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Mr Dan Whale  
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TAMWORTH NSW 2340

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**BY EMAIL**

Dear Mr Whale,

**RE: Tamworth Organics Recycling Facility – DA 2020/0138**

I refer to our discussions on 18 June 2020 and your letter received by the Environment Protection Authority (EPA) on 26 June 2020 from Tamworth Regional Council (the Proponent) relating to the General Terms of Approval (GTAs) for the proposed Tamworth Organic Recycling Facility – DA 2020/0138 (the Facility).

The EPA has considered the matters raised by the Proponent and has updated the GTAs where appropriate. In updating the GTAs, the EPA has considered the report *Organics Recycling Facility – Peer Review (DA2020-0138)* (Talis Consultants, 2020). The updated conditions are shown in tracked changes and are enclosed at **Attachment A** and **Attachment B**. These replace the GTAs issued in March 2020.

**Condition P1.1 Location of monitoring / discharge points and areas**

The EPA has amended location descriptions referenced in Condition P1.1 for monitoring points 5 and 6. The updated GTAs reference upstream and downstream surface water monitoring points on the Peel River.

**Condition L4.2 Standard Operating Hours**

The EPA notes that Condition L4.2 applies to operational activities carried out at the Premises. For the purposes of applying the condition, operational activities are not taken to include staff access to the site outside of the specified hours of 8:00am to 4:45pm Monday to Sunday. The note attached to Condition L4.2 has been updated to clarify this.

**Condition L5.1 Waste**

The Proponent has requested amendment to waste limits set out at Condition L5.1 due to concerns that the inclusion of limits may impact operational management of feedstock, including the Facility's capacity to cater for seasonal variation in waste streams.

The EPA has not amended the condition for the following reasons.

The EPA notes that limits set out at Condition L5.1 are consistent with the waste quantities proposed to be received at the Facility, per section 3.5 of the *Tamworth Organics Recycling Facility Environmental Impact Statement* (p. 33, Pitt & Sherry, 2019). The associated impact assessment and mitigation measures provided to the EPA, are also based on these volumes.

Should the Proponent wish to increase any volumes, the impact assessment will need to be reviewed and any additional impacts or additional mitigation measures identified. This change will also need to be considered by the EPA to ensure any GTAs issued are consistent with the proposed project.

The EPA can consider removal of specified limits on Food and Garden Organics and Green Organics, where consistent with the Development Application.

To assess this, the EPA seeks clarification from the Proponent on specific inputs for modelled scenarios for particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>) and odour assessment as set out in the Air Quality Impact Assessment (AQIA). The Proponent should:

- Demonstrate that air quality impacts associated with the processing of adjusted quantities of these waste streams are consistent with those set out in the AQIA assessment; and / or,
- Provide additional assessment demonstrating that the processing of adjusted quantities of these waste streams will achieve relevant air quality criterion for particulate matter and odour.

The EPA considers it appropriate to retain limits for offal, dissolved air flotation unit sludge and grease trap waste (Category 3 Organics), as well as uncontaminated wood waste and paunch waste streams. This reflects the potentially odorous nature of Category 3 Organics and paunch. The potential for products with a very high or very low carbon to nitrogen ratio (such as wood waste and Category 3 Organics) to contribute to anaerobic conditions in composting processes may also cause significant odour, if not managed appropriately.

The EPA notes advice set out by Talis Consultants (2020) that the inclusion of wood waste and Category 3 Organics in the proposed quantities will require careful management to maintain optimal carbon to nitrogen ratios. The EPA further notes advice from the Proponent that Category 3 Organics will be subject to phased implementation at the Facility to ensure they can be appropriately processed.

### **Condition O3 Processing and Storage**

#### **Condition O3.1 – Waste receipt**

The EPA has amended Condition O3.1 to include batching of feedstock materials to ensure consistency with the EIS.

The term 'screening' applied at Condition O3.1 refers to screening of waste upon receipt at the proposed Facility. This Condition does not apply to screening of processed product on maturation pads.

