NSW GOVERNMENT | Environment, Climate Change & Water

Our reference: DOC11/4019
Contact: Susan Fox, (02) 9995 5738

The General Manager
Newcastle City Council
PO Box 489
NEWCASTLE NSW 2300

Attention: Wesley Wilson – Senior Development Officer

Dear Sir/Madam

General Terms of Approval - Development Application No. 10/1319 – Lot 51 DP1112867 –141 Minmi Road, Wallsend - Stage 2 Expansion of the Summerhill Waste Management Centre.

I refer to development application No. 10/1319 ("the Application") and accompanying information provided for the proposed expansion of the Summerhill Waste Management Centre located at 141 Minmi Road, Wallsend, Lot 51 DP 1112867 ("the Premises"). The Application was received by the Department of Environment, Climate Change and Water ("DECCW") on 2 December 2010.

Please note that, although the Environment Protection Authority ("EPA") is now part of the DECCW, certain statutory functions and powers continue to be exercised in the name of the EPA.

Background

Newcastle City Council holds environment protection licence No. 5897 ("the Licence") for the Premises. The Licence permits landfilling of general solid waste (putrescible); general solid waste (non-putrescible) and asbestos waste.

GHD Pty Ltd prepared an Environmental Impact Statement ("EIS"), on behalf of Newcastle City Council ("the Applicant"), for the expansion and construction of additional landfill cells and the continuation of the Premises existing operations beyond the consent expiry date.

On 17 October 2008, the Department of Planning requested that DECCW provide Director General Requirements ("DGRs") for the proposal.

On 27 October 2008, DECCW provided Department of Planning it's DGRs for the proposal.

On 2 December 2010, Newcastle City Council provided the EIS to DECCW requesting a review of the EIS and provision of General Terms of Approval (GTAs).

On 24 January 2011, the DECCW received Public Submissions on the EIS from Newcastle City Council.

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The DECCW has now assessed the exhibited EIS and public submissions and has determined that, should consent be granted, a variation to the current environment protection licence No. 5897 could be issued to permit the construction and the landfilling of waste in the proposed landfill cells. Enclosed are the DECCW's recommended general terms of approval should the Newcastle City Council approve the Proposal (Attachment A).

If you have any further questions regarding this matter or wish to meet with the DECCW to discuss this matter please do not hesitate to contact Susan Fox on (02) 9995 5738.

Yours sincerely

D Playford 3/2/2011

DANIELLE PLAYFORD
Unit Head Waste Operations (Hunter)
Environment Protection and Regulation
Department of Environment, Climate Change and Water

Enclosure: Attachment A - DECCW (NSW) – General Terms of Approval

ATTACHEMENT A: THE PROPOSAL

GHD Pty Ltd prepared an Environmental Impact Statement ("EIS"), on behalf of Newcastle City Council ("the Applicant") to undertake the Stage II development of Summerhill Waste Management Centre ("the Premises"). The Stage II development includes the construction of additional landfill cells which will increase the lifespan of the landfill beyond 2015.

The Premises was formerly the site of the Wallsend Borehole Colliery and parts of the site has been worked as an open cut and underground mine.

A total void of approximately 12,200,000 m3 would be constructed for the proposed Stage II area. This would allow landfilling of approximately 8,450,000 tonnes of waste. This provides for approximately 28 years of landfilling at the Premises. The Premises has a current annual waste tonnage limit of 220,000t/a.

EPA RECOMMENDATIONS FOR GENERAL TERMS OF APPROVAL

Environment Protection Licence

1. Prior to commencing any activity associated with the proposal, including construction activities, the Licensee ("Newcastle City Council") must apply for an variation to the existing environment protection licence No. 5897 from the Environment Protection Authority ("EPA").

2. Waste must not be received and/or disposed in the landfill cells until the Environment Protection Authority has varied environment protection licence No. 5897 which approves the receipt and disposal of waste in the new landfill cells at the Premises.

