



DOC19/212921-60

The General Manager
Cootamundra-Gundagai Regional Council
PO Box 420
COOTAMUNDRA NSW 2590

Attention: Sharon Langman

Dear Mr McMurray

Re Development Application 2019/143

I refer to the Development Application submitted to the Environment Protection Authority (EPA) on 28 November 2019 by Cootamundra-Gundagai Regional Council for the proposed waste disposal facility to be located on Lot 7004, DP1028797, Lot 7300, DP1149008 and Lot 1, DP702858 Tumblong Reserve Road Tumblong.

The EPA wrote to Council on 13 December 2019 and 18 December 2019 seeking further information in relation to our assessment of the proposed development. Additional information in response to our letters was received on 13 January 2020.

The EPA has responsibilities for pollution control and environmental management under the *Protection of the Environment Operations Act 1997*. Following a review of the information provided, including submissions, we are able to issue our General Terms of Approval (GTA) for the proposed development.

The GTA are provided at Attachment A and relate to the development as proposed in the documents and information provided by the applicant. Attachment B provides mandatory conditions that apply to all Environment Protection Licences. Should development consent be granted for this proposal the EPA recommends that these conditions be incorporated into the conditions of consent.

In the event that the development is modified either by the applicant prior to the granting of the consent, or as a result of conditions imposed by Council, we request that further consultation occur with us about the proposed changes prior to the consent being issued. This will enable us to determine whether our GTA are required to be modified as a result of any proposed alterations.

Environment Protection Licence

Please note, should development approval be granted it will be necessary for the proponent to make an application to the EPA for an Environment Protection Licence consistent with the development application and our GTA prior to undertaking any construction works.

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The application for an environment protection licence will need to include two scheduled activities, these being Waste Disposal (Application to Land) and Extractive Activities. Please note the application will also need to include the proposed temporary stockpile to be located on Lot 1, DP702858 as part of the licensed premises.

If you have any further enquiries about this matter please contact me by telephoning 02 6969 0700 or by electronic mail at riverina.farwest@epa.nsw.gov.au.

Yours sincerely



18/2/2020

JESSICA CREED
Head Regional Operations Unit – Riverina Far West Region
Environment Protection Authority

Attachment A

Administrative conditions

A1. Information supplied to the EPA

A1.1 Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- the Development Application 2019/143 submitted to Cootamundra-Gundagai Regional Council dated 5 November 2019;
- The environmental impact statement titled '*Proposed Non-Putrescible Waste Disposal Facility (Landfill); Tumblong Road Reserve, Tumblong NSW 2729 Lot 7004, DP1028797 & Lot 7300 DP1149008 & Part Crown Road*' (November 2019) relating to the development; and
- all additional documents supplied to the EPA in relation to the development, including a letter from InSitu Advisory Pty Ltd dated 16 December 2019, a letter from InSitu Advisory Pty Ltd dated 20 December 2019 and a letter from InSitu Advisory Pty Ltd dated 8 January 2020.

A2. Fit and Proper Person

A2.1 The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the *Protection of the Environment Operations Act 1997*, having regard to the matters in section 83 of that Act.

Discharges to Air and Water and Application to Land

P1 Location of monitoring/discharge points and areas

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

Air

EPA Identification	Type of Monitoring Point	Type of Discharge Point	Location Description
9 - 13	Ambient air quality monitoring		Dust deposition gauge/s to be located at sites representative of nearest sensitive receptors – exact locations to be negotiated with the EPA

P1.2 The following points referred to in the table are identified in the licence for the purposes of the monitoring and/or setting of limits for discharges of pollutants to water from the point.