#### **Condition O3.2**

The EPA has amended Condition O3.2 to include batching of feedstock materials. This reflects amendment of Condition O3.1.

#### **Condition O3.4 – Processing time for In-tunnel Composting**

This condition currently requires wastes be processed for a minimum of 28 days using in-tunnel composting, which is reflected from commitments made in the EIS for the project. The intent of this condition is to ensure waste is processed to achieve pasteurisation prior to being transferred to the maturation pad.

I note reference was made to the *Australian Standard 4454-2012 Composts, soil conditioners and mulches (AS4454-2012)* in our discussions on 18 June 2020. This is a voluntary industry standard and has no legal status under NSW waste legislation

Rather, the EPA relies on the resource recovery order and exemption framework, amongst other regulatory tools, to ensure waste is appropriately managed in NSW. For compost, the outcome of ensuring

pasteurisation is achieved at all times, can be met by requiring compost feedstock materials be processed to meet the conditions of the applicable resource recovery order and exemption. The compost generated at the new facility must comply with the *Compost Order 2016* which specifies allowed inputs or feedstock materials.

As advised previously, several of the wastes listed under Condition L5.1 are not permitted inputs under the *Compost Order 2016* and Condition E3.2 notes this. The Proponent will need to apply for a specific resource recovery order and exemption for these inputs to the composting process which may also include required timeframes relating to pasteurisation.

For the EPA to grant a specific resource recovery order and exemption it will require data to show that the final compost product is beneficial and poses minimal risk of harm to the environment and human health. This may be achieved through a trial. Information on applying for an exemption is available at <https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/resource-recovery-framework/apply-for-an-order-and-exemption>

The EPA has amended the wording of this condition to refer to the resource recovery order and exemption framework.

### **Condition O3.7**

The EPA has amended Condition O3.7 to remove the word 'utilises', which was included in error.

### **Condition O7 Other Operating Conditions**

#### **Condition O7.1**

This condition currently requires the Facility have a standby aerator for the leachate pond, and that pump failures are rectified within 24 hours of the detection of any failure. The EPA considers that the same outcome can be achieved by requiring the Proponent to address contingency measures for rectifying aerator and pump failures within the Pollution Incident Response Management Plan (PIRMP) for the site. The EPA considers it appropriate to require the PIRMP to address rectification of any failure within a 24-hour period, noting that these are essential infrastructure for odour management.

The EPA has amended Condition O7.1 to require contingency measures for rectifying aerator and pump failures to be set out in the PIRMP for the Facility.

#### **Condition M2.3**

The EPA has included an additional Condition at M2.3 to address the issue of sampling dry monitoring points. This removes the requirement to carry out sampling if a monitoring point is dry or inadequate water is available to collect the sample.

### **Condition E3.2 Composting Order & Exemption**

The EPA has amended Condition E3.2 to require both a resource recovery order and resource recovery exemption to be in place prior to any composting of non-exempt materials at the Facility. This reflects changes made at Condition O3.4.

### **Attachment B – Deadline for Annual Return**

Attachment B has been updated to allow for submission of the Annual Return via eConnect EPA.

If the determination is made to approve the facility, the EPA requests opportunity to review any draft conditions of consent, to ensure conditions have been included to the satisfaction of the EPA.

If you wish to discuss anything further, please contact myself or Jasmine Walden on (02) 6773 7000 or by email to [armidale@epa.nsw.gov.au](mailto:armidale@epa.nsw.gov.au).

Yours sincerely



**REBECCA SCRIVENER**  
**Head Regional Operations Unit – Regulatory Operations**

Encl: Attachments A and B

## Attachment A – Updated General Terms of Approval for DA2020/0138 – Tamworth Organics Recycling Facility – 24 July 2020

Please note, the condition numbering reflects condition numbers within an Environment Protection Licence and may not appear to be in chronological order.

### 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 DA2020/0138 submitted to Tamworth Regional Council on 24 September 2019;
- any environmental impact statement *Tamworth Organics Recycling Facility Environmental Impact Statement, 23 September 2019* relating to the development; and
- all additional documents supplied to the EPA in relation to the development up until 26 November 2019.

