

General Terms of Approval - Issued



Notice No: 1548801

General Manager

PO Box 555

TAMWORTH NSW 2340

Attention: Mr Daniel Coe

Notice Number	1548801
File Number	SF16/19559; DOC17/399157
Date	14-Sep-2017

Re: Tamworth Regional Council - Organics Recycling Facility - Duri-Wallamore Road, Tamworth

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

I refer to the development application and accompanying information provided for the proposed organics recycling facility located on Lot 2 DP 1119834 at Duri-Wallamore Road, Tamworth received by the Environment Protection Authority (EPA) on 13 December 2016. I also refer to the additional information provided by Tamworth Regional Council on 13 April 2017 and 26 July 2017.

The EPA has reviewed the information provided and has determined that it is able to issue a licence for the proposal, subject to a number of conditions. The applicant will need to make a separate application to the EPA to obtain this licence if development consent is granted.

The general terms of approval for this proposal are provided at attachment A. If Tamworth Regional Council grants development consent for this proposal these conditions should be incorporated into the consent.

These general terms 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 granted. This will enable the EPA to determine whether its general terms need to be modified in light of the changes.

In assessing the proposal the EPA has also identified a number of environmental issues that Tamworth Regional Council may wish to consider in its overall assessment of the application;

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Odour has been identified as a major concern by a number of residents and receptors located within close proximity to the proposed development. The Oakburn Park Raceway, located at 1216 Gunnedah Road, Tamworth is owned by Tamworth Regional Council but is leased to a third party. The raceway is a recreational venue and while odour impacts at the raceway were considered in the Air Quality Impact Assessment conducted for the development, the raceway itself was not considered to be a source of population for the purposes of determining the appropriate odour criterion to apply to the proposed development. The EPA considers the raceway to be a sensitive receptor and expects that Tamworth Regional Council will manage all odour complaints from employees, visitors or users of the raceway that are attributed to the proposed development.

The EPA will be requiring Tamworth Regional Council to implement and maintain, in consultation with a recognised odour control specialist, an Air Quality and Odour Management Plan describing measures to minimise odour impacts associated with the operation. Within 12 months of commencement of operations and whenever ongoing verified odour complaints are made, Tamworth Regional Council will be required to appoint a recognised independent odour control specialist to conduct a review of the development's operations against each of the mitigation measures and management practices described in the approved Air Quality and Odour Management Plan.

Additionally, if ongoing verified odour complaints are made, the EPA will also require Tamworth Regional Council to commission a comprehensive odour audit of the fully operational facility to confirm compliance with s.129 of the *Protection of the Environment Operations Act 1997* and recommend any additional mitigation measures that may be implemented at the premises if offensive odour impacts are verified.

If you have any questions, or wish to discuss this matter further please contact Miss Ingrid Morrison on (02) 6773 7000.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Robert O'Hern'.

.....
Robert O'Hern
Head Regional Operation Unit
North - Armidale

(by Delegation)

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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:

- the development application DA2017/0229 submitted to Tamworth Regional Council on 6 December 2016;
- the environmental impact statement '*Tamworth Organics Recycling Facility EIS, Environmental Impact Statement*' prepared by *KMH Environmental*, dated 30/11/2016 (EIS) relating to the development; and
- all additional documents supplied to the EPA in relation to the development, including;
 - '*Tamworth Organics Recycling Facility EIS, Submissions Report*', prepared by *KMH Environmental*, dated April 2017; and
 - Response letter from Tamworth Regional Council (Ref: DCSF7667), dated 26 July 2017.

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 and Applications to land

P1 Location of monitoring/discharge points and areas

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

EPA ID No.	Type of Monitoring Point	Type of Discharge Point	Location Descriptions TBA
1	Leachate quality monitoring	Leachate quality monitoring	Leachate Dam
2	Water quality monitoring	Water quality monitoring	Stormwater storage dam
3	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	Discharge point from leachate dam
4	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	Discharge point from stormwater storage dam
5	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	Upstream surface water monitoring point in Boltions Creek

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6	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	Downstream surface water monitoring point in Boltons Creek
7	Groundwater quality monitoring	Groundwater quality monitoring	Upstream groundwater monitoring bore
8	Groundwater quality monitoring	Groundwater quality monitoring	Downstream groundwater monitoring bore
9	Discharge to utilisation area Soils Monitoring	Discharge to utilisation area Soils Monitoring	Surface soil monitoring point located within the leachate irrigation area
10	Discharge to utilisation area Soils Monitoring	Discharge to utilisation area Soils Monitoring	Sub-surface soil monitoring point located within the leachate irrigation area

Note: Monitoring points 9 and 10 are the same point within the leachate irrigation area

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 connection with the carrying out of the development.