Waste

1. The only wastes that may be received at the Premises for disposal is General Solid Waste (putrescible) Asbestos Waste and General Solid Waste (non-putrescible) under DECCW's NSW Waste Classification Guidelines as in force from time to time.

Rehabilitation and Closure

1. Upon cessation of waste operations, the Licensee shall decommission the project and rehabilitate the site to the satisfaction of the EPA.

2. The Licensee shall prepare and implement a Rehabilitation and Closure Plan to the satisfaction of the EPA. This plan must:
   a) Be prepared in consultation with EPA, and by a suitably qualified and experienced expert;
   b) Define the objectives and criteria for rehabilitation and closure;
   c) Investigate options for the future use of the site;
   d) Describe the measures that would be implemented to achieve the specified objectives and criteria for the rehabilitation and closure; and
   e) Calculate the cost of implementing these measures; and describe how the performance of these measures would be monitored over time.

Noise Monitoring

1. The licensee will undertake noise morning program to determine any impacts the construction and operation of the landfill will impact on neighbouring properties.

Odour Survey

1. The licensee must undertake a odour survey to identify odour impacts on neighbouring properties.

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:

a) the "*The City of Newcastle Summerhill Waste Management Centre Stage II Development - Environmental Impact Statement*" (August 2010) ;

b) the attachments and appendences provided with the EIS;

A2. Administrative Licensing Conditions

A2.1 The Applicant must apply for and receive an environment protection licence from the EPA prior to commencing any activity associated with the proposal, including construction activities.

A2.2 Waste must not be received and/or disposed of at the Premises until the EPA has provided the Applicant with an environment protection licence which explicitly approves the receipt and disposal of waste at the Premises.

A2.3 The licence application referred to in condition A2.1 must also be accompanied by a report which provides:

a) drawings "for construction," specifications, design details and installation and commissioning schedule for the proposed :
   i) liner system for the landfill cells; and
   ii) leachate collection, conveyance, storage and disposal system; and
   iii) progressive capping and rehabilitation of the Premises; and

b) a proposed Construction Quality Assurance Plan (CQAP) which ensures that the measures referred to in a) of this condition will be installed in a manner to achieve their design specifications, including an undertaking to provide:
   i) "as constructed" drawings prepared from field surveys of the installed liner system and the leachate collection, conveyance and storage system; and
   ii) a report prepared by a suitably qualified person that validates that the measures referred to in a) i) and ii) of this condition were installed in accordance with their design specifications; and

c) a groundwater monitoring program report which:
   i) details a proposed groundwater monitoring network and a proposed groundwater monitoring program for the Premises;
   ii) demonstrates that the proposed measures referred to in ci) would be suitable to enable detection of leachate pollution of groundwater, if any; and

iii) provides a proposed installation and implementation schedule for the measures referred to in ci); and

d) a gas monitoring program report which:

i) details of a proposed gas monitoring network and a proposed gas monitoring program for the Premises;

ii) demonstrates that the proposed measures referred to in di) would be suitable to enable detection of gas migration , if any; and

iii) provides a proposed installation and implementation schedule for the measures referred to in di); and

e) a soil, water and stormwater management plan in accordance with Managing Urban Stormwater: Soils and Construction (Landcom, 2004) with all sediment control dams sized to contain up the 90 th percentile 5 day duration rainfall event with all pumped discharges containing less than 50 mg/L of TSS and all discharges containing less than 0.9 mg/L of total ammonia.

A2.4 The landfill cell liner system referred to in a) i) of condition A2.3 must comprise either:

a) A fibre reinforced geosynthetic clay liner (GCL) with a permeability of less that 5 X10 $^{-11}$ m/s located covering the entire floor and walls of each waste disposal cell; and

b) a flexible high density polyethylene (HDPE) geomembrane liner (FML) with a minimum co-efficient of permeability of less than 10 $^{-14}$ m/s and minimum thickness of 1.5mm covering the entire floor and walls of each waste disposal cell; or

c) an alternative liner system approved in writing by the EPA.

