

DRAFT

Your ref: DA10/006/2023
Our ref: 12534581

30 January 2024

Nathan Bartlett
Liverpool Plains Shire Council
60 Station Street
Quirindi NSW 2343

DA10/006/2023 – Willow Tree Waste Management Facility Expansion

Dear Nathan

In response to Council's request for further information, please find outlined below a table outlining the SEARs relevant to the Willow Tree WMF Expansion and how they have been addressed in the EIS (dated 30 January 2024).

Table 1 SEARS

SEARs requirement	Where addressed in EIS
General requirements	
The environmental Impact Statement (EIS) must meet the minimum form and content requirement in clauses 6 and 7 of schedule 2 of the Environment and Assessment Regulation 2000.	
Key issues	
Strategic and statutory context – including:	
– A detailed justification for the proposal and suitability of the site for the development	Sections 4 and 5
– A demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, development control plans (DCPs), or justification for any inconsistencies	Section 6
– A list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out.	Section 6.1.7
– A description of how the proposed expansion integrates with existing onsite operations	Section 5 and Appendix B
– A description of any amendments to and/ or additional licence(s) or approval(s) required to carry out the proposed development	Section 6.1.7
Waste management – including:	
– Details of the type, quantity and classification of waste to be received at the site	Section 5.3.2, 5.3.4, and Appendix B
– Details of any resource outputs and any additional processes for residual waste	Section 5.3.15, 5.3.16

SEARs requirement	Where addressed in EIS
Details of waste handling including, transport, identification, receipt, stockpiling and quality control	Section 5.3.15, 5.3.16, 5.3.17, 5.3.18, 5.3.19 and 5.3.20
The measures that would be implemented to ensure that the proposed development is consistent with the aims, objectives and guidelines in the NSW Waste Avoidance and Sustainable Materials Strategy 2041.	Section 3.1.1 and Section 5.3
Landfill design and rehabilitation – including:	
Details of the consistency of the proposal with the Environmental Guidelines: Solid Waste Landfills, second edition (EPA, 2016)	Section 5.1, 5.3
Description of the proposed cell design and integrity	Section 5.2.8, 5.2.9, 5.3.3, 5.3.9 and Appendix C
Details of proposed leachate and gas management and monitoring	Section 5.3.14
Consideration of proposed water quality control and monitoring	Section 5.3.14, 5.3.19
Description and justification of proposed daily waste covering	Section 5.3.18
Details of the proposed final capping, closure measures and rehabilitation of the site, including its final landuse	Section 5.3.5, 5.3.6, 5.3.10, 5.3.11
Hazards and risk – including:	
A preliminary risk screening completed in accordance with State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33 (DoP, 2011), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. Should preliminary screening indicate that the project is "potentially hazardous" a Preliminary Hazard Analysis (PHA) must be prepared in accordance with Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis (DoP, 2011) and Multi-Level Risk Assessment (DoP, 2011)	Section 8.10.3
An assessment of the risk of bushfire, including addressing the requirements of Planning for Bush Fire Protection 2019 (RFS). Any proposed Asset Protection Zones must not adversely affect environmental objectives (e.g. buffers)	Section 8.10.3 and Appendix K
Any geotechnical limitations that may occur on the site and if necessary, appropriate design considerations to address this	Section 2.4.2, 8.4.2 and Appendix B
Fire and incident management – including:	
Technical information on the environmental protection equipment to be installed on the premises such as air, water and noise controls, spill clean-up equipment, fire management (including the location of fire hydrants and water flow rates at the hydrants) and containment measures	Section 5.3.14
Details of the size and volume of any stockpiles and their arrangements to minimise fire spread and facilitate emergency vehicle access	Section 5.3.17.2
Air quality and odour – including:	
A quantitative assessment of the potential air quality, dust and odour impacts of the development, during both construction and operation, in accordance with relevant Environment Protection Authority guidelines	Section 8.2.3 and Appendix E
A description and appraisal of air quality and odour impact mitigation and monitoring measures, in line with International Best Practice	Section 8.2.4

SEARs requirement	Where addressed in EIS
Noise and vibration – including:	
– A noise A description of all potential noise and vibration sources during construction and operation, including noise associated with any blasting, machinery and plant movements, and road traffic noise	Section 8.2.3 and Appendix F
– and vibration assessment in accordance with the relevant Environment Protection Authority guidelines	Section 8.2.3 and Appendix F
– A description and appraisal of noise and vibration mitigation and monitoring measures	Section 8.2.4
Soil and water – including:	
– A description of local soils, topography, drainage and landscapes	Section 8.4.2
– Details of water usage for the proposal including existing and proposed water licencing requirements in accordance with the Water Act 1912 and/or the Water Management Act 2000	Section 8.5.3
– An assessment of potential impacts on floodplain and stormwater management and any impact to flooding in the catchment	Section 8.5.3
– Details of sediment and erosion controls	Section 8.5.3
– A detailed site water balance	Section 8.5.3
– An assessment of potential impacts on the quality and quantity of surface and groundwater resources	Section 8.5.3
– Details of the proposed stormwater and wastewater management systems (including sewage), water monitoring program and other measures to mitigate surface and groundwater impacts	Section 5.3.14 and 8.5.3.1
– Characterisation of the nature and extent of any contamination on the site and surrounding area	Section 8.4.3
– A description and appraisal of impact mitigation and monitoring measures	Section 8.5.4
Traffic and transport – including:	
– Details of road transport routes and access to the site	Section 8.8.2
– Road traffic predictions for the development during construction and operation	Section 8.8.3
– Swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site	Section 8.8.3
– An assessment of impacts to the safety and function of the road network and the details of any road upgrades required for the development	Section 8.8.3 and Appendix J
– A traffic impact assessment (TIA) in accordance with Transport for NSW's requirements	Section 8.8.3 and Appendix J
Biodiversity – including:	
– Accurate predictions of any vegetation clearing on site or for any road upgrades	Section 8.3.3 and Appendix G
– A detailed assessment of the potential impacts on any threatened species, populations, endangered ecological communities or their habitats, groundwater dependent ecosystems and any potential for offset requirements in accordance with the current Environment, Energy and Science Group legislation and guidelines	Section 8.3.3 and Appendix G