L2. Concentration limits

L2.1 Whenever a wet weather overflow is occurring due to stormwater events greater than or equal to a 1 in 25 year, 24 hour duration storm event, leachate is permitted to be discharged at the following points for the duration of the overflow: Points 3, 4.

L2.2 For each 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.

POINT 4

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	100 Percentile concentration limit
Biochemical Oxygen Demand (BOD)	mg/L	-	-	30
Oil and Grease	mg/L	-	-	10
Total Suspended Solids (TSS)	mg/L	-	-	50
pH	pH	-	-	6.5 - 8.5

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L3. Waste

L3.1 The licensee must not cause, permit or allow any waste generated outside the premises 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
N/A	General Solid Waste (Putrescible)	Food and Garden Organics from kerbside collections (FOGO)	Composting	8,500 tonnes per annum
N/A	General Solid Waste (Putrescible)	Green Waste	Composting	4,000 tonnes per annum
N/A	General Solid Waste (Putrescible)	Timber	Composting	4,000 tonnes per annum
N/A	General Solid Waste (Putrescible)	Paunch	Composting	2,500 tonnes per annum
N/A	General Solid Waste (Putrescible)	Highly putrescible (poultry mortalities, offal, dissolved air flotation (DAF) unit sludge)	Composting	5,000 tonnes per annum
N/A	General Solid Waste (Putrescible)	Animal manures and bedding	Composting	7,000 tonnes per annum
K110	Liquid Waste	Grease trap waste, residual septic waste etc.	Composting	1,000 tonnes per annum
N/A	Waste	Any waste received on site that is below licensing thresholds in Schedule 1 of the POEO Act, as in force from time to time	Composting	N/A

Note: Once the facility is operational, the waste limits may change subject to approval in writing by the EPA.

L3.2 The EPA may consider an increase to the waste limits in the table in condition L3.1 once;

- The Odour Compliance Assessment (required by condition E2) is received;
- An Air Quality Impact Assessment (AQIA) is completed for the proposed increase in waste stream limits; and
- The AQIA demonstrates compliance with the 6 odour unit criterion applied to the development.

L3.3 Condition L3.1 only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the *Protection of the Environment Operations Act 1997*.

L3.4 The total amount of waste referred to in the table in condition L3.1, must not exceed 32,000 tonnes of waste (total of combined wastes) received from offsite per year.

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L3.5 Stockpiles of timber and green waste at the premises must not exceed a total quantity of 50 tonnes at any one time.

L3.6 Wastes that are not permitted to be received at the premises in accordance with the waste table in condition L3.1 must not exceed a total quantity of 15 tonnes at any one time and must not be stored at the premises for more than 24 hours.

L3.7 Wastes from animal mortality's, except poultry mortality's, must not be accepted at the premises.

L4. Noise limits

L4.1 Noise generated at the premises must not exceed the noise limits in the Table below.

Location	Location Description	Noise Limit dB(A) Day LAeq (15 Minute)
R2	166 Old Winton Road	35
R7	369 New Winton Road	35
R4	1154 Gunnedah Road	37

Note: If 85 Old Winton Road (TRC 1) and 1216 Gunnedah Road (TRC 3) are sold and no longer under Tamworth Regional Council ownership, noise limits will also be applied to these premises.

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

- Day is the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holidays.
- Evening is the period from 6pm to 10pm.
- Night is the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and Public Holidays.

L4.3 The noise limits set out in condition L4.1 apply under all meteorological conditions except for the following:

- a) Wind speeds greater than 3 metres/second at 10 metres above ground level; or
- b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- c) Stability category G temperature inversion conditions.

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

- a) Data recorded by the Tamworth Airport meteorological station must be used to determine meteorological conditions; and
- b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.