Water and land

EPA Identification	Type of Monitoring Point	Type of Discharge Point	Location Description
Points 1 - 6	Groundwater quality monitoring		Six piezometers – exact locations to be negotiated with the EPA
7	Leachate quality monitoring		Leachate storage dam – exact location to be negotiated with the EPA

8	Wet weather discharge Discharge waste quality monitoring	Wet weather discharge Discharge water quality monitoring	Overflow from sediment dam – exact location to be negotiated with the EPA
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P1.3 The following points referred to in the table are identified in the licence for the purposes of the monitoring and/or setting of limits for the emission on noise from the premise.

Noise

EPA Identification	Type of Monitoring Point	Type of Discharge Point	Location Description
14 - 18	Noise monitoring		Noise monitoring to be at sites representative of nearest sensitive receptors – exact locations to be negotiated with the EPA

Limit conditions

L1. Pollution of waters

L1.1 Except as may be expressly provided by a licence under the *Protection of the Environment Operations Act 1997* in relation of the development, section 120 of the *Protection of the Environment Operations Act 1997* must be complied with in and in connection with the carrying out of the development.

L2 Concentration Limits

L2.1 For each monitoring/discharge point or utilisation area specified in the table\ s 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 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table.

Water and/or Land Concentration Limits

Point 8

Pollutant	Unit of Measure	100 percentile concentration limit
pH	pH	6.5-8.5
Total suspended solids	Milligrams per litre	50

L2.5 The Total Suspended Solids concentration limits specified in the table above may be exceeded for water discharged from the sediment basins provided that:

- the discharge occurs solely as a result of rainfall measured at the premises that exceeds 31.2 millimetres over any consecutive 5 day period immediately prior to the discharge occurring; and
- all practical measures have been implemented to dewater all sediment dams within 5 days of rainfall such that they have sufficient capacity to store run off from a 31.2 millimetre, 5 day rainfall event.

L3. Waste

L3.1 The licensee must not cause, permit or allow any waste generated outside 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	General Solid Waste (non-putrescible)	As defined in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> , in force from time to time	Waste Disposal (application to land)	The total quantity of waste disposed of at the premises must not exceed 60,000 Tonnes per annum.

L3.2 Only paper machine rejects, dregs and grits, boiler sand/fly ash and recrystallisation plant residue that has come from the Visy Pulp and Paper Mill, located at Tumut NSW and meets the definition of General Solid (non-putrescible) Waste can be accepted at the premises.

L3.3 Waste disposal at the premises must cease 10 years from the date the first load of waste is received at the premises, unless otherwise approved in writing by the EPA.

L3.4 The volume of waste disposed at the premises must not exceed a total airspace capacity of 485,000 cubic metres (m³).

L4. Noise limits

L4.1 Noise generated at the premises must not exceed the noise limits at the times and locations in the table below.

Location	Noise Limits in dB(A)
	Day
	L _{Aeq} (15 minute)
108 Old Hume Highway, Tumblong (Lot 2, DP 1109265)	40
68 Tumblong Reserve Road, Tumblong (Lot 3, DP 702858)	40
419 Old Hume Highway, Tumblong (Lot 99, DP 757213)	40
346 Old Hume Highway, Tumblong (Lot 55, DP 757213)	40
335 Tumblong Reserve Road, Tumblong (Lot 2, DP 390691)	40

L4.2 For the purposes of condition L4.1:

- a) Day means the period from 7am to 6pm Monday to Friday and 7am to 1pm Saturday.

L4.3 Noise-enhancing meteorological conditions

- a) The noise limits set out in condition L4.1 apply under the following meteorological conditions:

Assessment Period	Meteorological Conditions
Day	Stability Categories A, B, C, D and E with wind speeds up to and including 3 metres per second (m/s) at 10 metres above ground level.

- b) For those meteorological conditions not referred to in condition L4.3(a), the noise limits that apply are the noise limits in condition L4.1 plus 5dB.

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

- a) The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as Bureau of Meteorology AWS at Gundagai, NSW.
- b) Stability category shall be determined using the following method from Fact Sheet D of the *Noise Policy for Industry* (NSW EPA, 2017):
 - i. Pasquill-Gifford stability classification scheme (section D1.3.1).