SEARs requirement	Where addressed in EIS
– Details of weed management during construction and operation in accordance with existing State, regional or local weed management plans or strategies	Section 8.3.4
– A detailed description of the measures to avoid, minimise, mitigate and/or offset biodiversity impacts	Section 8.3.4
Visual – including an impact assessment at private receptors and public vantage points.	Section 8.11.3
Heritage – including Aboriginal and non-Aboriginal cultural heritage.	Sections 8.6 and 8.7
The EIS must assess the proposal against the relevant environmental planning instruments, including but not limited to:	Section 6.1
– State Environmental Planning Policy (Infrastructure) 2007	Section 6.1.3.2
– State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	Section 6.1.3.4
– State Environmental Planning Policy (Koala Habitat Protection) 2020	Section 6.1.3.4
– State Environmental Planning Policy No. 33 – Hazardous and Offensive Development	Section 6.1.3.3
– State Environmental Planning Policy No. 55 – Remediation of Land	Section 6.1.3.3
– Liverpool Plains Local Environmental Plan 2011	Section 6.1.6
Relevant development control plans and section 7.11 plans.	Section 6.1.6
During the preparation of the EIS, you must consult the relevant local, State and Commonwealth government authorities, service providers and community groups, and address any issues they may raise in the EIS. Consultation should be carried out with:	
– Department of Planning and Environment, specifically the Environment, Energy and Science Group, Environment Protection Authority	Copies of correspondence received from BCS and EPA are attached to Appendix A of EIS
– Transport for NSW	Letter received by Council on 12/07/23 and resent to GHD on 25/01/23 is attached to Appendix A of EIS.
– NSW Rural Fire Service	Emails received from RFS on 29/01/24 and attached to Appendix A of EIS
– Liverpool Plains Shire Council	LPSC were consulted prior to DA lodgement in the form of meetings and teleconferences with Barry Strichen. Pre-DA meeting held with Libby Cummings, LPSC consultant planner on 30/09/22. Numerous subsequent telephone calls/ meetings held with Council planners for RFIs during DA assessment.

SEARs requirement	Where addressed in EIS
– The surrounding landowners and occupiers that are likely to be impacted by the proposal.	LPSC has confirmed as part of the public exhibition of DA10/006/2023 that adjoining landowners were notified and no responses were received. A copy of the email confirming this is attached to Appendix A of EIS
Details of the consultation carried out and issues raised must be included in the EIS.	Revised EIS uploaded to portal on 30/1/24

We are of the view that as the proposal has not changed from that originally presented and as forwarded to the relevant government agencies and the community there should be no reason to readvertise the DA. Feedback received from all stakeholders has not resulted in any changes to that presented to Council under DA10/006/2023.

Regards



Shaun Lawer
Technical Director – Planning and Environment

02 66505605
Shaun.lawer@ghd.com

Copy to: Nathan Skelly, Director Infrastructure and Environmental Services

Your ref: DA 10/006/2023
Our ref: 12534581

19 January 2024

Nathan Bartlett
Liverpool Plains Shire Council
PO Box 152
Quirindi NSW 2343

DA 10/006/2023 - Proposed expansion of existing Waste and Resource Management Facility Property: Lot 213, DP 1173230, 258 Merriwa Road Willow Tree NSW 2339

Dear Nathan

Reference is made to the Northern Regional Planning Panel's decision to defer the above development application at its meeting on 24 November 2023. The reasons for the deferral was the need to provide additional information. The following outlines the requirements of the Panel:

- “• An updated or supplementary EIS clearly responding to each of the SEARs. The Panel does not accept that matters required to be addressed by the SEARs can be deferred to conditions of consent.*
- Evidence of consultation with key agencies in the preparation of the SEARs and in the subsequent preparation of the Environmental Impact Statement. That is, correspondence from those key agencies.*
- A draft operational management plan with sufficient detail to demonstrate the safe operation of the facility vis-a-vis the proposed layout of the facility. The Panel is of the view that, should the proposal be approved, conditions can be appropriately drafted to mitigate the need for modifications to the development approval and thus enable sufficient flexibility in the future.*
- A risk analysis to inform the development of the draft operational management plan including such matters as landfill fire and bushfire, and emergency management.”*

In response, please find attached the following information:

- A revised EIS that identifies the relevant SEARs applicable to each environmental factor and where the SEARs are specifically addressed in the EIS document - see link below. Revisions have also been made to clear up any confusion around the capacity of the proposed expansion and the impacts associated with the proposed expansion.
- The provision of SEARs from the Department of Planning and Environment provides evidence of consultation prior to the preparation of the EIS. GHD have addressed the requirements from the SEARs and sought clarifications if any issues were unclear but GHD did not consult with the agencies during the exhibition of the DA/EIS. We have since sent copies of the EIS to NSW Rural Fire Service, NSW Department of Climate Change, Energy, Environment and Water and Transport for NSW to seek comment. General Terms of Approval have been received from the EPA (attached).
- A draft Landfill Environmental Management Plan (LEMP) has been prepared (attached) to provide Council and the Panel with confidence that sufficient mitigation and management measures can be implemented to mitigate against any environmental impact.
- The draft LEMP contains a risk analysis that informed its development and addresses such matters as landfill fire and bushfire, and emergency management.

Should you require any additional information please don't hesitate to contact the undersigned.

Regards



Shaun Lawer

Technical Director – Planning and Environment

0402092310

shaun.lawer@ghd.com

Copy to: Nathan Skelly

Attachment: Link to <https://ghd.sendthisfile.com/N14Iz7wMtAzHL6k5qmf1eF4F>

Attachment: Terms of Approval
for L M



DOC24/207751-1

22 March 2024

Liverpool Plains Shire Council
60 Station Street
QUIRINDI NSW 2343

Attention: Mr Nathan Bartlett

Email: council@liverpoolplains.nsw.gov.au

BY EMAIL

RE: Request to Review Revised Environmental Impact Statement for Willow Tree Waste Management Facility Expansion (CNR-52171), Lot 213 DP 1173230, 258 Merriwa Road, Willow Tree NSW 2399

Dear Mr Bartlett,

Thank you for the request to review the revised Environmental Impact Statement (EIS) and draft operational management plan for the proposed Willow Tree Waste Management Facility Expansion located at 258 Merriwa Road, Willow Tree NSW 2399 (CNR-52171).

The EPA issued its General Terms of Approval (GTA) for the proposed development on 5 October 2023 (Notice No. 1629867), subject to a number of conditions.

The determination of the development was deferred by the Northern Regional Planning Panel (NRPP) on 24 November 2023 and required the proponent to provide additional information addressing the SEARs, and a draft operational management plan.

The EPA has reviewed the following documents:

- *Willow Tree Waste Management Facility Expansion, Revised Environmental Impact Statement, Liverpool Plains Shire Council*, prepared by GHD Pty Ltd, Project No. 12534581, dated 22 February 2024; and
- *Willow Tree Waste Management Facility, Landfill Environmental Management Plan, Liverpool Plains Shire Council*, prepared by GHD Pty Ltd, dated 19 January 2024; and
- Letter from GHD Pty Ltd, Ref:12534581, dated 30 January 2024.

In this instance, the EPA does not need to amend its GTA's for the proposed development.

If you have any questions about this request, please contact Ingrid Morrison on (02) 6773 7000 or by email at info@epa.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lindsay Fulloon', with a stylized flourish at the end.

LINDSAY FULLOON

Manager Operations

Regulatory Operations Regional - West

Environment Protection Authority

General Terms of Approval - Issued

Notice No: 1629867



Liverpool Plains Shire Council
60 Station Street
QUIRINDI NSW 2343

Attention: Mr Nathan Bartlett

Notice Number 1629867
Date 05-Oct-2023

**Re: Expansion of an Existing Waste Management Facility at Lot 213 DP 1173230, 258 Merriwa Road
WILLOW TREE 2339**

Issued pursuant to Section 4.46 Environmental Planning and Assessment Act 1979

I refer to the development application and accompanying information provided for the Willow Tree Waste Management Facility Extension received by the Environment Protection Authority (EPA) on 17 May 2023.