L4.5 To determine compliance:

- a) with the Leq(15 minute) noise limits in condition L4.1, the noise measurement equipment must be located:
 - approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
 - within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
 - within approximately 50 metres of the boundary of a National Park or a Nature Reserve.
- b) with the noise limits in condition L4.1, the noise measurement equipment must be located:
 - at the most affected point at a location where there is no dwelling at the location; or
 - at the most affected point within an area at a location prescribed by conditions L4.5(a).

L4.6 A non-compliance of condition L4.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured:

- at a location other than an area prescribed by conditions L4.5(a) and/or

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- at a point other than the most affected point at a location.

L4.7 For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

L5. Hours of operation

L5.1 All construction work at the premises must only be conducted between 7:00am to 6:00pm Monday to Friday and 8:00am to 1:00pm on Saturdays. No construction work is to be conducted on Sundays or public holidays.

L5.2 Activities at the premises, other than construction work, may only be carried on between 8:00am to 4:45pm Monday to Friday and 8:00am to 12:00 noon on Saturdays.

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

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

Operating conditions

01. Odour

01.1 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

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.

01.2 No condition of this licence identifies a potentially offensive odour for the purposes of Section 129 of the *Protection of the Environment Operations Act 1997*.

02. Dust

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

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

02.3 Any activity carried out in or on the premises must be carried out by such practical means as to prevent dust or minimise the emission of dust.

02.4 Any plant operated in or on the premises must be operated by such practical means to prevent or minimise dust or other air pollutants.

02.5 All trafficable areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the emission of dust from the premises.

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03. Stormwater/ sediment control - Construction Phase

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

04. Stormwater/ sediment control - Operation Phase

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

05. Leachate Utilisation and Management

05.1 The dam used for the impoundment of leachate must be maintained to ensure that its design capacity is available for the storage of leachate.

05.2 The leachate dam must be maintained to prevent infiltration to groundwater.

05.3 Leachate must only be applied to the following areas: Point 9, 10.

05.4 Spray from leachate application must not drift beyond the boundary of the leachate utilisation area to which it is applied.

05.5 Leachate applied to the utilisation area must not generate runoff.

06. Other Operating Conditions

06.1 All waste must be received and pre-processed for batch placement in the receival shed.

06.2 Processing must not utilise artificial or external thermal or chemical processing.

06.3 All wastes except wood waste and garden organics waste must be composted within nine hours of receival.

06.4 In the first four weeks of the composting process, composting must utilise the Covered Aerated Static Pile (CASP) system with semi-permeable covers.

06.5 An alternative cover system may be used where it is demonstrated to provide equal, or greater odour control than the system required by condition 06.4 and is approved in writing by the EPA.

06.6 The cover must be kept in place at all times during Stage 1 and Stage 2 of the CASP composting process (4 weeks) except to turn the windrow, remove composted material at the completion of the composting phase, or to undertake an investigation and corrective action to resolve process problems.

06.7 The premises must have a standby aerator for the leachate pond, and pump failures must be rectified within 24 hours of detection of the failure.

06.8 In the case of pasteurisation and maturation fan breakdown, wastes must not be stored on-site for more than two days.

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O6.9 All composting activities must be conducted in accordance with the Australian Standard 4454-2012 Composts, soil conditioners and mulches.

O6.10 The odour modelling relied upon for the Project development application assumed that one grid cell (as shown in Figure 2-3 of the EIS) would be empty during all hours of operation. The licensee must ensure that one grid cell will remain empty at all times.

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.

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:

Point 1, 2

Water and Land

Pollutant	Units of measure	Frequency	Sampling Method
Biochemical Oxygen Demand (BOD)	mg/L	Every 6 months	Grab sample
Conductivity	uS/cm	Every 6 months	Grab sample
Oil and Grease	mg/L	Every 6 months	Grab sample
Total Suspended Solids (TSS)	mg/L	Every 6 months	Grab sample
Phosphorous (Total)	mg/L	Every 6 months	Grab sample
Nitrogen (Total)	mg/L	Every 6 months	Grab sample
Ammonia	mg/L	Every 6 months	Grab sample

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pH	pH	Every 6 months	Grab sample
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Point 3, 4, 5, 6

