PLANNING ASSESSMENT REPORT – APPENDIX B

EPA GENERAL TERMS OF APPROVAL

Please note, the condition numbers outlined below may change when incorporated into the Environment Protection Licence.

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 2019/0172 submitted to Snowy Valleys Council dated 14 November 2019;
- The Environmental Impact Assessment titled '*Bellettes Landfill Expansion' (November 2019)* relating to the development; and
- All addition documents supplied to the EPA in relation to the development, including the '*Updated Noise and Vibration Report' (March 2020)*.

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 Section 83 of the Act.

Discharges to Air and Water and Application to Land

P1 Location of monitoring/discharge points and areas

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

Water and land

EPA identification	Type of Monitoring Point	Type of Discharge Point	Location Description
1 - 11	Groundwater quality monitoring		Groundwater monitoring bores – exact locations to be negotiated with the EPA
12 - 13	Wet weather discharge Discharge water quality monitoring	Wet weather discharge Discharge water quality monitoring	Overflow from sediment dam – exact locations to be negotiated with the EPA
14	Leachate quality monitoring		Leachate storage dam – exact locations and number of monitoring points to be negotiated with the EPA

P1.2 The following points referred to in the table are identified for the purposes of the monitoring and/or setting of limits for the emission of noise from the premise.

Noise

EPA identification	Type of Monitoring Point	Type of Discharge Point	Location Description
15 - 20	Noise monitoring		Noise monitoring to be at sites representative of the nearest sensitive receptors – exact locations to be negotiated with the EPA

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 to 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 For each monitoring/discharge point or utilisation area specified in the table\s below (by a point number), the concentration of a pollutant discharged at the 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 pollution of waters by any pollutant other than those specified in the table.

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Pollutant	Unit of Measure	100 percentile concentration limit
pH	pH	6.5 – 8.5
Total suspended solids	milligrams per litre	50

L2.4 The Total Suspended Solids concentration limits specified in the table above may be exceeded for water discharge from the sediment basin provided that:

a) the discharge occurs solely as a result of rainfall measured at the premises that exceeds 33 millimetres (mm) over any consecutive 5 day period immediately prior to the discharge occurring; and

b) all practical measures have been implemented to dewater all sediment dams within 5 days of rainfall such that they have sufficient capacity to store run off from a 33 mm, 5 day rainfall event

L3. Waste

L3.1 The licensee must not cause, permit or allow any waste generated outside the premises, except the wastes expressly referred to in the column titled ‘Waste’ and meeting the definition, if any, in the column titled ‘Description’ in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled 'Activity' in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled 'Other Limits' in the table below.

This condition does not limit any other conditions in this licence

Code	Waste	Description	Activity	Other Limits
NA	Waste tyres	As defined in Schedule 1 of the *Protection of the Environment Operations Act 1997,* as in force from time to time	Waste disposal (application to land)	Total quantity of waste disposed by application to land in each reporting period must not exceed 5 tonnes
NA	General solid waste (non-putrescible)	As defined in Schedule 1 of the *Protection of the Environment Operations Act 1997,* as in force from time to time	Waste disposal (application to land)	Total quantity of waste disposed by application to land in each reporting period must not exceed 40,000 tonnes

L3.2 The volume of waste disposed within Cell 10 at the premises must not exceed a total airspace capacity of 499,825 cubic metres (m^3).

L4. Noise Limits

L4.1 Noise generated at the premises must not exceed the noise limits at the times and location in the table below.

Location	Noise Limits in dB(A)		
	Morning Shoulder	Morning Shoulder	Day
	$L_{Aeq(15minute)}$	L_{Amax}	$L_{Aeq(15\ minute)}$
40 Whatmans Lane, Gilmore (Lot 101, DP 1129158)	42	52	40
21 Gilmore Mill Road, Gilmore (Lot 1, DP 500263)	43	52	45
25 Gilmore Mill Road, Gilmore (Lot 1, DP 1041444)	43	52	45
49 Gilmore Mill Road, Gilmore (Lot 4, DP 1041444)	42	52	40
53 Gilmore Mill Road, Gilmore (Lot 147, DP 757229)	42	52	40
66 Gilmore Mill Road, Gilmore (Lot 1, DP 46590)	42	52	40

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

a) Morning Shoulder means the period from 6am to 7am Monday to Friday.
b) Day means the period from 7am to 6pm Monday to Friday and 8am to 2pm Saturday.