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 EPA to obtain this licence.

The general terms of approval for this proposal are provided at **Attachment A**. If Liverpool Plains Shire Council grants development consent for this proposal these conditions should be incorporated into the consent. Mandatory environment protection licence conditions are also provided for your information at **Attachment B**.

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

It is the EPA's expectation that the proposed landfill must be constructed and operated in accordance with the minimum requirements of its *Environmental Guidelines: Solid Waste Landfills* (EPA, 2016).

Waste Levy

Clause 12 of the *Protection of the Environment Operations (Waste) Regulation 2014* (the Waste Reg) will require the proponent (as the occupier of a scheduled waste facility) to pay a contribution in respect to any waste received at the facility for disposal from within the Metropolitan Levy Area (MLA) or the Regional Levy

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Area (RLA). The RLA, as defined at clause 7 of the Waste Reg, incorporates the local government areas to the immediate south of the Liverpool Plains Shire where the facility is located. There is therefore a reasonable likelihood, that some waste from within the waste regulated area (defined as the MLA and RLA) will find its way to the proposed Willow Tree facility.

To ensure the proponent complies with the requirements of Part 2 of the Waste Reg, the EPA has incorporated conditions O3.18 and O3.19 in these General Terms of Approval.

Noise

The EPA has reviewed the Willow Tree Waste Management Facility Noise and Vibration Assessment ("NIA" by GHD ref: 12534581, dated 1 December 2022) and notes the following:

- a) The proposed expansion of the landfill includes formation of access roads, buildings and landfill cells. The NIA states that blasting is not anticipated as excavation of the cells will be minimal, therefore blasting is not to be undertaken on the premises.
- b) The NIA discusses the corrections for annoying characteristics that are contained in the Noise Policy for Industry (NPfI), however no assessment of the characteristics has been included in the NIA. Given the predicted noise levels are below the minimum criteria under the NPfI, the EPA considers that it would be reasonable to set noise limits at the minimum level (40 dBA), which may include a tolerance for any annoying characteristics.
- c) Construction noise mitigation measures are listed in section 8 of the NIA. The EPA recommends that a noise management plan is prepared to help implement the measures listed in the NIA.

The EPA requires that a Traffic Noise Management Strategy (TNMS) be developed by the proponent, prior to commencement of construction and operation activities, to ensure that feasible and reasonable noise management strategies for vehicle movements associated with the facility are identified and applied, that include but are not necessarily limited to the following:

- a) driver training to ensure that noisy practices such as the use of compression engine brakes are not unnecessarily used near sensitive receivers,
- b) best noise practice in the selection and maintenance of vehicle fleets,
- c) movement scheduling where practicable to reduce impacts during sensitive times of the day,
- d) communication and management strategies for non licensee/proponent owned and operated vehicles to ensure the provision of the TNMS are implemented,
- e) a system of audited management practices that identifies non conformances, initiates and monitors corrective and preventative action (including disciplinary action for breaches of noise minimisation procedures) and assesses the implementation and improvement of the TNMS,
- f) specific procedures for drivers to minimise impacts at identified sensitive receivers,
- g) clauses in conditions of employment, or in contracts, of drivers that require adherence to the noise minimisation procedures and facilitate effective implementation of the disciplinary actions for breaches of the procedures.

Waste

The Willow Tree Waste Management Facility Expansion Environmental Impact Statement ("EIS" by GHD ref: 12534581, dated 12 January 2023) does not provide an assessment or classification of waste material in accordance with the EPA's *Waste Classification Guidelines* (2014) to determine the specific types of

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waste that will be received at the premises. This information is required to support the Environment Protection Licence application. The EPA requires the proponent to prepare a Waste Classification Report prior to commencing operations at the premises. The Waste Classification Report must include the following;

- a) the types of waste to be received at the premises;
- b) the estimated quantities of each type of waste to be received at the premises;
- c) be conducted in accordance with the *Waste Classification Guidelines* (EPA, 2014); and;
- d) be provided to the Armidale EPA office with the Environment Protection Licence application for the premises.

To address the lack of waste classification in the application, the EPA has added a condition to its General Terms of Approval at Attachment A (condition L3.1) requiring the applicant to prepare a waste classification report and provide it to the EPA prior to commencing operations at the premises. The EPA requires this information to issue an Environment Protection Licence to appropriately condition the development.

Detailed Design Report

Any licence application to the EPA must contain a detailed design report addressing the requirements of the *Environmental Guidelines: Solid Waste Landfills* (EPA, 2016). This report must be prepared by an appropriately qualified and experienced person as defined in the Landfill Guidelines. The report must contain:

- a) Detailed designs of the cell lining and leachate barrier system in accordance with Minimum Standards Part 1 of the Landfill Guidelines. If alternative designs are proposed, for example on the quarry walls, the design report must contain an assessment of the soundness of the in situ geology as per the requirements of Part 1.10.
- b) Detailed designs of final capping in accordance with Minimum Standards Part 9 of the Landfill Guidelines. If a phytocap is proposed as an alternative to an engineered barrier cap, the design report must address the design requirements for phytocaps set out in Minimum Standards Part 9.4.
- c) Construction Quality Assurance (CQA) Plans for all proposed construction works in accordance with Minimum Standards Part 11 of the Landfill Guidelines. The CQA Plans must include procedures to cover the proposed staged or incremental quarry wall lining technique (called the 'shingle' approach in the EIS).
- d) Water quality monitoring programs in accordance with Minimum Standards Part 4 of the Landfill Guidelines. These programs must include proposals to characterise existing (background) groundwater and surface water quality at and near the site before landfilling commences.

If you have any questions, or wish to discuss this matter further please contact Lindsay Fulloon on 02 6773 7000.

Yours sincerely

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Lindsay Fulloon

Manager

Environment Protection Authority

(by Delegation)

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1 Administrative conditions

A1 What the approval/licence authorises and regulates

A1.1 This approval/licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this approval/licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Waste disposal (application to land)	Waste disposal by application to land	Any capacity

A2 Premises or plant to which this approval/licence applies

A2.1 The approval/licence applies to the following premises:

Premises Details
WILLOW TREE WASTE MANAGEMENT FACILITY 258 MERRIWA ROAD WILLOW TREE NSW 2339 LOT 213 DP 1173230

A3 Information supplied to the EPA

A3.1 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 *DA 2023/006* submitted to Liverpool Plains Shire Council on 17 February 2023;
- Any environmental impact statement *Willow Tree Waste Management Expansion dated 12 January 2023* relating to the development; and
- All additional documents supplied to the EPA in relation to the development, including:
 - Aboriginal Due Diligence Assessment, dated 22 December 2022
 - Concept Design (Survey Plan, Site Plan, Staging Plans etc.)
 - Landfill Extension Masterplan, dated 13 September 2021
 - Water Impact Assessment, dated 1 December 2022
 - Air Quality Impact Assessment, dated 1 December 2022
 - Environmental Noise and Vibration Assessment, dated 1 December 2022
 - Traffic Assessment, dated 19 December 2022
 - Biodiversity Development Assessment Report, dated October 2022

A4 Fit and Proper Person

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A4.1 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.