L4.5 To assess compliance:

- a) with the $L_{Aeq(15 \text{ minutes})}$ noise limits in condition L4.1 and L4.3, the noise measurement equipment must be located:
 - (i) approximately on the property boundary, where any residence is situated 30 metres or less from the property boundary closest to the premises; or where applicable,
 - (ii) in an area within 30 metres of a residence façade, but not closer than 3 metres where any residence on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable,
 - (iii) in an area within 50 metres of the boundary of a National Park or Nature Reserve,
 - (iv) at any other location identified in condition L4.1
- b) with the $L_{Aeq(15 \text{ minutes})}$ noise limits in condition L4.1 and L4.3, the noise measurement equipment must be located:
 - (i) at the reasonably most affected point at a location where there is no residence at the location; or,
 - (ii) at the reasonably most affected point within an area at a location prescribed by condition L4.5 (a).

L4.6 A non-compliance of conditions L4.1 and L4.3 will still occur where noise generated from the premises is measured in excess of the noise limit at a point other than the reasonably most affected point at the locations referred to in condition L4.5 (a) or L4.5 (b).

NOTE to L4.5 and L4.6: The reasonably most affected point is a point at a location or within an area at a location experiencing or expected to experience the highest sound pressure level from the premises.

L4.7 For the purpose of determining the noise generated from the premises, the modifying factor corrections in Table C1 in Fact Sheet C of the *Noise Policy for Industry* (NSW EPA, 2017) may be applied, if appropriate, to the noise measurements by the noise monitoring equipment.

L4.8 Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.

L5 Hours of Operation

L5.1 All construction work at the premises must only be conducted between Monday to Friday 7am to 5pm and Saturday 7am to 12 noon. No construction work is to occur on Sundays or Public Holidays.

L5.2 Activities at the premises, other than construction work, may only be carried on between Monday to Friday 7am to 5pm, Saturdays 7am to 1pm and no operational activities are to occur on Sundays or Public Holidays.

L5.3 This condition does not apply to the delivery of material outside the hours of operation permitted by condition L5.1 or L5.2, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

L5.4 The hours of operation specified in conditions L5.1 and L5.2 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

L6. Extraction Limits

L6.1 The total material extracted for the construction of Cell 1 must not exceed 28,240m³.

L6.2 The total material extracted for the construction of Cell 2 must not exceed 127,000m³.

Operating conditions

O1. Odour

O1.1 The proponent must not cause or permit the emission of offensive odour beyond the boundary of the premises.

O2. Dust

O2.1 Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

O2.2 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

O2.3 Drop heights when loading haul trucks must be minimised at all times.

O2.4 All internal roads up to the edge of the site boundary must be sealed.

O2.5 All internal haulage must be undertaken on sealed roads.

O2.6 No more than 0.5 Hectares of the temporary stockpile is to be exposed to wind erosion at any one time.

O2.7 Hydromulch and hydroseeding must be used on 80% of the temporary stockpile.

O3. Stormwater/sediment control - Construction Phase

O3.1 An Erosion and Sediment Control Plan (ESCP) must be prepared and implemented. The plan must describe the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities. The ESCP should be prepared in accordance with the requirements for such plans outlined in *Managing Urban Stormwater: Soils and Construction* (available from the Department of Housing).

O4. Stormwater/sediment control - Operation Phase

O4.1 A Stormwater Management Scheme must be prepared for the development and must be implemented. Implementation of the Scheme must mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities. The Scheme should be consistent with the Stormwater Management Plan for the catchment. Where a Stormwater Management Plan has not yet been prepared the Scheme should be consistent with the guidance contained in *Managing Urban Stormwater: Council Handbook* (available from the EPA).

O5 Emergency Response

O5.1 The proponent must have in place and implement procedures to minimise the risk of fire at the premises.

O5.2 The proponent must extinguish fires at the premises as soon as possible.