A2.5 The design of the leachate collection, conveyance, storage and disposal system referred to a) ii) of condition A2.3 must:

a) be overlaid with a geotextile separation layer;

b) be on the basis that disposal options for leachate are limited to storage in a lined leachate storage dam/s and/or disposed via a Trade Waste Agreement and/or disposal at a facility licensed to accept such waste;

c) include a leachate drainage layer comprising either:

i) a minimum 300 mm thick layer of 20mm minimum sized rounded gravel:
- with a permeability of not less than 1 x10^{-3} metres per second; and
- which is chemically resistant to the leachate; and
- is capable of withstanding the weight of the overlying waste; or

ii) an alternative system approved in writing by the EPA; and

c) incorporate leachate dam/s that:

i) are lined with either :
- a composite liner system comprising either re compacted clay or similar material at least 90 centimetres thick with an in situ co-efficient of permeability of less than 10 $^{-9}$ metres per second overlaid

by a flexible FML at least 1.5mm thick and of minimum co-efficient of permeability of 10^{-14} metres per second; or

- a flexible membrane liner (FML) with a minimum co-efficient of permeability of less than 10^{-14} metres per second; or
- an alternative system approved in writing by the EPA; and

iii) allow for the level of leachate in the storage dam/s to be maintained such that there is no overflow ie the design should include high level alarm/s and/or interlock system/s configured such that the alarm/s are activated and any pump or gravity flow of leachate to any dam/s is automatically shut down prior to dam overflow.

Note a: *The EPA will review the reports required by condition A2.3 with a view to attaching conditions to the applicant's environment protection licence requiring installation of the respective measures and implementation of the respective programs.*

Note b: *For validation of thickness of the compacted component of any liner and the leachate drainage layer the EPA will accept the as constructed surveys referred to in b) i) of condition A3.4*

Note c: *For validation of the permeability:*

- *of the compacted component of any liner the EPA will accept compaction and moisture content testing every 1000 m2 in accordance with AS 1289.5.7.1 and permeability testing every 5000 m2 in accordance with AS1289.6.7.3 (for undisturbed samples); and*
- *of the leachate drainage media the EPA will accept particle size distribution testing in accordance with AS 1289.6.7.1 and permeability testing in accordance with AS1289.6.7.1 at least one per source and every 2500 tonnes of material used.*

Note d: *The EPA will also review the information required by b) ii) of condition A2.3 with a view to attaching conditions to the environment protection licence to enable the Licensee to commence landfill disposal of wastes at the Premises.*

Discharges to air and water and applications to land

P1.Location of monitoring/discharge points and areas

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

Air

EPA identi-fication no.	Type of monitoring point	Type of discharge point	Description of location
Numbers to be determined	Air emissions monitoring		Surface gas monitoring.
Numbers to be determined	Air emissions monitoring		Building gas accumulation monitoring in buildings on landfill premises

P1.2 The following points referred to in the table below are identified in these general terms of approval for the purposes of monitoring and/or the setting of limits for the emission of pollutants to water from the point.

Water and land

EPA identification no.	Type of monitoring point	Type of discharge point	Description of location
Numbers to be determined	Leachate quality monitoring		To be determined.
Numbers to be determined	Surface water discharge quality monitoring	Surface water discharge quality	To be determined following submission of information in licence variation
Numbers to be determined	Groundwater quality monitoring		To be determined following submission of information in licence application
Numbers to be determined	Off-site Dust		Submission to be determined with licence variation

Limit conditions

L1. Pollution of waters

L.1.1 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 connection with the carrying out of the development.

L1.2 The Applicant must ensure that that the level of leachate above the basal liner is maintained less than 300mm, or another depth approved by the EPA unless the leachate dam has adequate freeboard capacity.

L2 Load Limits

L2.1 Not applicable

L3 Concentration limits

L3.1 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.

L3.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L3.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\s.