2 Discharges to Air and Water Applications to Land

P1 Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table below are identified in this approval/licence for the purposes of monitoring and/or the setting of limits for the emissions of pollutants to the air from the point.

Air

EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
Exact points to be confirmed on the Environmental Protection Licence (EPL)	Air Emissions Monitoring Ambient Air Quality Monitoring Sub surface gas monitoring		The EPA intends to establish air quality monitoring points on the licence before construction and operation of the landfill commences.

P1.2 The following points referred to in the table are identified in this approval/licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Water

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
Exact points to be confirmed on the EPL	Sediment Dam Quality Monitoring Leachate Quality Monitoring Surface water quality monitoring Discharge quality monitoring Groundwater Quality Monitoring Ambient water quality monitoring	Discharge to waters Discharge quality monitoring Volume monitoring Surface water quality monitoring	It is the EPA's intention to add water monitoring points for leachate, surface water (clean and dirty), ambient (upstream and downstream of the landfill site) and groundwater. Water discharge points from clean area sediment dams will also be added. Controlled discharges of leachate/dirty water from the premises will not be permitted.

P1.3 The following points referred to in the table below are identified in this approval/licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.

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Noise/Weather

EPA Identification Number	Type of Monitoring Point	Description of Location
W1	Meteorological Station	Meteorological Station located on the premises (exact location to be confirmed)

3 Limit Conditions

L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this approval/licence, the proponent must comply with section 120 of the Protection of the Environment Operations Act 1997.

L2 Concentration limits

L2.1 For each discharge point specified in the tables below, 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.

L2.2 Where a pH quality limit is specified in the Table, the specified percentage of samples must be within the specified ranges.

L2.3 To avoid any doubt, this condition does not authorise the discharge or emission of any other pollutants.

L2.4 Water and or/Land Concentration Limits

POINTS - Sediment Pond discharge limits (exact locations TBC)

Pollutant	Units of measure	100% concentration limit
TSS	mg/L	50
Nitrogen (ammonia)	mg/L	0.9
<pH>		6.5-8.5

L2.5 The proponent is taken not to have breached the concentration limits specified in this approval/licence for the discharge of total suspended solids in condition L2.4 if:

- a) the dams overflow is caused by a rainfall event exceeding the 5 day 90%ile rainfall; and,
- b) the proponent has taken all practical measures to avoid or minimise water pollution.

Note: The proponent is to confirm the rainfall depth terms in millimetres upon the application for the EPL.

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L3 Waste

L3.1 The proponent must prepare a Waste Classification Report and provide it to the EPA prior to commencing operations at the premises. The Waste Classification report must accompany the EPL application.

L3.2 The proponent 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 approval/licence.

Code	Waste	Description	Activity	Other Limits
	General Solid Waste (non-putrescible)	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Waste disposal (application to land)	TBD
	General Solid Waste (putrescible)	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Waste disposal (application to land)	TBD
	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.		TBD

Note: The total amount of waste disposed of at the premises must not exceed 10,000 tonnes per annum. The proponent must provide a break down of waste types to be disposed of at the premises as supporting information in the EPL application.

L3.4 Disposal of asbestos must be in accordance with Clause 80 of the Protection of the Environment Operations (Waste) Regulation 2014

L4 Noise limits

L4.1 Noise generated at the premises must not exceed the noise limits at the times and locations in the table below. The locations referred to in the table below are indicated by Figure 4.2 of the Willow Tree Waste Management Facility Noise and Vibration Assessment by GHD ref: 12534581, dated 1 December 2022.

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Location	Noise Limits in dB(A)	
	Morning Shoulder	Day
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)
200 Merriwa Road, Willow Tree (Lot 214, DP 1173230)	36	40
104 Merriwa Road, Willow Tree (Lot 1, DP 136316)	35	40

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

- a) Morning Shoulder means the period from 7am to 8am Sunday and public holidays.
- b) Day means the period from 7am to 6pm Monday to Saturday and the period from 8am to 6pm Sunday and public holidays.

L4.3 Standard Meteorological Conditions

- a) The noise limits set out in condition L4.1 apply under the following meteorological conditions:

Assessment Period	Meteorological Conditions
Day	Stability Categories A, B, C and D with wind speeds up to and including 0.5m/s at 10m above ground level
Evening	Stability Categories A, B, C and D with wind speeds up to and including 0.5m/s at 10m above ground level
Night	Stability Categories A, B, C and D with wind speeds up to and including 0.5m/s at 10m above ground level

- b) For those meteorological conditions not referred to in condition L4.3(a), the noise limits that apply are the noise limits in condition L4.1 plus 5dB.

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

- a) The meteorological conditions are to be determined from meteorological data obtained from the site meteorological weather station identified as point W1
- b) Stability category shall be determined using the following method from Fact Sheet D of the *Noise Policy for Industry* (NSW EPA, 2017):
 - (i) Use of sigma-theta data (section D1.4).

L4.5 To assess compliance:

- a) with the L_{Aeq}(15 minutes) noise limits in condition L4.1 and L4.3, the noise measurement equipment must be located:
 - (i) approximately on the property boundary, where any residence is situated 30 metres or less from the property boundary closest to premises; or where applicable,
 - (ii) in an area within 30 metres of a residence façade, but not closer than 3 metres where any residence on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable,
 - (iii) in an area within 50 metres of the boundary of a National Park or Nature Reserve,
 - (iv) at any other location identified in condition L4.1

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b) with the $L_{Aeq}(15 \text{ minutes})$ noise limits in condition L4.1 and L4.3, the noise measurement equipment must be located:

- (i) at the reasonably most affected point at a location where there is no residence at the location; or,
- (ii) at the reasonably most affected point within an area at a location prescribed by condition L4.5 (a).

L4.6 A non-compliance of conditions L4.1 and L4.3 will still occur where noise generated from the premises is measured in excess of the noise limit at a point other than the reasonably most affected point at the locations referred to in condition L4.5 (a) or L4.5 (b).

Note to L4.5 and L4.6: The reasonably most affected point is a point at a location or within an area at a location experiencing or expected to experience the highest sound pressure level from the premises.

L4.7 For the purpose of determining the noise generated from the premises, the modifying factor corrections in Table C1 in Fact Sheet C of the *Noise Policy for Industry* (NSW EPA, 2017) may be applied, if appropriate, to the noise measurements by the noise monitoring equipment.

L4.8 Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.

L4.9 Truck movements to and from the site be restricted to daytime hours only to minimise the impact on sleep during the night time period.