O6 Processes and Management

O6.1 The proponent must take all practicable steps to control entry to the premises.

O6.2 The proponent must install and maintain lockable security gates at all access and departure locations.

O6.3 The proponent must ensure that all gates are locked when the landfill is unattended.

O6.4 The proponent must install and maintain security fencing at a height of 1.8 metres to prevent unauthorised access and stock access to the active landfill cell, leachate dam and leachate transfer pond.

O6.5 The perimeter of the areas where waste has been landfilled must be contoured to prevent stormwater running onto these surfaces from all storm events less than or equal to a 1 in 10-year 24-hour duration storm event.

O6.6 The drainage from all areas at the premises which will liberate suspended solids when stormwater runs over these areas must be diverted into sediment controls that have been designed and maintained in accordance with the guideline *Managing Urban Stormwater: Volume 1 and Volume 2B Waste Landfills*.

O6.7 The proponent must control pests, vermin and weeds at the premises.

O6.8 The licensee must ensure that adequately trained staff are available at the premises in order to administer the requirements of this licence.

O6.9 The proponent must install and operate a wheel wash, or alternative approved in writing by the EPA, to clean the wheels of all vehicles exiting the premises.

O7 Waste Management

O7.1 Cover material must be applied in accordance with the following requirements unless otherwise approved by the EPA:

- a) Daily Cover – cover material must be applied to a minimum depth of 15 centimetres over all exposed landfilled waste prior to ceasing operations at the end of the day.
- b) Intermediate Cover – cover material must be applied to a depth of 30 centimetres over surfaces of the landfilled waste at the premises which are to be exposed for more than 90 days.

- c) Cover material stockpiled – at least two weeks cover material must be available at the premises under all weather conditions.

07.2 The proponent must prepare and submit to the EPA within 12 months prior to the last load of waste being landfilled at the premise a closure plan prepared in accordance with section 76 of the *Protection of the Environment Operations Act 1997*.

07.3 There must be no incineration or burning of waste at the premises.

07.4 The proponent must minimise the tracking of waste and mud by vehicles.

07.5 The proponent must have in place and implement procedures to identify and prevent the disposal of any waste not permitted by this licence to be disposed of at the premises.

07.6 The active tip face must not exceed 600 square metres (m²) in area at any one time.

O8 Leachate Management

O8.1 Water which contacts waste, other than virgin excavated natural material, must be managed as leachate.

O8.2 Leachate must only be disposed of by:

- a) Evaporation;
- b) Irrigation within the active cell of the landfill; or
- c) Disposal at a facility licensed to accept such waste.

O8.3 Irrigation of leachate within in active cell must only be undertaken:

- a) During dry weather; and
- b) Such that ponding or run off within the active cell does not occur and if the active tipping face is enclosed by a 300mm high earthen bund.

O8.4 Use of leachate as a dust suppressant outside of the active cell is prohibited.

O9 Other operating conditions

O9.1 Blasting at the premises is prohibited.

Monitoring and recording conditions

M1 Monitoring records

M1.1 The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in conditions M1.2 and M1.3.

M1.2 All records required to be kept by the 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.

M1.3 The following records must be kept in respect of any samples required to be collected:

- 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

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

Air

Point 9-13 – Ambient air quality monitoring

Pollutant	Unit of measure	Frequency	Sampling Method
Particulates Deposited Matter	Grams per square meter per month	Once a month (minimum of 4 weeks)	AM-19