#### **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	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	Discharge point from leachate dam
3	Water quality monitoring	Water quality monitoring	Stormwater storage 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 <del>Boltens Creek</del> Peel River
6	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	Downstream surface water monitoring point in <del>Boltens Creek</del> Peel River
7	Groundwater quality monitoring	Groundwater quality monitoring	Upstream groundwater monitoring bore
8	Groundwater quality monitoring	Groundwater quality monitoring	Downstream groundwater monitoring bore

## 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 Discharges from the leachate system must not occur except as a direct result of rainfall greater than the 1-in-10 year, 24-hour storm event.

L2.2 Leachate is permitted to be discharged at the following points for the duration of the overflow: Point 2

L2.3 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 2

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
Conductivity	uS/cm			To be determined on receipt of EPL application
Phosphorous (Total)	mg/L			To be determined on receipt of EPL application
Nitrogen (Total)	mg/L			To be determined on receipt of EPL application
Ammonia	mg/L			To be determined on receipt of EPL application
Metals – specific metals to be determined on receipt of EPL application				To be determined on receipt of EPL application

#### 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

## L4 Hours of operation

**L4.1** All construction work must be undertaken during standard construction hours:

- Restricted to between the hours of 7:00 am to 6:00 pm Monday to Friday;
- Restricted to between the hours of 8:00 am to 1:00 pm Saturday; and
- No construction works to be undertaken on Sunday or Public Holidays.

### L4.2 Standard Operating Hours

Unless otherwise specified by any other condition of the licence, all operational activities are:

- Restricted to between the hours of 8:00 am and 4:45 pm Monday to Sunday.

Note 1: standard operating hours restriction (L4.2) excludes the operation of fans, water sprays and aeration systems that are required to be continuously operated.

Note 2: This condition does not restrict staff access to the Premises outside of the specified operating hours.

## L5. Waste

**L5.1** 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	12,500 tonnes per annum
N/A	General Solid Waste (Putrescible)	Green Organics	Composting	9,000 tonnes per annum
N/A	General Solid Waste (Putrescible)	Uncontaminated Wood Waste	Composting	1,600 tonnes per annum
N/A	General Solid Waste (Putrescible)	Paunch	Composting	3,800 tonnes per annum
N/A	General Solid Waste (Putrescible)	Highly putrescible (Offal)	Composting**	3,450 tonnes per annum
N/A	General Solid Waste (Putrescible)	Highly putrescible (Dissolved Air Flotation (DAF) Unit Sludge)	Composting**	2,400 tonnes per annum
K110	Liquid Waste	Grease trap waste, residual septic waste	Composting**	2,250 tonnes per annum

\*Note: refer to conditions at E3.1

\*\*Note: refer to condition at E3.2

**L5.2** This condition 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.

**L5.3** The total amount of waste referred to in the table above, must not exceed 35,000 tonnes of waste received from offsite per year.

## L6. Noise limits

L6.1 Noise from the premises must not exceed the noise limits in the table.

LOCATION INFORMATION		NOISE LIMITS IN dB(A)		
Locality	Location	Day LAeq (15 minute)	Evening LAeq (15 minute)	Night LAeq (15 minute)
R1	Wallamore Road, Gidley	40	35	35
R2	Wallamore Road, Gidley	40	35	35
R4	279 Gidley- Appleby Road, Gidley	40	35	35
R5	315 Gidley-Appleby Road, Gidley	40	35	35
C1	372 Gidley-Appleby Road, Gidley	63 dB(A) When-in-use		

L6.2 For Condition L6.1:

- Day is defined as the period from 7:00 am to 6:00 pm Monday to Saturday and 8:00 am to 6:00 pm Sunday and Public Holidays
- Evening is defined as the period 6:00 pm to 10:00 pm.
- Night is defined as the period from 10:00 pm to 5:00 am Monday to Saturday and 10:00 pm to 8:00 am Sunday and Public Holidays.