Pollutant	Units of measure	Frequency	Sampling Method
Biochemical Oxygen Demand (BOD)	mg/L	Special Frequency 1	Grab sample
Conductivity	uS/cm	Special Frequency 1	Grab Sample
Oil and Grease	mg/L	Special Frequency 1	Grab Sample
Total Suspended Solids (TSS)	mg/L	Special Frequency 1	Grab sample
Phosphorous (Total)	mg/L	Special Frequency 1	Grab sample
Nitrogen (Total)	mg/L	Special Frequency 1	Grab sample
Ammonia	mg/L	Special Frequency 1	Grab sample
pH	pH	Special Frequency 1	Grab Sample

Point 7, 8

Pollutant	Units of measure	Frequency	Sampling Method
Biochemical Oxygen Demand (BOD)	mg/L	Every 6 months	Grab sample
Conductivity	uS/cm	Every 6 months	Grab Sample
Oil and Grease	mg/L	Every 6 months	Grab Sample
Total Suspended Solids (TSS)	mg/L	Every 6 months	Grab sample
Standing Water Level	m	Every 6 months	In-situ
Phosphorous (Total)	mg/L	Every 6 months	Grab sample
Nitrogen (Total)	mg/L	Every 6 months	Grab sample
Ammonia	mg/L	Every 6 months	Grab Sample
pH	pH	Every 6 months	Grab sample

Point 9

Pollutant	Units of measure	Frequency	Sampling Method
Available phosphorous	mg/kg	Special Frequency 2	Special Method 1
Electrical conductivity	uS/cm	Special Frequency 2	Special Method 1

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Exchangeable sodium percentage	%	Special Frequency 2	Special Method 1
Nitrate	mg/kg	Special Frequency 2	Special Method 1
Nitrogen (Total)	mg/kg	Special Frequency 2	Special Method 1
pH	pH	Special Frequency 2	Special Method 1
Phosphorous (Total)	mg/kg	Special Frequency 2	Special Method 1
Phosphorous Sorption Capacity	mg/kg	Special Frequency 2	Special Method 1

Point 10

Pollutant	Units of measure	Frequency	Sampling Method
Available phosphorous	mg/kg	Special Frequency 2	Special Method 2
Electrical conductivity	uS/cm	Special Frequency 2	Special Method 2
Exchangeable sodium percentage	%	Special Frequency 2	Special Method 2
Nitrate	mg/kg	Special Frequency 2	Special Method 2
Nitrogen (Total)	mg/kg	Special Frequency 2	Special Method 2
pH	pH	Special Frequency 2	Special Method 2
Phosphorous (Total)	mg/kg	Special Frequency 2	Special Method 2
Phosphorous Sorption Capacity	mg/kg	Special Frequency 2	Special Method 2

M2.2 For the purposes of the table(s) above Special Frequency 1 means the collection of samples once in the first 24 hours after detection of a discharge and then weekly whilst the discharge continues.

M2.3 For the purposes of the table(s) above, Special Frequency 2 means annually within the reporting period when leachate irrigation has occurred within the reporting period.

M2.4 For the purposes of the table(s) above, monitoring at points 4, 5, 6 and 7 is not required when the monitoring point is dry or there is inadequate water available to collect a sample.

M2.5 For the purposes of the table(s) above, Special Method 1 means collecting surface soil samples from 0-20cm depth.

M2.6 For the purposes of the table(s) above, Special Method 2 means collecting sub-surface soil samples from 40-70cm depth.

M2.7 The first round of soil monitoring must be conducted prior to any leachate irrigation activities occurring at the premises.

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Reporting conditions

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

General Conditions

G1. Community liaison

G1.1 The applicant must establish a community environment liaison committee, comprising representatives of the community and the applicant, that will meet at least annually. Discussion at the meetings must include implementation of the development consent and other statutory approvals, and provide adequate time for the community to raise matters of concern associated with the environmental impact of the development, with a view to achieving mutually satisfactory solutions.

Note: This condition will be reviewed by the EPA annually to determine ongoing committee meeting requirements.