Water and Land

Point 1 – 6 Groundwater Quality Monitoring

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as calcium carbonate)	Milligrams per litre	Quarterly	Grab sample
Calcium	Milligrams per litre	Quarterly	Grab sample
Chloride	Milligrams per litre	Quarterly	Grab sample
Conductivity	Milli-siemens per centimetre	Quarterly	Grab sample
Nitrate + Nitrite (oxidised nitrogen)	Milligrams per litre	Quarterly	Grab sample
Nitrogen (ammonia)	Milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Potassium	Milligrams per litre	Quarterly	Grab sample
Sodium	Milligrams per litre	Quarterly	Grab sample
Standing water level	metres	Quarterly	In situ
Sulphate	Milligrams per litre	Quarterly	Grab sample
Total dissolved solids	Milligrams per litre	Quarterly	Grab sample
Total organic carbon	Milligrams per litre	Quarterly	Grab sample
Total Phenolics	Milligrams per litre	Quarterly	Grab sample

Point 7 Leachate Quality Monitoring

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as calcium carbonate)	Milligrams per litre	Every 6 months	Grab sample
Calcium	Milligrams per litre	Every 6 months	Grab sample
Chloride	Milligrams per litre	Every 6 months	Grab sample
Conductivity	Milli-siemens per centimetre	Every 6 months	Grab sample
Fluoride	Milligrams per litre	Yearly	Grab sample

Lead	Milligrams per litre	Yearly	Grab sample
Magnesium	Milligrams per litre	Every 6 months	Grab sample
Manganese	Milligrams per litre	Yearly	Grab sample
Nitrate + Nitrite (oxidised nitrogen)	Milligrams per litre	Every 6 months	Grab sample
Nitrogen (ammonia)	Milligrams per litre	Every 6 months	Grab sample
pH	pH	Every 6 months	Grab sample
Potassium	Milligrams per litre	Every 6 months	Grab sample
Sodium	Milligrams per litre	Every 6 months	Grab sample
Sulphate	Milligrams per litre	Every 6 months	Grab sample
Total dissolved solids	Milligrams per litre	Every 6 months	Grab sample
Total organic carbon	Milligrams per litre	Every 6 months	Grab sample
Total Phenolics	Milligrams per litre	Every 6 months	Grab sample

Point 8 Discharge from sedimentation pond

Pollutant	Units of measure	Frequency	Sampling Method
pH	pH	Special Frequency 1	Representative sample
Total suspended solids	Milligrams per litre	Special Frequency 1	Representative sample

Note: For the purposes of this condition, 'Special Frequency 1' means as soon as practicable after overflow commences and in any case not more than 12 hours after any overflow commencing and prior to any controlled discharge from the sedimentation basins to demonstrate compliance with the concentration limits defined at condition L2.3.

Note: The frequency of monitoring and the pollutant/s to be monitored may be varied by the EPA once the variability of the water quality is established.

M3.1 Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area required by condition M2.1 must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 Noise Monitoring

M4.1 To assess compliance with the noise limits specified in condition L4.1, the licensee must undertake operator attended noise monitoring at each specified noise monitoring point in accordance with the table below during a period of time representative of typical operating conditions and not undertaken during a shut down period.

Point 14-18

Assessment Period	Minimum frequency in a reporting period	Minimum duration within an assessment period
Day	Special Frequency 2	15 minutes

Note 'Special Frequency 2' means noise monitoring occurring at the following times:

- During construction activities – Monthly (a minimum of 4 weeks)
- During times when operational activities are only occurring – Quarterly

Reporting conditions

R1.1 The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the *Protection of the Environment Operations Act 1997* in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

R2 Other reporting conditions

R2.1 The proponent must complete and submit to the EPA an annual Waste Summary Report each financial year.

R2.2 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.

R2.3 The proponent must submit to the EPA's Manager Regional Operations – Riverina Far West by email to riverina.farwest@epa.nsw.gov.au a quarterly summary of the total tonnage of waste received at the premises. The quarterly report must be submitted to the EPA within 14 days of the end of each quarter.

Special Conditions

E1 Leachate Pond Assessment

E1.1 Prior to the commencement of the construction of the leachate ponds, the proponent must provide to the EPA for approval revised leachate modelling, determining the maximum cumulative volume consistent with the Environmental Guidelines, Solid Waste Landfills (EPA, 2016), to demonstrate that the leachate ponds will be appropriately sized to minimise spills. This must include justification for the assumed volume of leachate in the pond at the start of the model period.

