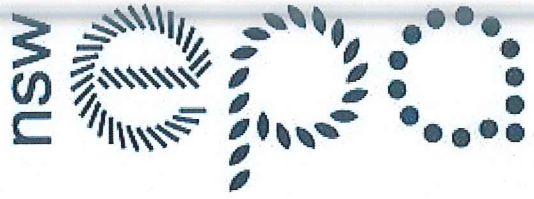


# General Terms of Approval - Issued

Notice No: 1619360



The General Manager  
Snowy Valleys Council  
76 Capper Street  
TUMUT NSW 2720

Attention: Quentin Adams

Notice Number 1619360

## Re: Gilmore Composting Facility

### Issued pursuant to Section 4.46 Environmental Planning and Assessment Act 1979

I refer to the development application and accompanying information provided for the proposed composting facility to be located at 6 Killarney Road, Gilmore, received by the Environment Protection Authority (EPA) on 27 April 2021.

The EPA wrote to Snowy Valleys Council (Council) on 13 May 2021, 28 May 2021 and 4 April 2022 seeking further information in relation to our assessment of the proposed development. Additional information in response to our letters was received on 16 March 2022 and 27 June 2022.

The EPA received the Public Submissions from Council on 31 May 2021.

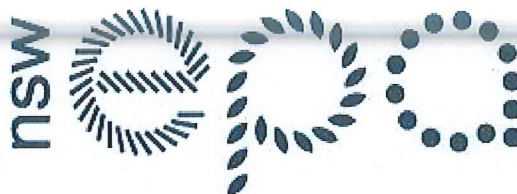
The EPA has responsibilities for pollution control and environmental management under the *Protection of the Environment Operations Act 1997*. Following review of the information provided we are able to issue out General Terms of Approval (GTA) for the proposed development.

The GTA are provided in Attachment A and relate to the development as proposed in the documents and information provided by the applicant. Attachment B provides mandatory conditions that apply to all Environment Protection Licences (EPL). Should development consent be granted for this proposal the EPA recommends that these conditions be incorporated into the conditions of consent.

In assessing the proposal the EPA has also identified a number of concerns in regards to Air Quality, this was discussed with Council at a meeting on 29 March 2022, and provided in writing to Council on 4 April 2022. Please refer to Attachment C for a summary on the EPA review of that additional information submitted to the EPA on 27 June 2022.

Please note that the EPA approval is for 3,000 tpa and any increase beyond 3,000 tpa and up to 10,000 tpa would be subject to EPA approval by a staged approach, this approval will be based on the environmental performance of the premises.

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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 imposed by Snowy Valleys Council, we request further consultation occur with us about the proposed changes prior to the consent being issued. This will enable EPA to determine whether its general terms need to be modified in light of the changes.

Please note, should development approval be granted it will be necessary for the proponent to make an application to the EPA for an EPL consistent with the development application and out GTA prior to undertaking any construction works.

If you have any questions, or wish to discuss this matter further please contact Briohny Seaman on 6983 4918.

Yours sincerely

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

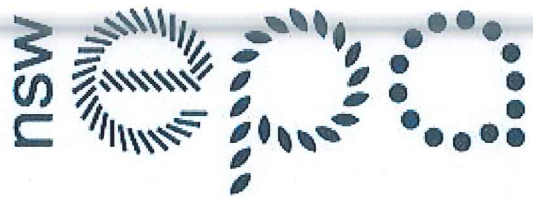
**Darren Wallett**

**A/Regional Manager**

**Environment Protection Authority**

(by Delegation)





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## Attachment A - 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 DA2021/0011 submitted to Snowy Valleys Council and dated 21 January 2021;
- The environmental impact statement *Environmental Impact Statement for Tumut composting facility* prepared for Snowy Valleys Council by RM Consulting Group and dated December 2020;
- *Response to Development Assessment Application feedback, Final Report* prepared for Snowy Valleys Council by RM Consulting Group and dated January 2022; and
- All additional documents supplied to the EPA in relation to the development, including *Proposed Gilmore Composting facility - Odour Impact and Management Assessment (Revision 3)*, prepared by The Odour Unit Pty Ltd and dated 4 May 2022.

