



Our Ref : DOC17/404596-02
DA/1940/2013/A

Mr Tony Farrell
Acting General Manager
Lake Macquarie City Council
Box 1906
Hunter Region Mail Centre NSW 2310

Attention: Ms Elizabeth Lambert

**Registered Post and Electronic Mail
16 August 2017**

Dear Mr Farrell

Section 96 (2) DA 1940/2013/A- Remondis - Awaba Alternative Waste Management Facility – Variation to General Terms of Approval – Notice 1555355

I refer to Council's correspondence to the Environment Protection Authority (EPA) dated 07 December 2016 relating to the Section 96 (2) application for modification of the development consent (DA 1940/2013/A) for the Alternative Waste Management and Composting Facility at 413 Wilton Road Awaba ("the Premises"). Reference is also made to your email dated 03 August 2017 identifying inconsistencies in documentation.

The EPA has varied the General Terms of Approval via Notice 1555355, which is attached for your information. The EPA would like to emphasise that the conditions were not intended to form part of the conditions of consent but are likely conditions that will be included as conditions on Environment Protection Licence 20949 (EPL 20949) which is issued to Remondis Australia Pty Ltd ("Remondis").

Background to the Variation

Remondis recently made representations to the EPA in relation to the proposed approval of modification. Remondis raised concerns of how they would achieve acceptable outcomes in performance and environmental controls, considering the proposed licence conditions and the functionality of the facility. After further reviewing the proposal in the context of the original project impacts, the EPA has agreed to modify several of the GTAs.

Should the consent be modified, the applicant (Remondis) will also need to make a separate application to the EPA to vary EPL 20949.

For your information, please direct all waste related matters from Council to the EPA's Waste and Resource Recovery Branch either on signed letterhead via email to

waste.operations@epa.nsw.gov.au or the Unit Head, Waste Compliance, EPA, PO Box 488G
Newcastle NSW 2300.

If you have any questions regarding this matter please contact Cameron Perry on (02) 4908 6868.

Yours faithfully

MELISSA MOORE
Unit Head, Waste Compliance - Hunter
Environment Protection Authority

Contact Officer: Cameron Perry 4908 6868
Encl: Part 4 Modification Application - Notice 1555355

Part 4 Modification Application - EPA Comments



Notice No. - 1555355

REMONDIS AUSTRALIA PTY LTD
ABN 95 002 429 781 ACN 002 429 781
163 O'RIORDAN STREET
MASCOT NSW 2020

Attention: Elizabeth Lambert - Lake Macquarie City Council

Notice Number 1555355
File Number EF14/3107
Date 16-Aug-2017

**Re: Integrated Development Application - Awaba Alternative Waste Management Facility
367 Wilton Road Awaba (DA/1940/2013/A)- Variation to General Terms of Approval -
Issued pursuant to Section 96(2) Environmental Planning and Assessment Act 1979**

The Environment Protection Authority ("EPA ") has issued this Notice of Variation to General Terms of Approval relating to two conditions in particular, see Attachment A.

Background

Lake Macquarie City Council has granted development consent DA/1940/2013 ("the Consent") under the *Environmental Planning and Assessment Act 1979* to Remondis Australia Pty Ltd ("Remondis") for the Awaba Alternative Waste Management Facility. The EPA has issued an Environment Protection Licence 20949 ("the Licence") under section 47 of the *Protection of the Environment Operations Act 1997* which permits scheduled development works to be carried out for the composting facility at 413 Wilton Road Awaba ("the Premises"). The Licence does not permit scheduled activities (i.e. composting) to be carried on.

On 7 December 2016 the EPA received documentation regarding an application by Remondis to modify condition 39 of the Consent to increase the allowable processing capacity from 30,000 tonnes to 44,000 tonnes. Further information was provided by Remondis on 23 May 2017. The EPA provided modified General Terms of Approval (GTA's) 28 June 2017 (Notice 1553110) as a consequence of this additional information. The EPA also issued Notice 1534661 to modify the GTA on 28 July 2017.

Subsequently both Remondis and Lake Macquarie City Council have identified further inconsistencies between the GTAs, Councils approval documents, and information obtained during the Premises development. The purpose of this variation is to address these inconsistencies and update the GTAs based on the latest information.