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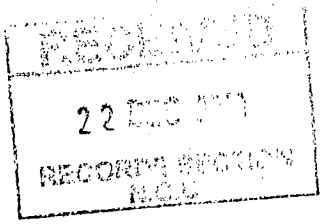


Attention: Mr Wesley Wilson

DEVELOP STAGE 2 OF THE SUMMERHILL WASTE MANAGEMENT FACILITY, LOT 51 DP 1112867, 141 MINMI ROAD, WALLSEND (DA NO. 10/1319)

Dear Mr Wilson,

I refer to your letter dated 24 November 2010 (Your reference: 10/1319), received on 29 November 2010 regarding the subject development application, forwarded to the Roads and Traffic Authority (RTA) for consideration at the Hunter Regional Development Committee (HRDC).

RTA Responsibilities and Obligations

The RTA's primary interests are in the road network, traffic and broader transport issues, particularly in relation to the efficiency and safety of the classified road network, the security of property assets and the integration of land use and transport.

In accordance with the *Roads Act 1993*, the RTA has powers in relation to road works, traffic control facilities, connections to roads and other works on the classified road network. Minmi Road is a local Road. RTA concurrence is not required for connections to the road. Council is the roads authority for this road and all other public roads in the area.

HRDC / RTA Response and Requirements

This project meets the requirements for referral to the Hunter Regional Development Committee (HRDC) under *State Environmental Planning Policy (Infrastructure) 2007*. However, as the Chairperson and delegate for the HRDC, I have reviewed the information provided and consider that no significant traffic impacts will result from the development proposal.

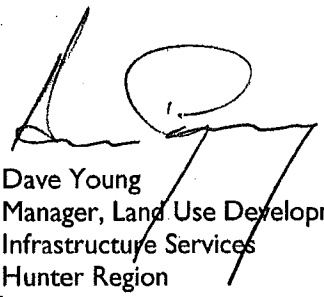
The HRDC would therefore have no objections to or requirements for the proposed development.

Also, the RTA would have no objections or requirements for the proposed development, as it is considered there would not be a significant impact on the classified road network.

On Council's determination of this matter, it would be appreciated if a copy of the Notice of Determination was forwarded to the RTA for record purposes.

Please contact me on (02) 4924 0240 if you require further advice.

Yours sincerely,



Dave Young
Manager, Land Use Development
Infrastructure Services
Hunter Region

21
20 December 2010

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.

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.

O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

a) must be maintained in a proper and efficient condition; and

b) 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 emissions of dust from the premises.

O3.2 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

O4 Leachate management

O4.1 Water which contacts waste, other than virgin excavated natural material, must be managed as leachate.

O4.2 Leachate must only be disposed of by:

a) evaporation;

b) irrigation within the leachate dam;

c) disposal via Trade Waste Agreement.

d) disposal at a facility licensed to accept such waste.

O5 Management of surface waters

O5.1 Surface drainage must be diverted away from any area where waste is being or has been landfilled.

O5.2 The drainage from all areas at the Premises which will liberate suspended solids when stormwater runs over these areas must be diverted into sedimentation basins.

O5.3 All practicable measures must be undertaken to manage all sediment dams such they have sufficient capacity to store run-off from the 90th percentile 5 day rainfall event.

O6 Fire risk reduction works

O6.1 The Applicant must have in place and implement procedures to minimise the risk of fire at the Premises.

O7 Burning of green waste

O7.1 There must be no incineration or burning of any waste at the Premises

O8 Screening of waste

O8.1 The Applicant must have in place and implement procedures to identify and prevent the disposal of any waste not permitted by this general terms of approval to be disposed of at the Premises.

O9 Completion of landfill cells

O9.1 The Applicant must ensure that the landfill cells are capped progressively.

O10 Unauthorised entry

O10.1 The Applicant must take all practicable steps to control entry to the premises.

O10.2 The Applicant must install and maintain lockable security gates at all access and departure locations.

O10.3 The Applicant must ensure that all gates are locked whenever the Premises is unattended.

O11 Degradation of local amenity

O11.1 The Applicant must have in place and implement a litter management program.

O12 Tracking of mud and waste

O12.1 The Applicant must minimise the tracking of waste and mud by vehicles.