L4.10 The proponent must prepare and implement a Noise Management Plan that covers all premises based activities and transport operations. The plan must include but need not be limited to:

- a) All measures necessary to satisfy the limits in Table **L4.1** at all times,
- b) A system that allows for periodic assessment of Best Management Practice (BMP) and Best Available Technology Economically Achievable (BATEA) that has the potential to minimise noise levels from the facility,
- c) Effective implementation of identified BMP and BATEA measures, where considered feasible and reasonable,
- d) Measures to monitor noise performance and respond to complaints,
- e) Measures for community consultation including site contact details,
- f) Noise monitoring and reporting procedures.

L4.11 The proponent must prepare and implement a detailed Construction Noise Management Plan (CNMP), prior to commencement of construction activities, that includes but is not necessarily limited to;

- a) Identification of each work area, site compound and access route (both private and public),
- b) Identification of the specific activities that will be carried out and associated noise sources at the premises and access routes,
- c) Identification of all potentially affected sensitive receivers,
- d) The construction noise and vibration objectives identified in the Environmental Assessment,
- e) Assessment of potential noise and vibration from the proposed construction methods (including noise from construction traffic) against the objectives identified in the Environmental Assessment,
- f) Where the objectives are predicted to be exceeded an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise impacts,
- g) Description of management methods and procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during construction, including the early erection of any operational noise control barriers,
- h) Procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity,
- i) Measures to monitor noise performance and respond to complaints.

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L4.12 Subject to any express provision to the contrary in this approval/licence, measurement and analysis of noise required by this approval/licence must be done in accordance with the Approved Methods for the Measurement and Analysis of Environmental Noise in NSW.

Definitions for L4

L_{Aeq} (15 minute) - the value of the A-weighted sound pressure level of a continuous steady sound that, over a 15 minute time interval, has the same mean square sound pressure level as a sound under consideration with a level that varies with time (Australian Standard AS 1055:2018 *Acoustics: description and measurement of environmental noise*).

Noise Policy for Industry - the document entitled “*Noise Policy for Industry*” published by the NSW Environment Protection Authority in October 2017.

Noise – ‘sound pressure levels’ for the purposes of conditions L4.1 to L4.8.

L5 Hours of operation

L5.1 The proponent shall comply with the operating hours shown in the table below.

Activity	Day	Hours
Construction	Monday – Friday	7am – 6pm
Construction	Saturday	8am – 1pm
Construction	Any other time	Only with the prior written approval of the EPA and subject to any conditions that may be imposed.
Operation	Monday – Sunday	7am – 5pm
Operation	Any other time	Only with the prior written approval of the EPA and subject to any conditions that may be imposed.

L5.2 This condition does not apply to the delivery of material outside the hours of operation permitted by condition L5.1, 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 is provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

L5.3 The hours of operation specified in conditions L5.1 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.

4 Operating conditions

01 Odour

01.1 No condition in this approval/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

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the conditions of a licence directed at minimising odour.

02 Dust

02.1 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission 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 The premises must be maintained in a manner that prevents or minimises the emission of air pollutants from the premises.

03 Waste management

03.1 Surface drainage must be diverted away from any area where waste is being or has been landfilled.

03.2 There must be no incineration or burning of any waste at the premises.

03.3 The proponent must have in place and implement procedures to identify and prevent the disposal of any waste not permitted by this approval/licence to be disposed of at the premises.

03.4 The proponent must minimise the tracking of waste and mud by vehicles.

03.5 Cover material must meet the specifications within section 8 of the Environmental Guidelines: Solid Waste Landfills" (EPA, Second Edition, 2016), unless otherwise approved by the EPA and the following:

a) Daily cover

Cover material must be applied to a minimum depth of 150 millimetres over all exposed landfilled waste prior to ceasing operations at the end of each day.

b) Intermediate cover

Cover material must be applied to a depth of 300 millimetres over surfaces of the landfilled waste at the premises which are to be exposed for more than 90 days.

c) Cover material stockpile

At least two weeks cover material must be available at the premises under all weather conditions. This material may be won on site, or alternatively a cover stockpile must be maintained adjacent to the tip face.

03.6 Alternative daily cover options may be considered and approved by the EPA if the proponent can demonstrate that the alternative approach can achieve the required outcomes for cover in section 8 of the "Environmental Guidelines: Solid Waste Landfills" (EPA, Second Edition, 2016) .

03.7 The proponent must submit to the EPA within twelve months prior to the last load of waste to be landfilled a closure plan in accordance with Section 76 of the Protection of the Environment Operations Act 1997.

03.8 The proponent must ensure that the landfill cells are capped progressively.

03.9 The proponent must ensure that the leachate dam is constructed with:

a) sufficient capacity as determined in accordance with the processes detailed within section 2 of the "Environmental Guidelines: Solid Waste Landfills" (EPA, Second Edition, 2016); and

b) is lined in accordance with section 2.1 of the "Environmental Guidelines: Solid Waste Landfills" (EPA, Second Edition, 2016) or an alternative system approved in writing by the EPA.

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O3.10 The level of leachate above the basal liner in the all landfill cells must be maintained to be less than 300mm.

O3.11 Water which contains or has come into contact with waste, other than Virgin Excavated Natural Material, must be managed as leachate.

O3.12 The surface water and leachate management systems must be maintained to ensure that their design capacity is available for the storage and management of stormwater and leachate.

O3.13 Leachate must only be disposed of by:

- a) Evaporation;
- b) Irrigation within the leachate dam or within the active cell of the landfill; or
- c) Disposal of at a facility licensed to accept such waste.

O3.14 Irrigation of leachate must only be undertaken:

- a) During dry weather; and
- b) Such that ponding or run off within the active cell does not occur and if the active tipping face is enclosed by a 300mm high earthen bund.
- c) Spray from waste water application must not drift beyond the boundary of the waste water utilisation area to which it is applied.

O3.16 The proponent must have in place and implement procedures to identify and prevent the disposal of any waste not permitted by this approval/license to be disposed of at the premises.

O3.17 The proponent must undertake a weekly boundary litter patrol of the premises so that all wind blown litter caught on the boundary fence and/or in neighbouring paddocks is collected and returned to the appropriate place of disposal.

O3.18 The proponent must have in place and operate a calibrated weighbridge to record the weight in tonnes of all waste brought into the premises and to determine the occupier's Protection of the Environment Operations Act 1997 section 88 levy liability.

O3.19 The proponent must pay the waste levy applicable to any waste received from the regulated area as required by section 88 of the Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Waste) Regulation 2014.

O4. Stormwater/sediment control

O4.1 Prior to commencing construction of landfilling operations, a Site Water Management Plan (SWMP) must be prepared to the satisfaction of the EPA. The SWMP must be implemented before landfilling operation commence. The SWMP must include:

- design detail and calculations that demonstrate any clean area sediment basin associated with the landfill are constructed and will be managed in a manner that is consistent with Managing Urban Stormwater: Soils and Construction: Volume 2B Waste Landfills (Landcom, 2008);
- detail that demonstrates that any clean area sediment basins associated with the landfill have been designed on the basis of volumetric runoff coefficient of 0.9 within the affected catchments, given the nature of the site and the relatively impermeable surfaces present throughout;
- detail that demonstrates that Landcom (2008) clean sediment basin sizing, and related discharge considerations, only apply to catchments that are collecting clean sediment, i.e. areas not affected by leachate in any way; and

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- detail that demonstrates that where concentrations of pollutants other than sediment are elevated in stormwater, the polluted water must be transferred to the leachate system.