E2 Stormwater Runoff Assessment

E2.1 Prior to the commencement of construction activities, the proponent must provide to the EPA for approval an assessment of the potential impact of stormwater discharges on the environmental values of the receiving waterways. This assessment should be consistent with the National Water Quality Guidelines and commensurate with the level of risk to the environment.

E3 Cell Design and Construction Quality Assurance Report

E3.1 The licensee must construct Cells 1 and 2 in accordance with the designs, specifications, methods and Construction Quality Assurance Plan contained in the Environmental Impact Statement titled '*Proposed Non-Putrescible Waste Disposal Facility (Landfill); Tumblong Road Reserve, Tumblong NSW 2729 Lot 7004, DP1028797 & Lot 7300 DP1149008 & Part Crown Road*' (November 2019) and report titled '*Proposed Landfill Development, Bangas Gravel Pit Landfill, Construction Quality Assurance (CQA) Plan Cell 1 & 2 Construction*' prepared by InSitu Advisory Pty Ltd and dated 22 October 2019. This includes a leachate barrier on the cell floor and walls comprising, from bottom to top:

- a) a 200 millimetre (mm) thick compacted sub-base
- b) a geosynthetic clay liner
- c) a 2 mm thick high-density polyethylene liner
- d) a protection geotextile
- e) a leachate collection layer comprising 300 mm of drainage gravel and collection pipework
- f) a separation geotextile.

E3.2 Following construction of each cell, the licensee must submit to the EPA's Manager Regional Operations – Riverina Far West by email to riverina.farwest@epa.nsw.gov.au for approval a Construction Quality Assurance (CQA) Report. The CQA Report must be produced by an independent and suitably qualified person and must contain:

- a) details and evidence of the works installed, the testing conducted, and the quality assurance procedures implemented;
- b) an account of any variations to the approved designs, methods and specifications; and
- c) an opinion by an appropriately qualified and experienced construction quality assurance practitioner that the works conform to the approved designs, methods and specifications.

E3.3 Waste must not be placed in Cell 1 or Cell 2 until written approval is granted by the EPA.

E4 Final Capping

E4.1 The licensee must construct final capping on Cells 1 and 2 that includes the following capping layers, from bottom to top:

- a) a seal bearing surface 300 mm thick
- b) a sealing layer comprising a geosynthetic clay liner and a polyethylene geomembrane
- c) a protection geotextile
- d) a revegetation layer 1000 mm thick, including a 200 mm thick topsoil layer.

E4.2 At least 6 months prior to construction of final capping, the licensee must submit to the EPA for approval capping designs and a Construction Quality Assurance Plan. Construction must not commence until the EPA has approved these plans in writing.

E4.3 Following construction of final capping, the licensee must submit a Construction Quality Assurance Report containing:

- a) details and evidence of the works installed, the testing conducted, and the quality assurance procedures implemented;
- b) an account of any variations to the approved designs, methods and specifications; and
- c) an opinion by an appropriately qualified and experienced construction quality assurance practitioner that the works conform to the approved designs, methods and specifications.

E5 Weighbridge Requirements

E5.1 Prior to the acceptance of waste at the premises, the proponent must install a weighbridge that records the total tonnage of waste being disposed of at the premises.

E5.2 The proponent must weigh and record all deliveries of waste being disposed of at the premises.

E6 Financial Assurance

E6.1 A financial assurance in the form of an unconditional and irrevocable and on demand guarantee from a bank, building society or credit union operating in Australia as 'Authorised Deposit-taking Institutions' under the Banking Act 1959 of the Commonwealth of Australia and supervised by the Australian Prudential Regulatory Authority (APRA) must be provided to the EPA prior to construction or operation of the premises. The financial assurance must be in favour of the EPA in an amount to be determined by the EPA once a licence application is received for the premises. The financial assurance is required to secure or guarantee funding for works or programs required by or under this licence. The financial assurance must contain a term that provides that any monies claimed can be paid to the EPA or, at the written direction of the EPA, to any other person.