L4.3 Noise-enhancing 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, D and E with wind speeds up to and including 3m/s at 10m above ground level.
Morning Shoulder	Stability Categories A, B, C, D and E with wind speeds up to and including 3m/s at 10m above ground level; or Stability Category F with wind speeds up to and including 2m/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 meteorological weather station identified as Bureau of Meteorology AWS at Tumut, NSW

b) Stability category shall be determined using the following method from Fact Sheet D of the *Noise Policy for Industry* (NSW EPA, 2017):

i. Pasquill-Gifford stability classification scheme (section D1.3.1).

L4.5 To assess compliance:

a) with the $L_{Aeq(15minute)}$ or the L_{Amax} 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

b) with the LAeq(15minute) or the LAmax 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 located where there is no residence at the location; or,
   ii. at the reasonably most affected point within an area at the 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 L 4.5 (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 purposes 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 the microphone level will affect acquisition of valid measurements.

L4.9 The noise limits in L4.1 do not apply at 40 Whatmans Lane, Gilmore and 49 Gilmore Mill Road, Gilmore during simultaneous capping, construction and filling activities where a negotiated agreement is in place.

L5. Hours of Operation

L5.1 All construction work at the premises must only be carried out between 7am to 6pm Monday to Friday and 8am to 1pm on Saturday. No construction work is to occur on Sundays or Public Holidays.

L5.2 Activities at the premises, other than construction work, may only be carried out between 6am and 6pm Monday to Friday and 8am to 2pm on Saturday and no operational activities are to occur on Sundays or Public Holidays.

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

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

L6. Extraction Limits

L6.1 The total material extracted for the construction of Cell 10A must not exceed 76,460m^3.

L6.2 The total material extracted for the construction of Cell 10B must not exceed 147,462m^3.

Operating Conditions

O1. Stormwater/sediment control – Construction phase

O1.1 An Erosion and Sediment Control Plan (ESCP) must be prepared and implemented. The plan must describe the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during construction activities. The ESCP should be prepared in accordance with the requirements for such plans outlined in *Managing Urban Stormwater: Soils and Construction* (available from the Department of Housing).

O2. Stormwater/sediment control – Operation Phase

O2.1 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).

O3. Waste Management

O3.1 Cover material must be applied in accordance with the following requirements unless otherwise approved by the EPA:

a) Daily Cover – cover material must be applied to a minimum depth of 15 centimetres over all exposed landfilled waste prior to ceasing operations at the end of the day.
b) Intermediate Cover – cover material must be applied to a depth of 30 centimetres over surfaces of the landfilled waste at the premises which are to be exposed for more than 90 days.
c) Cover material stockpiled – at least two weeks cover material must be available at the premises under all weather conditions.

O4. Leachate Management

O4.1 The proposed leachate storage dam must be lined with 1000mm of compacted low permeability clay in additional to the geosynthetic liner as specified for landfills receiving >20,000 tonnes of waste per year, as specified within the *Environmental Guidelines: Solid Waste Landfills* (NSW EPA, 2016).

O4.2 Water which contacts waste, other than virgin excavated natural material, must be managed as leachate.

O4.3 Leachate must only be disposed of by:

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

O4.4 Irrigation of leachate within an active cell 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.

O4.5 Use of leachate as a dust suppressant outside of the active cell is prohibited.

Monitoring and Recording Conditions

M2. Requirement to monitor concentration of pollutants discharge

M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specific in Column 1. The licensee 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

Point 1 – 11 Groundwater Quality Monitoring

Pollutant	**Units of measure**	**Frequency**	**Sampling Method**
Alkalinity (as calcium carbonate)	Milligrams per litre	Yearly	Grab sample
Calcium	Milligrams per litre	Yearly	Grab sample
Chloride	Milligrams per litre	Quarterly	Grab sample

Conductivity	Milli-siemens per centimetre	Quarterly	Grab sample
Nitrate + Nitrite (oxidised nitrogen)	Milligrams per litre	Quarterly	Grab sample
Nitrogen (ammonia)	Milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Potassium	Milligrams per litre	Yearly	Grab sample
Sodium	Milligrams per litre	Yearly	Grab sample
Standing water level	Metres	Quarterly	In situ
Sulphate	Milligrams per litre	Yearly	Grab sample
Total dissolved solids	Milligrams per litre	Quarterly	Grab sample
Total organic carbon	Milligrams per litre	Quarterly	Grab sample
Total Phenolics	Milligrams per litre	Yearly	Grab sample

