



Our reference: DOC13/79512

Michael Whittaker - General Manager  
Wyong Shire Council  
PO Box 20  
WYONG NSW 2259

Attention: Jenny Webb

**ELECTRONIC AND REGISTERED MAIL**  
6 November 2013

Dear Mr Whittaker

**General Terms of Approval – Former Mardi Landfill Remediation – DA/542/2013**

I refer to correspondence sent by Wyong Shire Council (Council) to the Environment Protection Authority (EPA), received by the EPA on 27 September 2013. This correspondence requests general terms of approval for development application DA/542/2013 for the proposed "Remediation of former Mardi Landfill site", located at Lots 1 and 2 DP 449738, Lot 361 DP 620853 and unformed road, part of Lot 1 DP – 100 McPherson Road, Mardi NSW (the Proposal).

I also refer to a meeting held between Council officers and EPA officers on 2 October 2013 in relation to the proposed Mardi remediation and several other former landfill sites which Council is planning to remediate.

Please find attached the General Terms of Approval for the Proposal (EPA Notice1516919). A receipt for a cheque received for the General Terms of Approval is also attached to this letter.

Please note that the Proposal will require an Environment Protection Licence (EPL) for the scheduled activity of Waste Storage, which should be applied for before the commencement of any works. Information regarding the application and further requirements for an EPL can be found on the EPA's website at: <http://www.epa.nsw.gov.au/licensing/>

Consistent with provisions under Part 5.7A of the Protection of the Environment Operations Act the EPA will require the licensee to prepare, test and implement a Pollution Incident Response Management Plan in accordance with Section 153A of the Act.

Should you have any enquiries, please contact Grace Bell on (02) 4908 6893.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Melissa Moore', written over a horizontal line.

**MELISSA MOORE**  
**A/Unit Head – Waste Compliance – Hunter**  
**NSW Environment Protection Authority**

Enclosed: Notice 1516919 – General Terms of Approval; Receipt of Payment no. 399644203; Letter from Wyong Shire Council received 27 September 2013.

*To lodge official correspondence electronically on behalf of your business or company, please email the signed correspondence on company/business letterhead to [waste.operations@environment.nsw.gov.au](mailto:waste.operations@environment.nsw.gov.au) . You do not need to provide a hard copy of the emailed correspondence.*

# General Terms of Approval - Issued

---



Notice No: 1516919

Wyong Shire Council

WYONG NSW 2259

Attention: General Manager

Notice Number 1516919  
File Number FIL06/928-09  
Date 06-Nov-2013

## **General Terms of Approval for the Former Mardi Landfill Remediation**

### **Issued pursuant to Section 91A(2) Environmental Planning and Assessment Act 1979**

I refer to Wyong Shire Council's (Council) proposal for the Former Mardi Landfill Remediation, including development application 542/13 and the accompanying Environmental Impact Statement (EIS) prepared by SMEC Australia and dated 7 May 2013. The Environment Protection Authority (EPA) received the proposal and request for general terms of approval from Council on 27 September 2013.

The EPA has reviewed the information provided and has determined that it is able to issue an environment protection licence for the scheduled activity of Waste Storage for the proposal, subject to a number of conditions. In this instance, an environment protection licence is required for the activity of "waste storage". The applicant will need to make a separate application to EPA to obtain this licence.

The EPA provides Attachment A - "General terms of approval" and Attachment B - "Mandatory conditions for Environment Protection Licences" for the proposal. Should Wyong Shire Council grant development consent for this proposal, the EPA recommends that these conditions be incorporated into the consent.

In assessing the proposal, the EPA has also identified a number of environmental issues that Wyong Shire Council should consider in its overall assessment of the application. These issues are discussed in Attachment C - "Additional matters" and include the following issues:

1. Air Quality and Greenhouse Gases;
2. Noise and Vibration;
3. Landfill wastes including asbestos and acid sulphate soils; and
4. Water quality and discharges.

These general terms relate to the development as proposed in the documents and information currently provided to EPA. In the event that the development is modified either by the applicant prior to the granting

## **General Terms of Approval - Issued**

---



Notice No: 1516919

of consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to consult with EPA about the changes before the consent is issued. This will enable EPA to determine whether its general terms need to be modified in light of the changes.