E6.2 The financial assurance must include the following clause: "The Benefit of this guarantee is personal and not capable of assignment but claims by the Favouree may be paid at the Favouree's direction to other persons".

E6.3 The licensee must provide to the EPA, along with the original counterpart guarantee, confirmation in writing that the financial institution providing the guarantee is subject to supervision by the Australian Prudential Regulatory Authority (APRA).

E6.4 The financial assurance must be maintained during the operation of the facility and thereafter until such time as the EPA is satisfied the premises is environmentally secure.

E6.5 The financial assurance must be replenished by the full amount claimed or realised if the EPA has claimed on or realised the financial assurance or any part of it to undertake a work or program required to be carried out by the licence which has not been undertaken by the licence holder.

E6.6 The EPA may require an increase in the amount of the financial assurance at any time as a result of reassessment of the total likely costs and expenses of rehabilitation of the premises.

E6.7 The licensee must provide to the EPA the original counterpart guarantee within five working days of the issue of:

- (a) the financial assurance required by condition E1.1, and
- (b) the adjusted financial assurance as required by condition E1.3, E1.5 and E1.6.

E7 Annual Environmental Monitoring Report

E7.1 The licensee must supply to the EPA an Annual Environmental Monitoring Report concurrently with the submission of the Annual Return.

The report is to supplement the Annual Return and must include but need not be limited to:

- a) Results of all monitoring data in graphical and tabulated format. This data is to include both historical monitoring data and data from the current reporting period.
- b) An analysis and interpretation of monitoring results; and
- c) Actions to correct identified adverse trends.

E8 Complaints Handling Procedure

E8.1 The proponent must prepare a complaint handling procedure for implementation at the premises. The procedure must include details of proposed actions to be taken upon receipt of a complaint at the premises.

Attachment B

Mandatory Conditions for all EPA licences

Administrative conditions

Other activities

This licence applies to all other activities carried on at the premises, including:

- Waste Disposal (application to land); and
- Extractive Activities

Operating conditions

Activities must be carried out in a competent manner

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.

Maintenance of plant and equipment

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.

Monitoring and recording conditions

Recording of pollution complaints

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.

The record must include details of the following:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- the nature of the complaint;
- the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- if no action was taken by the licensee, the reasons why no action was taken.

The record of a complaint must be kept for at least 4 years after the complaint was made.

The record must be produced to any authorised officer of the EPA who asks to see them.

Telephone complaints line

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.

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.

This condition does not apply until 3 months after this condition takes effect.

Reporting conditions

Annual Return documents

What documents must an Annual Return contain?

The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

- a) Statement of Compliance; and
- b) Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before 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.

Period covered by Annual Return

An Annual Return must be prepared in respect of each reporting, except as provided below

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.

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

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.

Deadline for Annual Return

The Annual Return for the reporting period must be supplied to the EPA 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').

Notification where actual load can not be calculated

(Licences with assessable pollutants)

Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the

licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date.

The notification must specify:

- a) the assessable pollutants for which the actual load could not be calculated; and
- b) the relevant circumstances that were beyond the control of the licensee.

Licensee must retain copy of Annual Return

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.

Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary

Within the Annual Return, the Statement 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.

A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

Notification of environmental harm

Note: The licensee or its employees must notify the EPA 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

Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

Written report

Where an authorised officer of the EPA suspects on reasonable grounds that:

- a) where this licence applies to a 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.

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.

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; and
- 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;

g) any other relevant matters.

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.

General conditions

Copy of licence kept at the premises or on the vehicle or mobile plant

A copy of this licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies.

The licence must be produced to any authorised officer of the EPA who asks to see it.

The licence must be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.