Special Conditions

E1. Odour Management Plan

E1.1 The licensee must prepare, implement and maintain, in consultation with a recognised odour control specialist an Air Quality and Odour Management Plan describing measures to minimise odour impacts associated with the operation in accordance with conditions E1.2 and E1.3

E1.2 The Odour Management Plan shall include, but not necessarily be limited to:

- a) objectives and targets,
- b) odour risk assessment,
- c) key performance indicators,
- d) identification of all point and diffuse sources of odour associated with the operation;
- e) a detailed description of the odour mitigation methods and management practices that will be used throughout the operation to ensure offensive odour impacts do not occur off site;
- f) details of the implementation of industry best practice management measures to ensure potential odour impacts are managed;
- g) a detailed description of the methods used for monitoring the effectiveness of the odour mitigation methods and management practices for all point and diffuse sources of odour associated with the operation;
- h) location, frequency and duration of odour monitoring;
- i) details of proposed contingency measures should odour impacts occur;
- j) details of the proposed maintenance procedures for the overall project to ensure potential odour impacts are managed;

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- k) a communications strategy for handling potential odour complaints that includes recording, investigating, reporting and actioning;
- l) odour complaints register to be reported to the EPA as required in the Annual Return. The register must document investigations undertaken to identify the cause(s) of an action(s) to rectify the complaints.

E1.3 Prior to commencement of operations, the licensee must appoint a recognised independent odour control specialist to review and approve the Air Quality and Odour Management Plan. The review of the Air Quality and Odour Management Plan must include a review against each of the mitigation measures and management practices described in the documents and correspondence submitted to support the Project's development application.

E1.4 The licensee must provide the Armidale EPA office with the written report required by condition E1.3 prior to commencement of operations.

E2. Compliance Assessment - Odour

E2.1 Within 12 months of commencement of operations, during a period agreed to by the EPA that captures the conditions for maximum odour impact, the licensee must appoint a recognised independent odour control specialist to conduct a review of Project operations against each of the mitigation measures and management practices described in the approved Air Quality and Odour Management Plan.

The licensee must provide the EPA with the odour control specialist's report and review, and any outcomes and recommendations, within 1 week of the licensee's receipt of the report.

E2.2 The scope and timing of the odour control specialist's audit report and review must be agreed to in writing by the NSW EPA.

E2.3 Should ongoing verified odour complaints be made about the premises, the licensee must commission a comprehensive odour audit of the fully operational facility to confirm compliance with s.129 of the *Protection of the Environment Operations Act 1997*. The comprehensive odour audit must be completed by a recognised odour control specialist to quantify the odour abatement efficiency of the odour controls and the odour emission rate of the discharge to atmosphere, and confirm compliance with odour assessment specifications and assumptions.

At these times the recognised odour control specialist must also conduct a review of Project operations against each of the mitigation measures and management practices described in the Air Quality and Odour Management Plan and the documents and correspondence submitted to support the Project development application.

The licensee must provide EPA with the odour control specialist's report and review, and any outcomes, within 1 week of the licensee's receipt of the report.

E2.4 The licensee must submit to the EPA a description of additional mitigation measures that will be implemented if ongoing verified offensive odour impacts occur from the development.

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Attachment B – Mandatory Conditions for all EPA licences

Operating conditions

Activities must be carried out in a competent manner

Licensed activities must be carried out in a competent manner.

This includes:

- m) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- n) 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:

- a. must be maintained in a proper and efficient condition; and
- b. must be operated in a proper and efficient manner.

Monitoring and recording conditions

Recording of pollution complaints

The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

The record must include details of the following:

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

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

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

Telephone complaints line

The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

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

Reporting conditions

Annual Return documents

What documents must an Annual Return contain?

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

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

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

Period covered by Annual Return

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

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,

- 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
- the new licensee must prepare an annual return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

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

Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on

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

Deadline for Annual Return

The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

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.

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

Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a. the licence holder; or
- b. by a person approved in writing by the EPA to sign on behalf of the licence holder.

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

Notification of environmental harm

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

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

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

Written report

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

- a. where this licence applies to premises, an event has occurred at the premises; or
- b. where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

The request may require a report which includes any or all of the following information:

- a. the cause, time and duration of the event;
- b. the type, volume and concentration of every pollutant discharged as a result of the event;
- c. the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
- d. the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e. action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f. details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- g. any other relevant matters.

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The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

General conditions

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

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

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

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