If you have any questions, or wish to discuss this matter further please contact Grace Bell on 4908 6893.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Melissa Moore', written over a dotted line.

**Melissa Moore**

**Acting Unit Head**

**Waste & Resources - Waste Management**

(by Delegation)

# General Terms of Approval - Issued



Notice No: 1516919

## Attachment A - General terms of approval

### 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:

- Development application 542/13 submitted to Wyong Shire Council on 24 July 2013; and
- Wyong Shire Council's "Former Mardi Landfill Remediation Environmental Impact Statement" prepared by SMEC Australia and dated 7 May 2013 accompanying the development application (the EIS).

#### *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 s.83 of that Act.

### Discharges to air and water

#### *P1. Discharges to water*

**P1.1** The following points referred to in the table are identified in this licence for the purposes of monitoring discharges of pollutants to water.

Table 1 - Monitoring Points

EPA Monitoring Point Number	Type of monitoring point	Type of discharge point	Description of location
1	Ambient water monitoring		Immediately Downstream of the site (1200 x 750 mm box culverts under McPherson Road)  Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.

# General Terms of Approval - Issued



Notice No: 1516919

2	Ambient water monitoring		<p>The McPherson Road Mardi Wetland</p> <p>Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.</p>
3	Ambient water monitoring		<p>Main sediment basin / detention basin (inlet and outlet)</p> <p>Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.</p>
4	Ambient water monitoring		<p>The low-area basin</p> <p>Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.</p>
5	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	<p>Diverson drain (to be confirmed)</p> <p>Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.</p>
6	Discharge to waters Discharge quality	Discharge to waters Discharge quality monitoring	<p>Downstream point (to be confirmed)</p>



# General Terms of Approval - Issued



Notice No: 1516919

	monitoring	Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.
7	Groundwater quality monitoring	<p>Eastern Batter - North</p> <p>Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.</p>
8	Groundwater quality monitoring	<p>Eastern Batter - South</p> <p>Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.</p>
9	Groundwater quality monitoring	<p>Southern Boundary</p> <p>Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.</p>
10	Groundwater quality monitoring	<p>Northern Boundary - Well 1</p> <p>Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project</p>

# General Terms of Approval - Issued



Notice No: 1516919

		Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.
11	Groundwater quality monitoring	<p>Northern Boundary - Well 2</p> <p>Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.</p>
12	Groundwater quality monitoring	<p>Northern Boundary - Well 3</p> <p>Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.</p>
13	Groundwater quality monitoring	<p>Western Boundary - Well 1</p> <p>Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.</p>
14	Groundwater quality monitoring	<p>Western Boundary - Well 2</p> <p>Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.</p>
15	Groundwater quality	Western Boundary - Well 3

# General Terms of Approval - Issued



Notice No: 1516919

	monitoring	Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.
16	Groundwater quality monitoring	Western Boundary - Well 4  Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.
17	Groundwater quality monitoring	Landfill Top - Well 1  Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.
18	Groundwater quality monitoring	Landfill Top - Well 2  Point defined in Section 9.3 and Figure A5 of Appendix H "Mardi Landfill Remediation - Water Management Technical Appendix" of the EIS. Project Number 30011030, dated January 2013, as prepared by SMEC Australia Pty Ltd.



# General Terms of Approval - Issued



Notice No: 1516919

## 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 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 Table 2.

**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/s.

**L2.4** Water and/or Land Concentration Limits apply to Monitoring Points 5 and 6 identified in Table .

**Table 2 - Water Concentration Limits**

Pollutant	Units of Measure	100 percentile concentration limit
pH	pH units	6.5 - 8.5
Total Suspended Solids (TSS)	milligrams per litre	50

### *L3. Waste*

**L3.1** The proponent must not cause, permit or allow any waste generated outside the premises to be received at the premises, except the waste expressly referred to in the column titled "Waste" and meeting the definition, is any, in the column titled "Description" in Table 3. Any waste received at the premises must only be used for activities referred to in relation to that waste in the column titled "Activity" in Table 3. 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 Table 3. Condition L3.1 does not limit any other conditions in this licence.