O13 Covering of waste

O13.1 Cover material must be "virgin excavated natural material" as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 and must be applied in accordance with the following requirements:

Daily cover

(a) 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 each day.

Intermediate cover

(b) 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.

Cover material stockpile

(c) At least two weeks cover material must be available at the premises under all weather conditions. This material may be won on site, or alternatively a cover stockpile must be maintained adjacent to the tip face.

O14 Control of pests and vermin

O14.1 The Applicant must control pests and at the Premises.

O15 Fire extinguishment

O15.1 The Applicant must extinguish any fires at the Premises as soon as possible.

O16 Fire fighting capability

O16.1 The Applicant must have in place and implement fire prevention measures at the Premises.

O17 Staff training

O17.1 The Applicant must ensure that adequately trained staff are available at the premises in order to administer the requirements of these general terms of approval.

O18 Closure Plan

O18.1 The Licensee must submit to the EPA within twelve months prior to the last load of waste being landfilled a closure plan in accordance with Section 76 of the Protection of the Environment Operations Act 1997.

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 general terms of approval must be:

- in a legible form, or in a form that can readily be reduced to a legible form;
- kept for at least 4 years after the monitoring or event to which they relate took place; and
- 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: the date(s) on which the sample was taken;

- the time(s) at which the sample was collected;
- the point at which the sample was taken; and
- 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

Methane gas monitoring - POINTS to be determined

Pollutant	Units of measure	Frequency	Sampling Method
Methane	%by volume	Quarterly	In situ
Carbon Dioxide	%	Quarterly	In situ
Hydrogen Sulfide	%	Quarterly	In situ
Oxygen	%	Quarterly	In situ

Water and Land

Leachate at leachate collection dam *(location to be determined)* - POINTS to be determined

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as HCO_3^- and CO_3^{2-})	mg/L	Every six months	Grab sample
Aluminium	mg/L	Annually	Grab sample
Arsenic	mg/L	Annually	Grab sample
Barium	mg/L	Annually	Grab sample
Benzene	mg/L	Annually	Grab sample
Cadmium	mg/L	Annually	Grab sample
Calcium	mg/L	Every six months	Grab sample
Chloride	mg/L	Every six months	Grab sample
Chromium (total)	mg/L	Annually	Grab sample
Cobalt	mg/L	Annually	Grab sample
Conductivity	uS/cm	Every six months	Grab sample
Copper	mg/L	Annually	Grab sample
Ethylbenzene	mg/L	Annually	Grab sample
Fluoride	mg/L	Annually	Grab sample
Lead	mg/L	Annually	Grab sample
Magnesium	mg/L	Every six months	Grab sample
Manganese	mg/L	Annually	Grab sample
Mercury	mg/L	Annually	Grab sample
Nitrate + Nitrite (oxidised nitrogen)	mg/L	Every six months	Grab sample
Nitrogen - ammonia	mg/L	Every six months	Grab sample
Organochlorine pesticides	mg/L	Annually	Grab sample
Organophosphate pesticides	mg/L	Annually	Grab sample
pH	pH	Every six months	Grab sample
Polycyclic aromatic hydrocarbons	mg/L	Annually	Grab sample
Potassium	mg/L	Every six months	Grab sample
Sodium	mg/L	Every six months	Grab sample
Sulfate	mg/L	Every six months	Grab sample
Toluene	mg/L	Annually	Grab sample
Total dissolved solids	mg/L	Every six months	Grab sample
	mg/L	Every six months	Grab sample
Total organic carbon			
Total Petroleum Hydrocarbons	mg/L	Annually	Grab sample
Total phenolics	mg/L	Annually	Grab sample
Xylene	mg/L	Annually	Grab sample
Zinc	mg/L	Annually	Grab sample

Sediment Basin/s - POINTS to be determined

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	uS/cm	Special Frequency 2	Grab sample
Nitrogen – ammonia	mg/L	Special Frequency 2	Grab sample
pH	pH	Special Frequency 2	Grab sample
Total Suspended Solids	mg/L	Special Frequency 2	Grab sample

For the purposes of the table above Special Frequency 2 means the collection of samples on the first day of discharge and daily during continual discharge.