O5 Emergency response

O5.1 The proponent must extinguish fires at the premises as soon as possible.

O5.2 The proponent must have in place and implement procedures to minimise the risk of fire at the premises.

O6 Processes and management **O6.1** The drainage from all areas at the premises which will liberate suspended solids when stormwater runs over these areas must be diverted into sedimentation basins.

O6.2 The proponent must take all practicable steps to control entry to the premises.

O6.3 The proponent must install and maintain a stockproof perimeter fence around the premises.

O6.4 The proponent must install and maintain lockable security gates at all access and departure locations.

O6.5 The proponent must ensure that all gates are locked whenever the landfill is unattended.

O6.6 The proponent must control pests, vermin and weeds at the premises.

O6.7 The proponent must ensure that adequately trained staff are available at the premises in order to administer the requirements of this approval/licence.

O6.8 All practicable measures must be undertaken to manage all sediment dams such that they have sufficient capacity to store run-off from the 90th percentile 5 day rainfall event. The proponent is to use the Australian Rainfall and Runoff Data and rainfall data from the Australian Bureau of Meteorology for the premises to calculate the run off generated in a 90th percentile 5 day rainfall event.

Note: The proponent is to confirm the rainfall depth terms in millimetres upon the application for the EPL.

O6.9 The proponent must have in place and implement a litter management program.

5 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 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 approval/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.

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M2 Requirement to monitor concentration of pollutants discharged

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

M2.2 Water and/or Land Monitoring Requirements

Points - Ground water quality monitoring points (number and location of points to be confirmed in EPL)

Pollutant	Unit of Measure	Frequency	Sampling Method
Alkalinity (as calcium carbonate)	Milligrams per litre	Quarterly	Representative sample
Arsenic	Milligrams per litre	Quarterly	Representative sample
Boron	Milligrams per litre	Quarterly	Representative sample
Cadmium	Milligrams per litre	Quarterly	Representative sample
Calcium	Milligrams per litre	Quarterly	Representative sample
Carbon Dioxide	Milligrams per litre	Quarterly	Representative sample
Chloride	Milligrams per litre	Quarterly	Representative sample
Chromium	Milligrams per litre	Quarterly	Representative sample
Conductivity	Micro-Siemens per centimetre	Quarterly	In situ
Copper	Milligrams per litre	Quarterly	Representative sample
Dissolved Oxygen	Milligrams per litre	Quarterly	In situ
Hardness (as calcium carbonate)	Milligrams per litre	Quarterly	Representative sample
Iron	Milligrams per litre	Quarterly	Representative sample
Iron Oxide	Milligrams per litre	Quarterly	Representative sample
Lead	Milligrams per litre	Quarterly	Representative sample
Magnesium	Milligrams per litre	Quarterly	Representative sample
Manganese	Milligrams per litre	Quarterly	Representative sample
Nitrate + Nitrite (oxidised nitrogen)	Milligrams per litre	Quarterly	Representative sample
Nitrogen (ammonia)	Milligrams per litre	Quarterly	Representative sample

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Nitrogen (total)	Milligrams per litre	Quarterly	Representative sample
pH	pH	Quarterly	In situ
Potassium	Milligrams per litre	Quarterly	Representative sample
Redox Potential	Millivolts	Quarterly	In situ
Sodium	Milligrams per litre	Quarterly	Representative sample
Standing water level	meters	Quarterly	In situ
Sulfate	Milligrams per litre	Quarterly	Representative sample
Temperature	degrees Celsius	Quarterly	In situ
Total Kjeldahl Nitrogen	Milligrams per litre	Quarterly	Representative sample
Total organic carbon	Milligrams per litre	Quarterly	Representative sample
Total Phosphorus - unfiltered sample	Milligrams per litre	Quarterly	Representative sample
Total Suspended solids	Milligrams per litre	Quarterly	Representative sample
Volumetric flow rate	kilolitres per day	Quarterly	Representative sample
Turbidity	nephelometric turbidity unity	Quarterly	In situ
Zinc	Milligrams per litre	Quarterly	Representative sample

POINTS - Sediment Dam - water quality monitoring (exact points to be confirmed in the EPL)

Pollutant	Units of measure	Frequency	Sampling method
Alkalinity (as calcium carbonate)	Milligrams per litre	Quarterly	Grab sample
Aluminium	Milligrams per litre	Quarterly	Grab sample
Arsenic	Milligrams per litre	Quarterly	Grab sample
Boron	Milligrams per litre	Quarterly	Grab sample
Cadmium	Milligrams per litre	Quarterly	Grab sample
Calcium	Milligrams per litre	Quarterly	Grab sample
Carbon dioxide	Milligrams per litre	Quarterly	Grab sample
Chloride	Milligrams per litre	Quarterly	Grab sample
Chromium	Milligrams per litre	Quarterly	Grab sample

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Conductivity	Micro-Siemens per centimetre	Quarterly	In situ
Copper	Milligrams per litre	Quarterly	Grab sample
Dissolved Oxygen	Milligrams per litre	Quarterly	In situ
Hardness (as calcium carbonate)	Milligrams per litre	Quarterly	Grab sample
Iron	Milligrams per litre	Quarterly	Grab sample
Iron Oxide	Milligrams per litre	Quarterly	Grab sample
Lead	Milligrams per litre	Quarterly	Grab sample
Magnesium	Milligrams per litre	Quarterly	Grab sample
Manganese	Milligrams per litre	Quarterly	Grab sample
Nitrate + Nitrite (oxidised nitrogen)	Milligrams per litre	Quarterly	Grab sample
Nitrogen (ammonia)	Milligrams per litre	Quarterly	Grab sample
Nitrogen (total)	Milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	In situ
Potassium	Milligrams per litre	Quarterly	Grab sample
Redox potential	millivolts	Every 6 months	In situ
Sodium adsorption ratio	Milligrams per litre	Quarterly	Grab sample
Sulfate	Milligrams per litre	Quarterly	Grab sample
Temperature	Milligrams per litre	Quarterly	Grab sample
Total Kjeldahl	Milligrams per litre	Quarterly	Grab sample
Total organic carbon	Milligrams per litre	Quarterly	Grab sample
Total Phosphorus- unfiltered sample	Milligrams per litre	Quarterly	Grab sample
Total Suspended solids	Milligrams per litre	Quarterly	Grab sample
Turbidity	nephelometric turbidity units	Quarterly	In situ
Volume	Kilitres	Quarterly	In situ
Zinc	Milligrams per litre	Quarterly	Grab sample

POINTS - Leachate Quality monitoring (exact points to be confirmed in the EPL)