L6.3 The noise limits set out in condition L6.1 apply under all meteorological conditions, including inversion meteorological conditions determined by the recommended meteorological station.

L6.4 For the purposes of condition L6.3:

- Data must be recorded by the meteorological station that will be located at a point defined by the Environment Protection Licence; and
- Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in **Fact Sheet D - Accounting for Noise-Enhancing Weather Conditions** in the NSW Noise Policy for Industry.

L6.5 To determine compliance:

- with the noise limits in condition L6.1, 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.
- with the noise limits in condition L6.1, 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 L6.5(a).

L6.6 A non-compliance of condition L6.1 will still occur where noise generated from the premises exceeds the appropriate limit as measured:

- at a location other than an area prescribed by conditions L6.5(a); and/or
- at a point other than the most affected point at a location.

L6.7 For the purposes of determining the noise generated at the premises, the modification factors in **Fact Sheet C - Corrections for Annoying Noise Characteristics** of the NSW Noise Policy for Industry must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

## Operating conditions

### ***O1 Odour***

**O1.1** 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.

**Note:** Section 129 of the Protection of the Environment Operations Act 1997, provides that the proponent 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.

**O1.2** The licensee must:

- a) maintain an odour complaint logbook;
- b) in the event of a complaint conduct an immediate investigation of any odour sources, take appropriate action to eliminate any identified excessive odour, and document the outcomes of the investigation and actions taken; and
- c) avoid or minimise handling of material during poor dispersion conditions.

### ***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** All operations and activities occurring at the premises must be carried out in a manner that prevents and minimises the emission of air pollutants from the premises.

**O2.3** Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

### ***O3 Processing and storage***

**O3.1** All waste receipt, sorting, shredding, ~~and~~ screening ~~and batching of feedstock~~ must be undertaken in an enclosed building with automatic closing access doors.

**O3.2** Air emissions from the waste receipt, sorting, shredding, ~~and~~ screening ~~and feedstock batching~~ building must be discharged through a biofilter.

**O3.3** The maturation pad must be designed so as not to preclude the addition of an enclosure or covers, should this be required once operational.

**O3.4** The wastes must be processed ~~for a minimum of 28 days~~ using in-tunnel composting ~~to achieve compliance with the conditions of the applicable resource recovery order.~~

**O3.5** Emissions from in-tunnel composting must be discharged through a biofilter.

**O3.6** Unacceptable waste material identified in the feedstock (after receipt of the waste material) at the premises must be stored inside the receipt and processing shed and must only be stored for a maximum of two days prior to disposal at a lawful waste facility.

**O3.7** Processing must not involve ~~utilises~~ additional, artificial or external heat (thermal) or chemical processing, beyond that generated by the composting process described in the environmental impact statement *Tamworth Organics Recycling Facility Environmental Impact Statement, 23 September 2019* relating to the development.

#### **04. Stormwater/sediment control - Construction Phase**

**04.1** An 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* (available from the Department of Housing).

#### **05. Stormwater/sediment control - Operation Phase**

**05.1** 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).

#### **06. Leachate Utilisation and Management**

**06.1** The leachate dam must be maintained to ensure that the design capacity is available for the storage of leachate.

**06.2** The leachate dam must be designed to hold at a minimum, 1 in 10 year, 24 hour rainfall event.

**06.3** The leachate dam must be designed and maintained to prevent infiltration to groundwater.

#### **07. Other Operating Conditions**

**07.1** ~~The site must have a standby aerator for the leachate pond, and pump failures must be rectified within 24 hours of detection of the failure.~~ Contingency measures for rectifying aerator and pump failures (within 24 hours of the detection of the failure) must be set out in the Pollution Incident Response Management Plan for the site.