# General Terms of Approval - Issued



Notice No: 1516919

Table 3 - Waste Limits

Code	Waste	Description	Activity	Other Limits
n/a	Virgin Excavated Natural Material (VENM)	As defined in Schedule 1 of the POEO Act, in force from time to time.	Waste Storage	An aggregate total of 55,000 m <sup>3</sup> of VENM and ENM from Wyong Shire Council works may be stockpiled during the early works and remediation phases of the development for use as rehabilitation and capping material at the premises as per the EIS.
n/a	Excavated Natural Material (ENM)	As defined in Schedule 1 of the POEO Act, in force from time to time.	Waste Storage	An aggregate total of 55,000 m <sup>3</sup> of VENM and ENM from Wyong Shire Council works may be stockpiled during the early works and remediation phases of the development for use as rehabilitation and capping material at the premises as per the EIS.

## L4. Hours of operation

L4.1 Hours of operation of the development shall be limited to 7:00am to 6:00pm Mondays to Fridays and 8:00am to 1:00pm Saturdays. No operations are permitted on Sundays or Public Holidays.

## L5. Noise

Note: No specific noise limits will be set, however in order to minimise noise at the site, the licensee is to implement the Construction Noise and Vibration Management Plan it has developed (appendix C in the Environmental Impact Statement), for the duration of the project.

# General Terms of Approval - Issued

---



Notice No: 1516919

## **L6. Stockpile Management**

**L6.1** Waste Storage of Virgin Excavated Natural Material (VENM) and Excavated Natural Material (ENM), located on the premises as set in "Figure 12 – Environmental Impact Staging Plan – Stage 1 – Stockpiling" within Former Mardi Landfill Remediation Environmental Impact Statement dated 7 May 2013 as prepared by SMEC Australia for Wyong Shire Council ("the waste storage area"), must be managed in stockpiles which at any one time:

- a) are no longer than 150 metres;
- b) are no wider than 90 metres;
- c) are no higher than 7 metres;
- d) are effectively bunded so that no erosion or excess sediment loss is caused onsite; and
- e) have appropriate dust controls.

## **Operating conditions**

### **O1. Odour**

**O1.1** No offensive odours are permitted to be caused from the premises.

**O1.2** No condition of this approval identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

*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.*

### **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.

### **O3. Stormwater and sediment control**

**O3.1** An Erosion and Sediment Control Plan (ESCP) for the site 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. The ESCP should be prepared in accordance with the requirements for such

# General Terms of Approval - Issued

---



Notice No: 1516919

plans outlined in *Managing Urban Stormwater: Soils and Construction* (available from the NSW Office of Environment and Heritage).

- O3.2** Surface water drainage must be diverted away from the waste storage area. In order to achieve this, at minimum, the perimeter of any area where waste is stored 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 duration storm event.
- O3.3** The drainage from all areas at the premises which will liberate sediment or solids when stormwater runs over these areas must be diverted into sediment basins.
- O3.4** Each sediment basin must have a marker (the "sediment basin marker") that identifies the upper level of the sediment storage zone.
- O3.5** Whenever the level of liquid and other material in any sediment basin exceeds the level indicated by the sediment basin marker, the proponent must take all practical measures as soon as possible to reduce the level of liquid and other material in the sediment basin.
- O3.6** Each basin used for the capture or storage of stormwater at the premises must be identified by a clearly visible sign placed adjacent to that basin.

## 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:
- 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.

# General Terms of Approval - Issued



Notice No: 1516919

## M2 Requirement to monitor concentration of pollutants

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

**Surface Water Monitoring - EPA Monitoring Points 1 - 6**

Pollutant	Units of measure	Frequency	Sampling Method
pH	pH scale	quarterly	Grab Sample
Electrical Conductivity (EC)	µs/cm	twice per year	Grab Sample
Total Suspended Solids (TSS)	mg/L	quarterly	Grab sample
Dissolved Oxygen (DO)	mg/L	twice per year	Grab sample
Biological Oxygen Demand (BOD)	mg/L	twice per year	Grab sample
Total Nitrogen	mg/L	twice per year	Grab Sample
Ammonia	mg/L	twice per year	Grab Sample
Phosphate	mg/L	twice per year	Grab Sample
Total Petroleum Hydrocarbons	mg/L	twice per year	Grab Sample

