;
 - a complaints register, update monthly;
 - the Compliance Report of the development;
 - audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;
 - any other matter required by the Planning Secretary; and
 - (b) keep such information up to date, to the satisfaction of the Planning Secretary.

In the Appendices

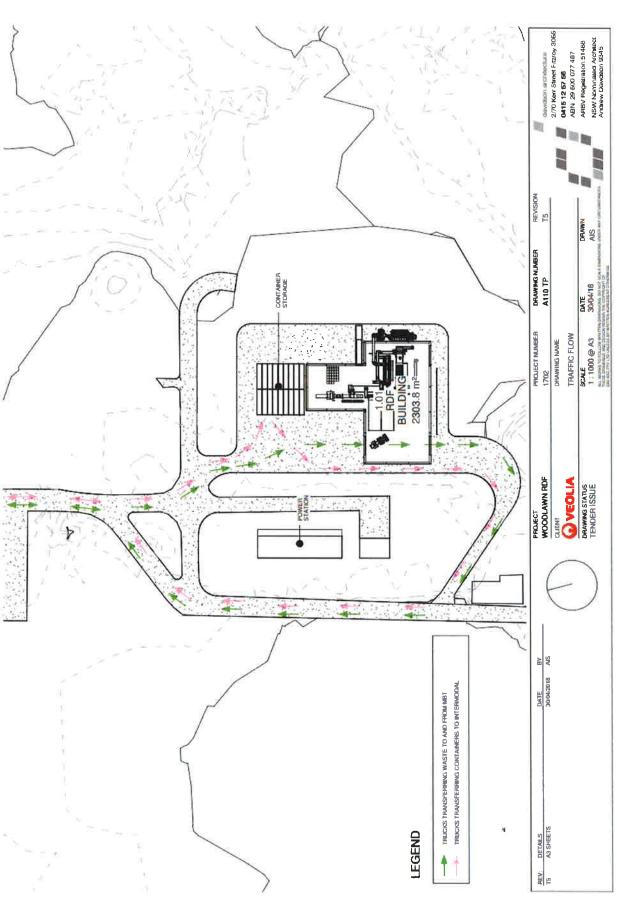
- 9. Insert new Appendix 4: Map Showing the SRF Processing Area immediately after Appendix 3 as below.
- 10. Insert new Appendix 5: Development Plans SRF Processing Area immediately after Appendix 4 as below.



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Woodlawn Alternative Waste Technology Project (MP 06_0239 MOD 2)

Woodlawn Alternative Waste Technology Project (MP 06_0239 MOD 2)



NSW Government Department of Planning and Environment

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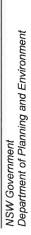
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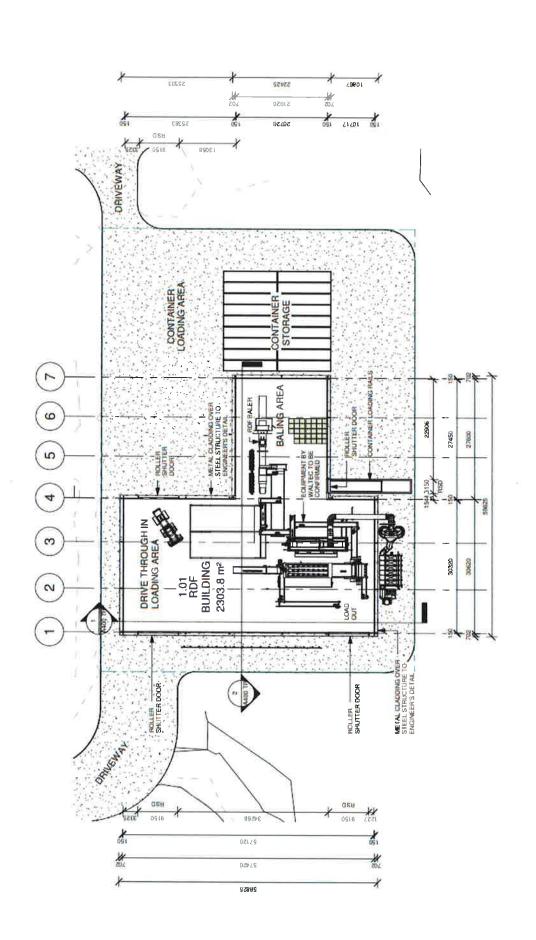
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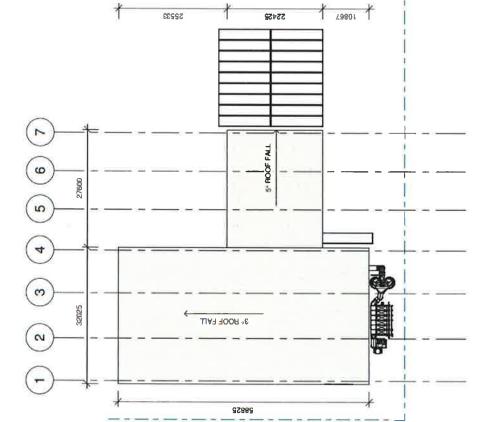
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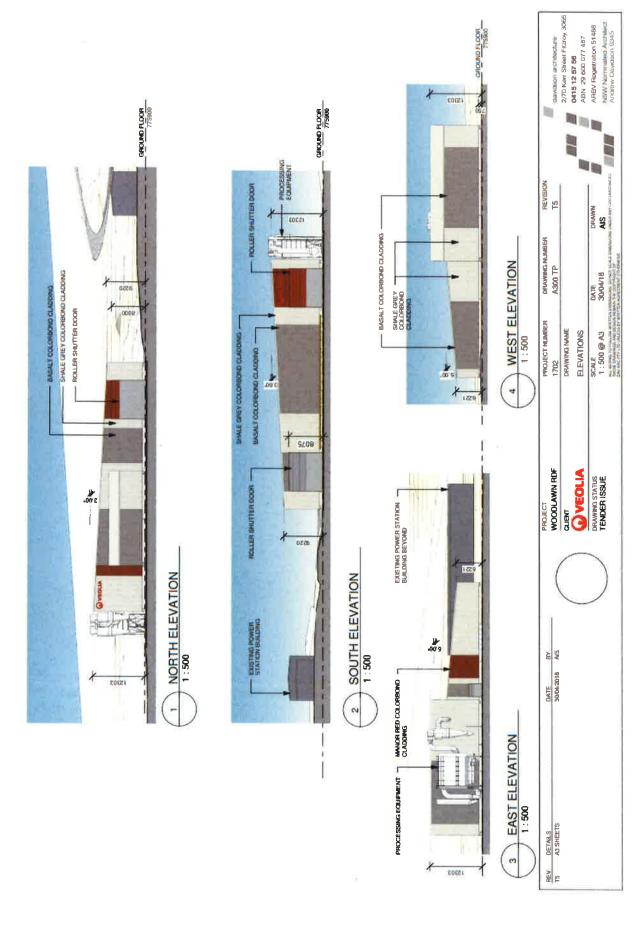
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