Point 14 Leachate Quality Monitoring

Pollutant	**Units of measure**	**Frequency**	**Sampling Method**
Alkalinity (as calcium carbonate)	Milligrams per litre	Every 6 months	Grab sample
Calcium	Milligrams per litre	Every 6 months	Grab sample
Chloride	Milligrams per litre	Every 6 months	Grab sample
Conductivity	Milli-siemens per centimetre	Every 6 months	Grab sample
Fluoride	Milligrams per litre	Yearly	Grab sample
Lead	Milligrams per litre	Yearly	Grab sample
Magnesium	Milligrams per litre	Every 6 months	Grab sample
Manganese	Milligrams per litre	Yearly	Grab sample
Nitrate + Nitrite (oxidised nitrogen)	Milligrams per litre	Every 6 months	Grab sample
pH	pH	Every 6 months	Grab sample
Potassium	Milligrams per litre	Every 6 months	Grab sample
Sodium	Milligrams per litre	Every 6 months	Grab sample
Sulphate	Milligrams per litre	Every 6 months	Grab sample
Total dissolved solids	Milligrams per litre	Every 6 months	Grab sample
Total organic carbon	Milligrams per litre	Every 6 months	Grab sample
Total phenolics	Milligrams per litre	Every 6 months	Grab sample

Point 12 -13 Discharge from sedimentation pond

Pollutant	**Units of measure**	**Frequency**	**Sampling method**
pH	pH	Special Frequency 1	Representative sample

Total suspended solids	Milligrams per litre	Special Frequency 1	Representative sample

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

Note: The frequency of monitoring and the pollutant/s to be monitored may be varied by the EPA once the variability of the water quality is established.

M2.3 Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area required by condition M2.2 must be done in accordance with the Approved Methods Publications unless another method has been approved by the EPA in writing before any tests are conducted.

M3. Noise Monitoring

M3.1 To assess compliance with the noise limits specified in condition L4.1, the licensee must undertake operator attended noise monitoring at each specified noise monitoring point in accordance with the table below during a period of time representative of typical operating conditions and not undertaken during a shutdown period.

Point 15 - 20

Assessment Period	**Minimum frequency in a reporting period**	**Minimum duration within an assessment period**
Day	Special Frequency 2	15 minutes
Morning Shoulder period	Special Frequency 2	15 minutes

Note 'Special Frequency 2' means noise monitoring occurring at the following times:
a) During construction activities – Monthly (a minimum of 4 weeks)
b) During times when operational activities are only occurring - Quarterly

Special Conditions

E1. Cell Design and Construction Quality Assurance

E1.1 Prior to the commencement of construction of Cell 10A and Cell 10B, the licensee must submit to the EPA's Manager Regional Operations – Riverina Far West by email to riverina.farwest@epa.nsw.gov.au the following information for approval:

a) The design of the proposed leachate barrier system, the leachate collection system and leachate storage dam; and

b) A Construction Quality Assurance Plan that meets or exceeds the standards in *Environmental Guidelines: Solid Waste Landfills* (NSW EPA, 2016), Minimum Standards, Part 11.

E1.2 Following construction of Cell 10A and Cell 10B, the licensee must submit to the EPA's Manager Regional Operations – Riverina Far West by email to riverina.farwest@epa.nsw.gov.au for approval a Construction Quality Assurance (CQA) Report. The CQA report must be prepared by an independent and suitably qualified person and must contain:

a) Details and evidence of the works installed, the testing conducted, and the quality assurance procedures implemented;
b) An account of any variations to the approved designs, methods and specifications; and
c) An opinion by an appropriately qualified and experienced construction quality assurance practitioner that the works conform to the approved designed, methods and specifications.

E1.3 Waste must not be placed in Cell 10A or Cell 10B until written approval is granted by the EPA.

E4. Annual Environmental Monitoring Report

E4.1 The licensee must submit to the EPA an Annual Environmental Monitoring Report concurrently with the submission of the Annual Return.

The report is to supplement the Annual Return and must include but need not be limited to:
a) Results of all monitoring data in graphical and tabulated format. This data is to include both historical monitoring data and data from current reporting periods.
b) An analysis and interpretation of monitoring results; and
c) Actions to correct identified adverse trends.

E5. Complaints Handling Procedure

E5.1 The proponent must prepare a complaint handling procedure for implementation at the premises. The procedure must include details of proposed actions to be taken upon receival of a complaint at the premises.