### **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:

- a) in a legible form, or in a form that can readily be reduced to a legible form;
- b) kept for at least 4 years after the monitoring or event to which they relate took place; and
- c) 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:

- a) the time(s) at which the sample was collected;
- b) the point at which the sample was taken; and
- c) 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:

## Water and Land

## Points 1,2

<b>Pollutant</b>	<b>Units of measure</b>	<b>Frequency</b>	<b>Sampling Method</b>
Biochemical Oxygen Demand (BOD)	mg/L	Every 6 months and daily during discharge	Grab sample
Conductivity	uS/cm	Every 6 months and daily during discharge	In-situ
Oil and Grease	mg/L	Every 6 months and daily during discharge	Grab sample
Total Suspended Solids (TSS)	mg/L	Every 6 months and daily during discharge	Grab sample
Phosphorous (Total)	mg/L	Every 6 months and daily during discharge	Grab sample
Nitrogen (Total)	mg/L	Every 6 months and daily during discharge	Grab sample
Ammonia	mg/L	Every 6 months and daily during discharge	Grab sample
PH	pH	Every 6 months and daily during discharge	In-situ

## Points 3,4,5,6

<b>Pollutant</b>	<b>Units of measure</b>	<b>Frequency</b>	<b>Sampling Method</b>
Biochemical Oxygen Demand (BOD)	mg/L	Special Frequency 1	Grab sample
Conductivity	uS/cm	Special Frequency 1	In-situ
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	In-situ

## Points 7,8

<b>Pollutant</b>	<b>Units of measure</b>	<b>Frequency</b>	<b>Sampling Method</b>
Biochemical Oxygen Demand (BOD)	mg/L	Every 6 months	Grab sample
Conductivity	uS/cm	Every 6 months	In-situ
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	In-situ

**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, monitoring at points 1, 2, 3, 4, 5, 6, 7 and 8 is not required when the monitoring point is dry or inadequate water is available to collect a sample.

### **M8. Requirement to Monitor Noise**

**M8.1** To assess compliance with Condition L6.1, attended noise monitoring must be conducted in accordance with Conditions L6.6 and:

- a) at R1, R2, R4 and R5 as listed in Condition L6.1;
- b) occur at the time of commencement of typical organics processing activity (ie post commissioning);
- c) occur during the day and night as defined in Condition L6.2 for a minimum of:
  - 60 minutes duration for the day and night for typical activity.

**Note:** Once compliance with the noise limits has been confirmed through one round of monitoring, post commissioning, the requirement for noise monitoring may be removed from the EPL if the EPA is satisfied with compliance of those limits listed in Condition L6.1.

### **R4 Reporting Conditions**

**R4.1** A noise compliance assessment report must be submitted to the EPA within 90 days of the commencement of typical Organics Recycling Facility operations. The assessment must be prepared by a suitably qualified and experience acoustical consultant and include:

- a) An assessment of compliance with noise limits in Condition L6.1 as defined in M8.1(a); and
- b) An outline of any management actions taken within the monitoring period to address any exceedances of the limits contained in Condition L6.1.

## **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 meeting 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:

- i) objectives and targets;
- ii) odour risk assessment;
- iii) key performance indicators;
- iv) identification of all point and diffuse sources of odour associated with the operation;
- v) 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 offsite;
- vi) details of the implementation of industry best practice management measures to ensure potential odour impacts are managed;
- vii) 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;
- viii) location, frequency and duration of odour monitoring;
- ix) details of proposed contingency measures should odour impacts occur;
- x) details of the proposed maintenance procedures for the overall project to ensure potential odour impacts are managed;
- xi) a communications strategy for handling potential odour complaints that includes recording, investigating, reporting and actioning;
- xii) odour complaints register to be report 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 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 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.

**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.

## ***E3. Composting Order and Exemption***

**E3.1** Prior to the supply of compost outside the premises, the licensee must demonstrate compliance with the *Compost Order 2016*.

**E3.2** Composting of non-exempt input materials listed in the *Compost Order 2016* at the premises must not commence until a specific **resource recovery order and** resource recovery exemption is obtained.

## **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:

- a. the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b. the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

#### **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.

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

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

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 **via eConnect EPA** or 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***

(Licences with assessable pollutants)

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:

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

- 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.

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.