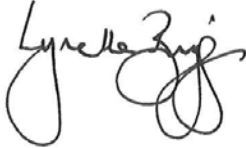


# Notice of Modification

## Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 14 September 2011, we, the Planning Assessment Commission of NSW (the Commission) hereby approve the modification of the Project Approval referred to in Schedule 1, subject to the conditions outlined in Schedule 2.



**Member of the Commission**

Sydney, 17 March 2016

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### SCHEDULE 1

The project approval (06\_0139) granted by the Minister for Planning for the Eastern Creek Waste Project on 22 November 2009.

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### SCHEDULE 2

1. In the definitions, delete the definitions for Department, Director-General and Minister, and insert the following definitions in alphabetical order:

Department	Department of Planning and Environment
Minister	Minister for Planning
Secretary	Secretary of the Department, or nominee

2. Delete all occurrences of the word "Director-General" and replace with the word "Secretary".
3. In condition 2 of Schedule 2:
  - a. delete the word "generally";
  - b. immediately after the words "Appendix 1" insert the words "and Appendix 6"; and
  - c. delete sub-clause h) and insert instead:
    - h) Modification Application MP 06\_0139 Mod 5 and supporting documents titled Section 75W Report, Modification 5, dated 18 March 2015, prepared by Urbis Pty Ltd; Response to Submissions, dated 19 May 2015, prepared by Urbis Pty Ltd; and Spoil Management Plan, dated September 2015, prepared by Genesis Xero Waste.
4. Insert the following condition immediately after condition 25 of Schedule 3:
  - 25a. The Proponent shall prepare an Interim Stormwater Management Plan for the pre-sort enclosure, to the satisfaction of the Secretary. The plan must:
    - a) be prepared in consultation with Council;
    - b) include details and specifications for the detention basins in Catchment G (as shown in Proposed Future Stormwater Management Plan, Drawing No. SKC077, Issue P6, dated 26 October 2015; and letter from Genesis Xero Waste to Blacktown City Council, dated 4 November 2015); and
    - c) satisfy the requirements of Council's *Engineering Guide for Development (2005)* and *Blacktown Development Control Plan 2015*.

- 25b. The Proponent shall construct the pre-sort enclosure in accordance with the Interim Stormwater Management Plan approved by the Secretary (as revised and approved by the Secretary from time-to-time) unless otherwise agreed by the Secretary.
- 25c. Prior to the commencement of construction of the pre-sort enclosure, the Proponent shall provide a temporary washdown facility for construction concrete trucks, which is to be located and constructed to prevent concrete wash from entering the Ropes Creek catchment.
5. Insert the following condition immediately after condition 28 of Schedule 3:

**Spoil Management**

- 28a. The Proponent shall carry out bulk earthworks approved by Modification Application MP 06\_0139 Mod 5 in accordance with the Spoil Management Plan Reference SMP 010915 dated September 2015 prepared by Genesis Xero Waste (subject to any revisions to the Spoil Management Plan that may be approved by the Secretary from time to time).
6. In condition 38 of Schedule 3, delete Table 4 and the Notes and replace with the following:

*Table 4: Noise Impact Assessment Criteria*

<b>Location</b>	<b>Day</b> <b>LA<sub>eq(15 minute)</sub> dB(A)</b>	<b>Evening</b> <b>LA<sub>eq(15 minute)</sub> dB(A)</b>	<b>Morning Shoulder</b> <b>LA<sub>eq(15 minute)</sub> dB(A)</b>
Any receiver	37	36	36

7. Insert the following condition immediately after condition 38 of Schedule 3:
- 38a. Noise generated by the project 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*.
8. Insert the following condition immediately after condition 39c. of Schedule 3:
- 39d. Prior to the commencement of earthworks for the pre-sort enclosure, the Proponent shall install a temporary, non-earthen noise barrier on top of the quarry spoil pile which is sufficient in height to shield engine, excavation and truck loading noise associated with excavating the spoil pile. The barrier shall remain in place until the spoil pile provides sufficient noise shielding to the west and it shall be removed prior to the issue of an Occupation Certificate for the pre-sort enclosure. The barrier must not be comprised of shipping containers.
9. Insert the following condition immediately after condition 47 of Schedule 3:
- 47a. Prior to the issue of an Occupation Certificate for the pre-sort enclosure, the Proponent shall construct an additional 10 parking spaces for employees and visitors to the pre-sort enclosure with at least 2 of the spaces provided for disabled drivers, clearly marked and signposted.
10. Insert the following condition after condition 4 of Schedule 5:
- 4b. Within 3 months of any modification to this approval, the Proponent shall review, and if necessary, revise the strategies, plans, and programs required under this approval to the satisfaction of the Secretary.
11. Insert the following after Appendix 5:
- Appendix 6 – Site plans and drawings for the pre-sort enclosure and future stormwater plan