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Pollutant	Units of measure	Frequency	Sampling method
Alkalinity (as calcium carbonate)	Milligrams per litre	Quarterly	Grab sample
Arsenic	Milligrams per litre	Quarterly	Grab sample
Boron	Milligrams per litre	Quarterly	Grab sample
Cadium	Milligrams per litre	Quarterly	Grab sample
Calcium	Milligrams per litre	Quarterly	Grab sample
Carbon Dioxide	Milligrams per litre	Quarterly	Grab sample
Chloride	Milligrams per litre	Quarterly	Grab sample
Chromium (total)	Milligrams per litre	Quarterly	Grab sample
Conductivity	Micro-Siemens per centimetre	Quarterly	In situ
Copper	Milligrams per litre	Quarterly	Grab sample
Dissolved oxygen	Milligrams per litre	Quarterly	In situ
Lead	Milligrams per litre	Quarterly	Grab sample
Magnesium	Milligrams per litre	Quarterly	Grab sample
Manganese	Milligrams per litre	Quarterly	Grab sample
Nitrate + Nitrite (oxidised nitrogen)	Milligrams per litre	Quarterly	Grab sample
Nitrogen (ammonia)	Milligrams per litre	Quarterly	Grab sample
Nitrogen (total)	Milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	in situ
phenols	Milligrams per litre	Quarterly	Grab sample
Polycyclic aromatic hydrocarbons	Milligrams per litre	Quarterly	Grab sample
Potassium	Milligrams per litre	Quarterly	Grab sample
Redox Potential	millivolts	Quarterly	in situ
Sulfate	Milligrams per litre	Quarterly	Grab sample
Temperature	degrees celsius	Quarterly	In situ
Total Kjeldahl Nitrogen	Milligrams per litre	Quarterly	Grab sample

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Total organic carbon	Milligrams per litre	Quarterly	Grab sample
Total Phosphorus (unfiltered)	Milligrams per litre	Quarterly	Grab sample
Total Suspended solids	Milligrams per litre	Quarterly	Grab sample
Volatile organic compounds	Milligrams per litre	Quarterly	Grab sample
Volume	kilolitres	Quarterly	In situ
Zinc	Milligrams per litre	Quarterly	Grab sample

POINTS - Sediment dam discharge point/s (exact points to be confirmed in the EPL)

Pollutant	Units of measure	Frequency	Sampling method
Conductivity	Micro-Siemens per centimetre	Special frequency 1	In situ
Nitrate + Nitrite (oxidised nitrogen)	Milligrams per litre	Special frequency 1	Representative sample
Nitrogen (ammonia)	Milligrams per litre	Special frequency 1	Representative sample
pH	pH	Special frequency 1	In situ
Total Kjeldahl Nitrogen	Milligrams per litre	Special frequency 1	Representative sample
Total Phosphorus (unfiltered)	Milligrams per litre	Special frequency 1	Representative sample
Total Suspended solids	Milligrams per litre	Special frequency 1	Representative sample

Note: For the purpose of this condition, 'special frequency 1' means as soon as practicable after overflow commences and in any cases not more than 12 hours after any overflow commencing and prior to any controlled discharge from the sedimentation basin to demonstrate compliance with the concentration limits defined at condition L2.3.

POINTS - leachate pond discharge point/s (exact points to be confirmed in the EPL)

Pollutant	Units of measure	Frequency	Sampling method
Conductivity	Micro-Siemens per centimetre	Special frequency 2	In situ
Nitrate + Nitrite (oxidised)	Milligrams per litre	Special frequency 2	Representative sample

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nitrogen)			
Nitrogen (ammonia)	Milligrams per litre	Special frequency 2	Representative sample
pH	pH	Special frequency 2	In situ
Total Kjeldahl	Milligrams per litre	Special frequency 2	Representative sample
Total Phosphorus (unfiltered)	Milligrams per litre	Special frequency 2	Representative sample
Total Suspended solids	Milligrams per litre	Special frequency 2	Representative sample

Note: For the purpose of this condition, 'special frequency 2' means as soon as practicable after overflow commences and in any cases not more than 12 hours after any overflow commencing.

Point Ambient surface water monitoring (exact points to be confirmed in EPL)

Pollutant	Units of measure	Frequency	Sampling method
Alkalinity (as calcium carbonate)	Milligrams per litre	Quarterly	Grab sample
Aluminium	Milligrams per litre	Quarterly	Grab sample
Arsenic	Milligrams per litre	Quarterly	Grab sample
Boron	Milligrams per litre	Quarterly	Grab sample
Cadmium	Milligrams per litre	Quarterly	Grab sample
Calcium	Milligrams per litre	Quarterly	Grab sample
Carbon dioxide	Milligrams per litre	Quarterly	Grab sample
Chloride	Milligrams per litre	Quarterly	Grab sample
Chromium	Milligrams per litre	Quarterly	Grab sample
Conductivity	Micro-Siemens per centimetre	Quarterly	In situ
Copper	Milligrams per litre	Quarterly	Grab sample
Dissolved Oxygen	Milligrams per litre	Quarterly	In situ
Hardness (as calcium carbonate)	Milligrams per litre	Quarterly	Grab sample
Iron	Milligrams per litre	Quarterly	Grab sample
Iron Oxide	Milligrams per litre	Quarterly	Grab sample
Lead	Milligrams per litre	Quarterly	Grab sample

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Magnesium	Milligrams per litre	Quarterly	Grab sample
Manganese	Milligrams per litre	Quarterly	Grab sample
Nitrate + Nitrite (oxidised nitrogen)	Milligrams per litre	Quarterly	Grab sample
Nitrogen (ammonia)	Milligrams per litre	Quarterly	Grab sample
Nitrogen (total)	Milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	In situ
Potassium	Milligrams per litre	Quarterly	Grab sample
Redox potential	millivolts	Every 6 months	In situ
Sodium adsorption ratio	Milligrams per litre	Quarterly	Grab sample
Sulfate	Milligrams per litre	Quarterly	Grab sample
Temperature	Milligrams per litre	Quarterly	Grab sample
Total Kjeldahl	Milligrams per litre	Quarterly	Grab sample
Total organic carbon	Milligrams per litre	Quarterly	Grab sample
Total Phosphorus- unfiltered sample	Milligrams per litre	Quarterly	Grab sample
Total Suspended solids	Milligrams per litre	Quarterly	Grab sample
Turbidity	nephelometric turbidity units	Quarterly	In situ
Volume	Kilolitres	Quarterly	estimate
Zinc	Milligrams per litre	Quarterly	Grab sample

M2.3 Air Monitoring Requirements (exact locations TBC)

Pollutant	Units of measure	Frequency	Sampling Method
Methane	percent by volume	Quarterly	Special Method 3

M2.4 For the purposes of the above table(s), Special Method 3 means methane monitoring in accordance with Section 5.2 Landfill gas surface emissions monitoring, and Section 5.4 Gas accumulation monitoring in enclosed structures as defined in the Environmental Guidelines: Solid Waste Landfills, 2nd edition 2016.

Note: "Special Method 3" means methane monitoring must be performed on the gas within the landfill subsurface monitoring well before any admixture or purging of air into that well. The gas detector must: a) have a current calibration certificate b) a minimum level of detection and minimum resolution of 1% (v/v) methane c) be capable of accurately measuring methane in a reduced oxygen atmosphere d) be tested with an in-date calibration gas before and after the

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testing to ensure that all sensors are functional and accurate. Subsurface gas monitoring must be performed following the procedures in benchmark techniques 15 and 16 in the EPA's Environmental Guidelines: Solid Waste Landfills.