**Ground Water Monitoring - EPA Monitoring Points 7 - 18**

Pollutant	Units of measure	Frequency	Sampling Method
Standing Water Level	metres	quarterly	no specified method
pH	pH scale	quarterly	Grab Sample
Electrical Conductivity (EC)	us/cm	quarterly	Grab Sample
Total Suspended Solids (TSS)	mg/L	quarterly	Grab sample
Dissolved Oxygen (DO)	mg/L	quarterly	Grab sample
Biological Oxygen Demand (BOD)	mg/L	quarterly	Grab sample
Total Nitrogen	mg/L	quarterly	Grab Sample
Ammonia	mg/L	quarterly	Grab Sample
Phosphate	mg/L	quarterly	Grab Sample
Total Petroleum Hydrocarbons	mg/L	quarterly	Grab Sample



# General Terms of Approval - Issued

---



Notice No: 1516919

## ***M3. Testing methods - concentration limits***

**M3.1** Monitoring for the concentration of a pollutant discharged to waters must be done in accordance with the Approved Methods for the Sampling and Analysis of Water Pollutants in New South Wales 2004 (available from the NSW Environment Protection Authority).

## ***Reporting conditions***

### ***R1 Annual Return***

**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.

# **General Terms of Approval - Issued**

---



Notice No: 1516919

## **Attachment B – Mandatory conditions for Environment Protection Licenses**

### **Operating conditions**

#### **Activities must be carried out in a competent manner**

Licensed activities must be carried out in a competent manner.

- This includes:
  - the processing, handling, movement and storage of materials and substances used to carry out the activity; and
  - 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.

# General Terms of Approval - Issued

---



Notice No: 1516919

## 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
- a 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

*Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.*

Where this licence is transferred from the licensee to a new licensee,

- 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
- 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

- in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- in relation to the revocation of the licence – the date from which notice revoking the licence operates.

## **General Terms of Approval - Issued**

---



Notice No: 1516919

### ***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***

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:

- the assessable pollutants for which the actual load could not be calculated; and
- 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:

- the licence holder; or
- 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.

### ***Pollution Incident Response Management Plan***

All holders of environment protection licences must prepare a pollution incident response management plan as per section 153A of the POEO Act. The plan must:

- include the information detailed in the POEO Act (section 153C) and be in the form required by the POEO(G) Regulation (clause 98B);
- be kept at the premises to which the environment protection licence relates or, in the case of trackable waste transporters and mobile plant, where the relevant activity takes place (section 153D, POEO Act); and
- be tested in accordance with the POEO(G) Regulation (clause 98E).

# General Terms of Approval - Issued

---



Notice No: 1516919

## Notification of environmental harm

- 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:

- where this licence applies to premises, an event has occurred at the premises; or
- 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:

- the cause, time and duration of the event;
- the type, volume and concentration of every pollutant discharged as a result of the event;
- 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
- 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;
- action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- (details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- (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 Terms of Approval - Issued**

---



Notice No: 1516919

## **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.

# General Terms of Approval - Issued

---



Notice No: 1516919

## **Attachment C - Additional matters**

During the assessment of documents submitted to the EPA for the proposal, a number of additional environmental matters were considered and comments are provided below.

### **1. Air Quality and Greenhouse Gases**

#### ***1.1 No Air Quality Impact Assessment has been provided***

The EPA provided Director General Requirements (DGRs) for the proposal on 19 January 2012 which listed a number of requirements for the Environmental Impact Statement to include. It was a requirement that "*the EIS should include a detailed air quality impact assessment (AQIA)*" with 10 specific matters to assess. In addition to this, a Greenhouse Gas assessment was required with 4 specific matters to assess.

It appears that although the EIS reports generally on air quality and greenhouse gases, the requirement of providing an AQIA as stipulated in the Director General Requirements was not met.

