

Modification of Development Consent

Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning under delegation executed on 9 March 2022, 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

21 December 2023

SCHEDULE A

Development Consent

Development Consent:

SSD-6525 granted by the then Executive Director, Key Sites and Industry Assessments on 25 November 2016

For the following:

Increase in production capacity of an existing resource recovery facility to 1,000,000 tonnes per annum of non-putrescible construction and demolition waste.

Modification 2

Modification Application:

SSD-6525-Mod-2

Applicant:

Modification to increase operational hours to 24/7 and install an additional weighbridge.
Boral Recycling Pty Ltd

Consent Authority:

Minister for Planning and Public Spaces

The Land:

Lots 4000 and 4001 DP 1173524

The consent is modified as follows:

In Schedule A

1. In the definitions, insert new definition for 'Modification Assessments' in alphabetical order as follows:

Modification Assessment

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&A Act:

- (a) SSD-6525-MOD-1 – Widemere Recycling Facility Modification Report: Statement of Environmental Effects Modification 1

Widemere Recycling Plant prepared by Boral Recycling Pty Ltd (dated July 2017).

- (b) SSD-6525-MOD-2 – Widemere Recycling Facility Modification Report: Modification of development consent SSD 6525 – Lots 4000 & 4001 DP1173524, Widemere Road, Wetherill Park prepared by Boral Recycling Pty Ltd (dated April 2023), and supported by Response to submissions letter titled Application Ssd-6525-Mod-2 To Modify State Significant Development Consent Ssd-6525 – Increase In Processing Capacity Of Existing Resource Recovery Facility, Lots 4000 & 4001 Dp1173524, Widemere Road, Wetherill Park dated 28 September 2023.

2. Delete the definitions for Day, Morning Shoulder and Night and insert the following definitions in alphabetical order:

Day	The period from 7am to 6pm
Morning Shoulder	The period from 6am to 7am
Night	The period from 10pm to 6am

In Schedule C

3. Replace Table 1 in condition C3 with new Table:

Table 1: Hours of Construction and Operation

Activity	Day	Hours
Construction	Monday – Friday	7am to 6pm
	Saturday	8am to 1pm
	Sunday & Public Holidays	Nil
Operation	Monday – Sunday	24 hours

4. Delete condition C4.
5. In Table 2 in condition C6 replace the night time hours of “(10pm-12am)” with “(10pm-6am)”.
6. Insert a new condition C7A immediately after Condition C7 as follows:
- C7A. Within three months of the commencement of extended operation hours as approved under Modification 2, the Applicant must prepare and submit a noise verification report for the development. The noise verification report must:
- (a) be prepared to the satisfaction of the Planning Secretary;
 - (b) demonstrate that noise verification has been carried out by a suitably qualified and experienced acoustic consultant in accordance with:
 - (i) the Australian Standard AS 1055:2018 Acoustics – Description and measurement of environmental noise (Standards Australia, 2018); and
 - (ii) the monitoring and reporting requirements detailed in Section 7 of the Noise Policy for Industry (EPA, 2017);
 - (c) include:
 - (i) an analysis of compliance with noise limits specified in condition C6;
 - (ii) an outline of management actions to be taken to address any exceedances of the limits specified in condition C6; and
 - (iii) a description of contingency measures in the event management actions are not effective in reducing noise levels to an acceptable level.

7. In condition C53(g), following the word 'direction;', delete the word 'and'.
8. In condition C53(h), delete the full stop and replace with a semicolon.
9. Insert two new conditions C53(i) and C53(j) immediately after condition C53(h) as follows:
 - (i) vehicle movements entering and leaving the site do not exceed 50 (25 in 25 out) between the hours of 12am and 6am; and
 - (j) heavy vehicles do not use Gipps Road or Victoria Street east when traveling to or from the site between the hours of 12am and 6am.

**End of modification
(SSD-6525-Mod-2)**