Note: The Protection of the Environment Operations (Clean Air) Regulation 2021 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW". Where the "Approved Method" refers to a standard that has been updated the updated standard can be used, (AM-19 refers to AS 3580.10.1-1991 which has now been updated to AS 3580.10.1-2016).

Note: the monitoring requirements may be varied by the EPA subject to ongoing review and assessment of monitoring results.

M3 Testing methods - concentration limits

M3.1 Monitoring for the concentration of a pollutant emitted to the air 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 a relevant local calculation protocol must be done in accordance with:

- any methodology which is required by or under the POEO Act 1997 to be used for the testing of the concentration of the pollutant; or
- if no such requirement is imposed by or under the POEO Act 1997, any methodology which the general terms of approval or a condition of the licence or the protocol (as the case may be) requires to be used for that testing; or
- if no such requirement is imposed by or under the POEO Act 1997 or by the general terms of approval or a condition of the licence or the protocol (as the case may be), any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

Note: The Protection of the Environment Operations (Clean Air) Regulation 2022 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".)

M3.2 Subject to any express provision to the contrary in this approval/licence, monitoring for the concentration of a pollutant discharged to waters must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 Weather Monitoring

M4.1 At the point(s) identified below, the proponent must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.

Point W1

Parameter	Sampling Method	Units of measure	Averaging period	Frequency
Rainfall	AM-4	millimetres per hour	1 hour	continuous
Wind speed at 10 meters	AM-2 & AM-4	meters per second	15 minutes	continuous
Wind direction at 10 meters	AM-2 & AM-4	Degrees in a clockwise direction from True North	15 minutes	continuous
Temperature at 2	AM-4	degrees Celsius	15 minutes	continuous

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meters

Temperature at 10 meters	AM-4	degrees Celsius	15 minutes	continuous
Sigma Theta	AM-4	Degrees in a clockwise direction from True North	15 minutes	continuous
Total Solar Radiation	AM-4	Watts per square meter	15 minutes	continuous

M5 Requirement to monitor volume or mass

M5.1 For each discharge point or utilisation area specified below, the licensee must monitor:

- a) the volume of liquids discharged to water or applied to the area;
- b) the mass of solids applied to the area;
- c) the mass of pollutants emitted to the air; at the frequency and using the method and units of measure, specified below.

Discharge Points (exact locations TBC)

Frequency	Unit of Measure	Sampling Method
Continuous during discharge	Kiloliters per day	By calculation (volume flow rate or pump capacity multiplied by operating time)

6 Reporting conditions

R1 Annual Return

R1.1 The proponent 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.

7 General Conditions

G1 Pollution Incident Response Management Plan

G1.1 The proponent must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises in accordance with section 153(A) of the Protection of the Environment Operations Act 1997. The proponent must keep the PIRMP on the premises at all times. The PIRMP must document systems and procedures to deal with all types of incidents (e.g spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. If a current PIRMP does not exist at the date on which this condition is attached to the licence, the proponent must develop a PIRMP within one month of that date.

G1.2 A notification protocol for downstream water users must be generated in consultation with downstream water users and the adjoining Willow Tree Gravels Quarry, should the EPL water quality limits be exceeded.

G2 Signage

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G2.1 Each monitoring and discharge point must be clearly marked by a permanent sign that indicates the EPA point identification number.

8 Special conditions

E1 Detailed Design Report

E1.1 Prior to commencing construction activities, the proponent must provide to the EPA for approval a detailed design report addressing the requirements of the *Environmental Guidelines: Solid Waste Landfills* (EPA, 2016). This report must be prepared by an appropriately qualified and experienced person as defined in the Landfill Guidelines. The report must contain:

- a) Detailed designs of the cell lining and leachate barrier system in accordance with Minimum Standards Part 1 of the Landfill Guidelines. If alternative designs are proposed, for example on the quarry walls, the design report must contain an assessment of the soundness of the in situ geology as per the requirements of Part 1.10.
- b) Detailed designs of final capping in accordance with Minimum Standards Part 9 of the Landfill Guidelines. If a phytocap is proposed as an alternative to an engineered barrier cap, the design report must address the design requirements for phytocaps set out in Minimum Standards Part 9.4.
- c) Construction Quality Assurance (CQA) Plans for all proposed construction works in accordance with Minimum Standards Part 11 of the Landfill Guidelines. The CQA Plans must include procedures to cover the proposed staged or incremental quarry wall lining technique (called the 'shingle' approach in the EIS).
- d) Water quality monitoring programs in accordance with Minimum Standards Part 4 of the Landfill Guidelines. These programs must include proposals to characterise existing (background) groundwater and surface water quality at and near the site before landfilling commences.

E2 Final Capping Requirements

E2.1 Six months prior to commencing progressive final capping, the proponent must submit the detailed design and quality assurance/quality control plan for the capping to the EPA. Final capping must not be undertaken until written approval for the design and QA/QC is received from the EPA. Where the final capping design does not conform to design specifications in EPA's *Environmental Guidelines: Solid Waste Landfill*, the proponent must provide supporting information that the alternative design will meet the environmental goals defined in the Guidelines.

Attachment B – Mandatory Conditions for all EPA licences

Administrative 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.

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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.

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:

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1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

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 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.

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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;

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- 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.

Reporting of fires

In the event of a fire at the facility the applicant must record:

- a) the time and date when the fire was deliberately started or reported;
- b) whether the fire was authorised by the applicant, and, if not, the circumstances which ignited the fire;
- c) the time and date that the fire ceased and whether it burnt out or was extinguished;
- d) the location of fire (eg. clean timber stockpile, putrescible garbage cell, etc);
- e) the prevailing weather conditions;
- f) any observations made in regard to smoke direction and dispersion;
- g) the amount of waste that was combusted by the fire; and
- h) the action taken to extinguish the fire.

The applicant or its employees or agents must notify the EPA in accordance with the above section 'Notification of environmental harm' of all fires at the premises within 7 days of the date on which the incident occurred.

Reporting of leachate discharge

Whenever leachate is discharged to surface waters from the premises the licensee must notify the event to the EPA in accordance with above section 'Notification of environmental harm'. The licensee must provide a written report of any leachate discharge(s) which exit the premises to the EPA within 7 days of the date on which the incident occurred.

The report must include the following information:

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- (a) the volume of the leachate discharged and over what time period the discharge occurred;
- (b) the date and time of the commencement of the overflow;
- (c) the weather conditions at the time of the discharge, specifying the amount of rainfall on a daily basis that had fallen: - on the day(s) of the discharge; and - for the one week period prior to the discharge.
- (d) the most recent monitoring results of the chemical composition of the leachate;
- (e) an explanation as to why the discharge occurred;
- (f) the location(s) of the discharge; and
- (g) a plan of action to prevent a similar discharge in the future.

Definitions