

General Terms of Approval - Issued



Notice No: 1527988

The General Manager
Shellharbour City Council
Locked Bag 155
SHELLHARBOUR CITY CENTRE NSW 2520

Attention: Mr Grant Meredith

Notice Number 1527988
File Number EF15/798
Date 07-May-2015

Dear Sir

Dunmore Resource Recovery Facility Redevelopment - DA523/2014
Buckleys Road, Dunmore

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

I refer to the development application and accompanying information provided for the redevelopment of the Dunmore Resource Recovery Facility received by the Environment Protection Authority (EPA) on 15 January 2015.

On 25 February 2015, the EPA wrote to Council requiring further information in relation to the proposal. Council has since provided the additional information.

The EPA has completed its review of the information provided and has determined that it is able to vary the existing environment protection licence to allow the proposal to proceed, subject to a number of proposed licence conditions. These proposed licence conditions are provided in attachment A, and are to be read in addition to the conditions currently included in environment protection licence no. 12903. The EPA has also provided some general comments in attachment B that Council may wish to consider when drafting the conditions of consent.

Please note that the proposed licence conditions relate to the development as proposed in the documents and information currently provided to the EPA. In the event that the development is modified either by the applicant prior to the granting of consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to consult with the EPA about the changes before the consent is issued. This will enable the EPA to determine whether its general terms need to be modified in light of the changes.

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If you have any questions, or wish to discuss this matter further please contact Megan Whelan on (02) 4224 4109.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'CW', followed by a horizontal line.

.....

Cate Woods

A/Manager Regional Waste Compliance

Waste & Resources - Waste Management

(by Delegation)

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ATTACHMENT A: General Terms of Approval

Integrated Development Application - Dunmore Resource Recovery Facility Redevelopment DA523/2014 - Buckleys Road, Dunmore

1. Information supplied to the EPA

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 development application DA523/2014 submitted to Shellharbour City Council on 17 December 2014;
- b) "*Environmental Impact Statement - Dunmore Resource Recovery Redevelopment*, Hyder Consulting, December 2014"; and
- c) all additional documents supplied to the EPA in relation to the development, including the "*Response to Additional Information Request*, Hyder Consulting, 19 March 2015".

2. Hours of operation

- All construction work at the premises must only be conducted between:
 - a) 7am and 6pm weekdays; and
 - b) 8am to 1pm on Saturday
- Activities at the premises, other than construction work, may only be conducted between:
 - a) 7.30am and 4.00pm weekdays;
 - b) 8.00am and 4.00pm weekends and Public Holidays; and
 - c) Closed Christmas Day and Good Friday

3. Dust

- Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.
- Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.
- Vehicles leaving the premises must not track materials onto external surfaces.

4. Air Quality Management Plan

- For all dust and odour emission sources at the site the licensee must prepare an air quality management plan that includes, but is not limited to:
 - *Key performance indicator(s);*
 - *Monitoring method(s);*
 - *Location, frequency and duration of monitoring;*
 - *Record keeping;*
 - *Response mechanisms; and*

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- *Compliance reporting.*
- The air quality management plan must be implemented prior to the commencement of works to redevelop the facility.

5. Assessment of Biofilter

Within the first six months of operation, the licensee must undertake an assessment of odour from the bio-filter under usual operating conditions. A report detailing the results of the assessment must be submitted to the EPA by the end of the first six months of operation. If the operation is to continue, the bio-filter must perform at least to the standard assumed in the Environmental Impact Statement.

6. Waste

- The licensee must not cause, permit or allow any waste to be received at 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	Virgin Excavated Natural Material	As defined in Schedule 1 of the POEO Act, in force from time to time	Waste Storage, Resource Recovery	NA
NA	Building and Demolition Waste		Waste Storage, Resource Recovery	
NA	Garden Waste		Waste Storage, Resource Recovery, Composting	
NA	Wood Waste		Waste Storage, Resource Recovery, Composting	
NA	Food Waste		Waste Storage, Resource Recovery, Composting	
NA	General Solid Waste (non-putrescible)		Waste Storage	
NA	Asbestos Waste		Waste Storage	
NA	Waste Tyres		Waste Storage	

- The quantity of waste composted at the premises must not exceed 50,000 tonnes per annum.
- The quantity of waste processed at the premises must not exceed 50,000 tonnes per annum.
- The height of any stockpile on the premises must not exceed 6 metres.
- Stockpiles of waste, waste derived substances and/or recovered substances (including stockpiled substances already processed or partially processed) must not exceed the following limits at any time:
 - Processed and unprocessed garden waste and wood waste - 10,000 tonnes;
 - Unprocessed and processed building and demolition waste - 15,000 tonnes;
 - Virgin excavated natural material (VENM) - 5000 tonnes; and
 - Metal - 500 tonnes.

7. Meteorological Monitoring

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- The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

Air

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Description of Location
<u>1</u>	<u>Meteorological Monitoring</u>		<u>To be determined</u>

- For each monitoring point specified in the table below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period, and sample at the frequency specified opposite in the other columns.

POINT 1

Parameter	Units of measure	Frequency	Averaging Period	Sampling Method
Rainfall	mm	Continuous	1 hour	AM-4
Wind speed @ 10 metres	m/s	Continuous	15 minute	AM-2 & AM-4
Wind direction @ 10 metres	0	Continuous	15 minute	AM-2 & AM-4
Additional requirements				
- Siting				AM-1 & AM-4
- Measurement				AM-2 & AM-4

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ATTACHMENT B: EPA General Comments

Integrated Development Application - Dunmore Resource Recovery Facility Redevelopment DA523/2014 - Buckleys Road, Dunmore

The EPA provides the following general comments in relation to the proposal:

Conditions of Consent

The EPA recommends that Council consider including the following in the conditions of consent:

A. Environment Protection Licence Variation

Prior to undertaking any works not permitted by environment protection licence no. 12903, the applicant must submit an application to the Environment Protection Authority and be issued with a licence variation.

B. Stormwater/sediment control - Construction Phase

A Soil and Water Management Plan (SWMP) 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 SWMP should be prepared in accordance with the requirements for such plans outlined in *Managing Urban Stormwater: Soils and Construction*.

C. Stormwater/sediment control - Operation Phase

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*.

Waste Types

The EPA notes that the applicant proposes to receive, process, and compost food waste at the resource recovery facility. The EPA has included food waste in the waste table that forms part of the general terms of approval, but advises that it can only be added to the environment protection licence if it is included in the development consent.

Premises Details

The EPA notes that the premises details referred to in the proposal include Lot 1 DP 419907. This parcel of land is not currently included in the area covered by environment protection licence no. 12903. If the applicant intends to operate on this parcel of land, it must be included in the development consent, and the applicant must submit a licence variation application to the EPA, together with a map indicating the proposed new premises boundary.

Meteorological Monitoring

Conducting meteorological monitoring at the site would assist with appropriate dust suppression and odour management. The EPA recommends that a meteorological monitoring station be installed at the site, and has included this in the above General Terms of Approval. However, the EPA recognises that the station may be better placed on

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the Landfill site under environment protection licence no. 5984. The applicant may contact the EPA to discuss the proposed licence condition.

Waste Regulation

There have been some recent changes to Environment Protection Legislation in NSW that will affect the applicant, whether or not the proposal goes ahead. Under the *Protection of the Environment (Waste) Regulation 2014*, a levy liability will apply to all EPA-licensed waste facilities. Each of these facilities will also be required to install a weighbridge to accurately record waste movements. For more information about the changes, see the EPA's website: <http://www.epa.nsw.gov.au/wasteregulation/wastechanges.htm>.