Part 4 Modification Application - EPA Comments



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Lake Macquarie City Council request for variation

On 3 August 2017 the EPA received documentation from Lake Macquarie City Council identifying potential inconsistency with condition O2.2 of the original GTAs and the EIS prepared by Umwelt. The original GTA's included condition O2.2 stated:

Condition O2.2

All surface water controls must be installed and implemented in accordance with the Soil and Water Management Plan as detailed in the environmental impact statement Awaba Alternative Waste Treatment Facility - Stage 2 (Report No. 3142/R01/FINAL) prepared by Umwelt dated December 2013.

The EPA has reviewed the condition, and agrees the removal of the condition does not reduce environmental safeguards and controls at the Premises. The EPA agrees to the removal of condition O2.2 (see Attachment A).

Remondis request for variation

On the 14 August 2017, the EPA received documentation from Remondis who identified operational concerns with two of the conditions the EPA issued in the original GTAs. These conditions were raised as concerns with the EPA previously during general discussions with Remondis, however the EPA had based its GTA's on the environmental documentation provided with the modification EPA requested that Remondis provide suitable documentation for the EPA's consideration.

Remondis has provided additional odour models based on the proposed changes to demonstrate these would not result in significant changes to the original proposal (letter dated 14 August 2017) or environmental outcomes. The proposed modification by Remondis involves changes to two of the conditions included in the EPA's GTAs.

Condition O4.3

- *O4.3 'All kerbside organics must be composted in the aerated tunnels within 18 hours of receipt' Remondis suggests this be replaced by 'All kerbside organics must be composted in the aerated tunnels within 102 hours of receipt and the total quantity of received material stored must not exceed 137 tonnes and only be stored longer than 18 hours on an occasional basis'.*

The EPA has reviewed the proposal by Remondis and determined that the proposed increase to storage at the beginning of the process is inconsistent with the original proposal. The EPA does not believe it is appropriate for the storage of kerbside organics received at the premises to be kept at the receipt area for periods longer than 18 hours.

Condition O4.4

- *O4.4. 'Stockpiles within the product storage area must not exceed 200 m² in the summer months (1 October to 31 March inclusive)'. Remondis suggests this be replaced by 'Stockpiles within the product storage area must not exceed 4,000 m² at any time'.*

The EPA has reviewed the proposal by Remondis and determined that the proposal to increase the storage area associated with the stockpiles is an acceptable change based on the model suggesting that there would be minimal changes to the odour profile based on the proposed change (see Attachment A).

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The EPA emphasises that Remondis is responsible from managing odour at and from the Premises, regardless of the volume of material in the stockpile area.

If you have any questions, or wish to discuss this matter further please contact Cameron Perry on 4908 6868.

Yours sincerely

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

Melissa Moore
Acting Unit Head
Waste and Resource Recovery
(by Delegation)

Part 4 Modification Application - EPA Comments



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ATTACHMENT A

The EPA varies the GTA conditions as follows

Condition O2

Current GTA condition:

Condition O2.2 All surface water controls must be installed and implemented in accordance with the Soil and Water Management Plan as detailed in the environmental impact statement Awaba Alternative Waste Treatment Facility - Stage 2 (Report No. 3142/R01/FINAL) prepared by Umwelt dated December 2013.

Modified GTAs

Condition O2.2 deleted

Condition O4

Current GTA Condition O4:

The facility shall be run in a proper and efficient manner. This includes, but is not limited to:

1. Wastes accepted are limited to food and green organic wastes from kerbside collections (FOGO) and green waste.
2. Processing must not involve heat (thermal) or chemical processing.
3. All kerbside organics must be composted in the aerated tunnels within 18 hours of receipt.

Stockpiles within the product storage area must not exceed 200 m² in the Summer months (1 October to 31 March inclusive).

Modified Condition O4 now states:

The facility shall be run in a proper and efficient manner. This includes, but is not limited to:

1. Wastes accepted are limited to food and green organic wastes from kerbside collections (FOGO) and green waste.
2. Processing must not involve heat (thermal) or chemical processing.
3. All kerbside organics must be placed in the aerated tunnels for composting, within 18 hours of receipt.
4. Stockpiles of final product must not exceed covering a footprint of 4000 m² in the "product storage area" at any time.