Groundwater monitoring - POINTS to be determined

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as HCO_3^- and CO_3^{2-})	mg/L	Quarterly	Groundwater sample – grab
Aluminium	mg/L	Annually	Groundwater sample – grab
Arsenic	mg/L	Annually	Groundwater sample – grab
Barium	mg/L	Annually	Groundwater sample – grab
Benzene	mg/L	Annually	Groundwater sample – grab
Cadmium	mg/L	Annually	Groundwater sample – grab
Calcium	mg/L	Quarterly	Groundwater sample – grab
Chloride	mg/L	Quarterly	Groundwater sample – grab
Chromium (total)	mg/L	Annually	Groundwater sample – grab
Cobalt	mg/L	Annually	Groundwater sample – grab
Conductivity	uS/cm	Quarterly	In situ
Copper	mg/L	Annually	Groundwater sample – grab
Ethylbenzene	mg/L	Annually	Groundwater sample – grab
Fluoride	mg/L	Annually	Groundwater sample – grab
Lead	mg/L	Annually	Groundwater sample – grab
Magnesium	mg/L	Quarterly	Groundwater sample – grab
Manganese	mg/L	Annually	Groundwater sample – grab
Mercury	mg/L	Annually	Groundwater sample – grab
Nitrate + Nitrite (oxidised nitrogen)	mg/L	Quarterly	Groundwater sample – grab
Nitrogen - ammonia	mg/L	Quarterly	Groundwater sample - grab
Organochlorine pesticides	mg/L	Annually	Groundwater sample – grab
Organophosphate pesticides	mg/L	Annually	Groundwater sample – grab
pH	pH	Quarterly	In situ
Polycyclic aromatic hydrocarbons	mg/L	Annually	Groundwater sample - grab
Potassium	mg/L	Quarterly	Groundwater sample – grab
Sodium	mg/L	Quarterly	Groundwater sample – grab
Standing water level	m AHD	Quarterly	In situ
Sulfate	mg/L	Quarterly	Groundwater sample – grab
Toluene	mg/L	Annually	Groundwater sample – grab
Total dissolved solids	mg/L	Quarterly	Groundwater sample - grab
	mg/L	Quarterly	Groundwater sample – grab
Total organic carbon			
Total Petroleum Hydrocarbons	mg/L	Annually	Groundwater sample – grab
Total phenolics	mg/L	Annually	Groundwater sample – grab
Xylene	mg/L	Annually	Groundwater sample – grab
Zinc	mg/L	Annually	Groundwater sample – grab

Note: The monitoring requirements may be varied by the EPA subject to ongoing review and assessment of monitoring results.

M3 Testing methods - concentration limits

M3.1 Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area required to be conducted by the EPA's general terms of approval, or a

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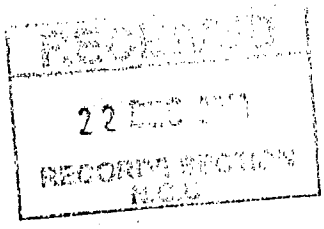

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On Council's determination of this matter, it would be appreciated if a copy of the Notice of Determination was forwarded to the RTA for record purposes.

Please contact me on (02) 4924 0240 if you require further advice.

Yours sincerely,

Dave Young
Manager, Land Use Development
Infrastructure Services
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20 December 2010

A copy of the form in which the Annual Return must be supplied to the EPA accompanies the licence. Before the end of each reporting period, the EPA will provide to the applicant a copy of the form that must be completed and returned to the EPA.

Period covered by Annual Return

R1.2 An Annual Return must be prepared in respect of each reporting, except as provided below

R1.3 Where the Licence is transferred from the applicant 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.

R1.4 Where the licence is surrendered by the applicant or revoked by the EPA or Minister, the applicant 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

R1.5 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').