#### ***1.2 Determining the impacts of the proposal in relation to Air Quality***

The EPA could not review the complete impact of emissions during all stages of the proposal without an AQIA. Methane, ammonia, friable asbestos and other unprescribed emissions could have adverse impacts throughout the different stages of this development based on a number of factors such as the topography of the site, the ambient air quality and the meteorology around the proposal.

#### ***1.3 Associated Assessments provided in the EIS***

It is noted that *Appendix F: 2012 LFG and Water Quality Monitoring Results*, *Appendix E 2013 RAP*, *Appendix H Water Management*, *Appendix I Leachate Generation Assessment* and *Appendix J Waste Management* of the EIS report on elements of Air Quality and Greenhouse Gas emissions.

It is also noted that there are a number of plans of management for all stages of the proposal which will contribute to ensuring that air quality and greenhouse gas emissions are effectively managed; including monitoring plans and dust suppression methods.

#### ***1.4 Odour mitigation***

The most likely source of odour identified in the proposal would be from leachate and sediment basins, acid sulphate soils and any waste encountered during the construction phase of the development, specifically during excavation of the existing landfill cap. The EPA notes that the EIS identifies these odours and mitigation measures in *Section 5.2.2*.

The EPA accepts these mitigation measures and highlights condition **O1.1** of these general terms of approval which states "*No offensive odours are permitted to be caused from the premises*".

# General Terms of Approval - Issued

---



Notice No: 1516919

## 2. Noise and Vibration

### 2.1 Predicted exceedences in Noise Management Levels

The DGRs for the proposal asked for a number of matters to be addressed in the EIS. From the DGRs, the following matters were to be addressed in the EIS: 1) Construction noise; 2) Vibration for all activities; and 3) Road Noise. *Appendix C Noise and Vibration Assessment* in the EIS meets the DGRs.

Results of the Noise and Vibration Assessment however depict worst case scenarios with exceedences of road and construction noise at certain stages of the development, as well as likely vibration impacts from rollers or vibrating compactors.

The EPA accepts the *Noise and Vibration Assessment's* mitigation option of preparing a Construction Noise and Vibration Management Plan (CNVMP) and may place this requirement on the licence as a Pollution Reduction Program.

## 3. Landfill wastes including asbestos and acid sulphate soils

### 3.1 Managing the hazards and risks of asbestos

The EPA notes that the proposal poses a potential to uncover asbestos and other contaminated materials during construction and rehabilitation phases. The EIS indicates that a number of management plans will be prepared to adequately manage the risks, including;

- A Construction Safety Report;
- An Occupational Health and Safety Plan; and
- A Contaminated Materials and Asbestos Containing Materials Management Plan.

These three documents are required to be prepared and implemented by the proponent before the commencement of Phase 1 of the proposal, and implemented throughout the development.

### 3.2 Managing the hazards and risks of acid sulphate soils

An *Acid Sulphate Soils Management Plan* is required to be developed and implemented by the proponent before the commencement of Phase 1 of the proposal, and implemented throughout the development.

## 4. Water quality and discharges

### 4.1 Sample locations

*Appendix H Water Management Technical Appendix Section 9.2, 9.3 and Figure A-5* of the EIS detail the proposed monitoring program for the proposal. The EPA accepts the proposal but requires clarification on surface water locations.

**Point 5**, "Diversion Drain", and **Point 6**, "Downstream Point" in **Table 1** of these general terms of approval are to be confirmed during the licence application stage. The EPA requires off-premises sample locations to monitor any discharges from the development into waters. Section L1.1 of these general terms of approval states that the development may not pollute waters as per section 120 of the POEO Act.

# General Terms of Approval - Issued

---



Notice No: 1516919

## ***4.2 Ground water samples***

*Appendix H Section 9.3* of the EIS identifies locations for ground water monitoring which require more than one well being sampled. The EPA has accepted this program and highlights that samples are to be taken and submitted to the EPA in accordance with **Table 1** of these general terms of approval.

It should be noted that EPA Monitoring **Points 7 - 18** in **Table 1** have been allocated in accordance with the locations identified in *Section 9.3 of Appendix H*, which are to be confirmed during the licence application stage.