Licensee must retain copy of Annual Return

R1.6 The Applicant 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

R1.7 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.

R1.8 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.

R2. Notification of environmental harm

Note: The Applicant or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act

R2.1 Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

R2.2 The Applicant must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

a) where the Licence applies to Premises, an event has occurred at the Premises; or
b) were the Licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this general terms of approval, 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 applicant 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) cause, time and duration of the event;
b) 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 applicant, 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 applicant is aware) who witnessed the event, unless the applicant has been unable to obtain that information after making reasonable effort;
e) action taken by the applicant 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 applicant. The Applicant must provide such further details to the EPA within the time specified in the request.

R4 Reporting of Fires

R4.1 In the event of a fire at the facility the applicant must record:

a) the time and date when the fire was deliberately started or reported;
b) whether the fire was authorised by the applicant, and, if not, the circumstances which ignited the fire;
c) the time and date that the fire ceased and whether it burnt out or was extinguished;
d) the location of fire (eg. clean timber stockpile, putrescible waste cell, etc);
e) the prevailing weather conditions;
f) any observations made in regard to smoke direction and dispersion;
g) the amount of waste that was combusted by the fire; and
h) the action taken to extinguish the fire.

R4.2 The Applicant or its employees or agents must notify the EPA in accordance with conditions R2.1 and R2.2 of all fires at the premises as soon as practical after becoming aware of the incident.

R5 Quarterly reporting

R5.1 The Applicant must provide the EPA with information on the quantity of waste received at the Premises and the quantity of waste transported from the facility each quarter. The information in respect of a particular quarter is to be provided on the approved Form WISQTR.1 and must be received by the EPA within 60 days of the end of that quarter.

For the purposes of this condition each of the following periods is a quarter:
(Quarter 1) 1 January - 31 March
(Quarter 2) 1 April - 30 June
(Quarter 3) 1 July - 30 September
(Quarter 4) 1 October - 31 December

R5.2 Whenever leachate is discharged to surface waters from the Premises the Licensee must notify the event to the EPA in accordance with condition R2.1.

R5.3 The Licensee must provide written details of any leachate discharge(s) which exit the Premises to the EPA within 7 days of the date on which the incident occurred.

R5.4 The written details referred to in the above condition must be provided as a report. The report must include the following information:

a) the volume of the leachate discharged and over what time period the discharge occurred;

b) the date and time of the commencement of the overflow;

c) the weather conditions at the time of the discharge, specifying the amount of rainfall on a daily basis that had fallen:

- on the day(s) of the discharge; and
- for the one week period prior to the discharge;

d) the most recent monitoring results of the chemical composition of the leachate;

e) an explanation as to why the discharge occurred;

f) the location(s) of the discharge; and

g) a plan of action to prevent a similar discharge in the future.

General Conditions

G1 Copy of licence kept at the premises

G1.1 A copy of the 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.

G2 Contact number of incidents and responsible employees

G2.1 A 24-hour telephone contact line(s) for the purpose of enabling the EPA to directly contact one or more representatives of the applicant who can:

a) Respond at all times to incidents relating to the premises, and;

b) Contact the applicant's senior employees or agents authorised at all times to:

i) speak on behalf of the applicant, and

ii) provide any information or document required under the licence.

Special Conditions

E1.1 If the results of the groundwater or sediment basin monitoring required by condition M2.1 indicate ammonia concentrations greater then 1 mg/L the licensee must contact the EPA within 24 hours and advise it of the results of that monitoring.

Note: If ammonia concentrations are above 1m/L the EPA will liaise with the licensee to determine an appropriate response.

Pollution Studies and Reduction Programs

U1 Noise Management

U1.1 The licensee must undertake a noise monitoring program to determine the impact of noise generated from the construction and operation of landfill cells on neighbouring properties.

U1.2 A noise wall is to be constructed adjacent to the Premises access road inside the Premises entrance.

U2 Odour Survey

U2.1 The licensee must undertake a odour survey and modelling to determine the odour impacts if any on neighbouring properties.