### 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 that Act.

## Discharges to Air and Water and Application to Land

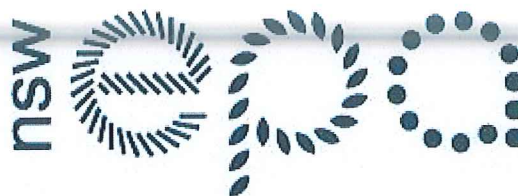
### P1. Location of monitoring/discharge points and areas

**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 the air from that point.

*Air*

EPA Identification	Type of Monitoring Point	Type of Discharge Point	Location Description
Point 10	Meteorological monitoring		Meteorological station - exact location to be negotiated with the EPA

**P1.2** 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 that point.



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## Water and Land

EPA Identification	Type of Monitoring Point	Type of Discharge Point	Location Description
Points 1-3	Groundwater quality monitoring		Three (3) piezometers - exact location of monitoring points to be negotiated with the EPA
Point 4	Water quality monitoring	Wet weather discharge	Outlet of the leachate basin - exact location to be provided to the EPA

**P1.3** 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 the emission of noise from the premises.

## Noise

EPA Identification	Type of Monitoring Point	Type of Discharge Point	Location Description
Points 5-9	Noise monitoring		Noise monitoring to be carried out at the locations identified in Figure 1 of the <i>Tumut Composting Facility Construction and Operational Noise Assessment</i> , SLR Consulting, ref 670.30079-R01-v1.0, dated 17 December 2021

## Limit conditions

### L1. Pollution of waters

**L.1.1** Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with in and in connection with the carrying out of the development.

**L.1.2** Discharges of <list pollutants to be determined via a Water Assessment Plan (see "Surface Water Monitoring - Water Assessment Plan" at Condition M2.2 ) > to waters from Point 4 is permitted when the discharge solely occurs as a result of rainfall at the premises exceeding the 1 in 10 year, 24 hour period storm event and after all practical measures to avoid a managed overflow have been implemented (including those contingency measures outline in Section 2.2.2 of *Response to Development Assessment Application feedback, Final Report* prepared for Snowy Valleys Council by RM Consulting Group and dated January 2022).





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## L2. Waste

**L2.1** The licensee must not cause, permit or allow any waste generated outside the premises, except the waste 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	Food Waste	As defined in Schedule 1 of the POEO Act, in force from time to time	Composting	See note following table
NA	Wood Waste	As defined in Schedule 1 of the POEO Act, in force from time to time	Composting	See note following table
NA	Organics	As defined in Schedule 1 of the POEO Act, in force from time to time	Composting	See note following table
NA	Garden Waste	As defined in Schedule 1 of the POEO Act, in force from time to time	Composting	See note following table
NA	Waste	Any waste received on site that is below the licensing threshold in Schedule 1 of the POEO Act, in force from time to time	-	NA

**L2.2** A combined maximum of 3,000 tpa of the following materials can be received and treated (composting) in any 12 month period at the premises:

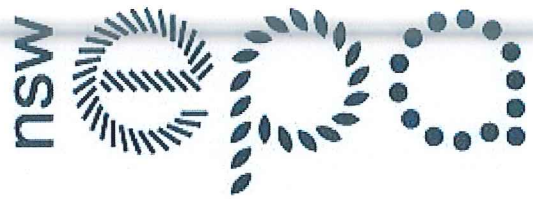
- Green/gardening waste; and
- Food waste.

## L3. Potentially offensive odour

**L3.1** The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

Note: Section 129 of the *Protection of the Environment Operations Act 1997*, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

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**L3.2** No condition of this licence identifies a potentially offensive odour for the purposes of Section 129 of the *Protection of the Environment Operations Act 1997*.

**L3.3** In the event of a verified offensive odour complaint a comprehensive odour audit by a suitably qualified professional is to be completed to confirm compliance with Section 129 of the *Protection of the Environment Operations Act 1997*. The scope and timing of the audit is to be acceptable to the EPA.

The licensee must submit a copy of the odour audit findings to the EPA by electronic mail to [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au) within seven (7) days of receiving the report, as well as a description of mitigation measures that will be implemented to mitigate and prevent offensive odour impacts from occurring.

## L4. Noise

**L4.1** Noise from the premises must not exceed the noise limits at the times and locations in the table below. The locations referred to in the table are indicated in Figure 1 of the *Tumut Composting Facility Construction and Operational Noise Assessment*, SLR Consulting, ref 670.30079-R01-v1.0, dated 17 December 2021.

EPA Identification	Location	Noise Limits in dB(A)
		Day LAeq(15minute)
5	R1 - 40 Whatmans Lane, Gilmore (Lot 101, DP 1129158)	41
6	R2 - 21 Gilmore Mill Road, Gilmore (Lot 2, DP 1121304)	46
7	R3 - 25 Gilmore Mill Road, Gilmore (Lot 2, DP 1041444)	43
8	R4 - 49 Gilmore Mill Road, Gilmore (Lot 4, DP 1041444)	40
9	Any other residential receiver	40

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

- a. Day means the period from 7:00am to 6:00pm Monday to Saturday and the period 8:00am to 6:00pm Sunday and Public Holidays.

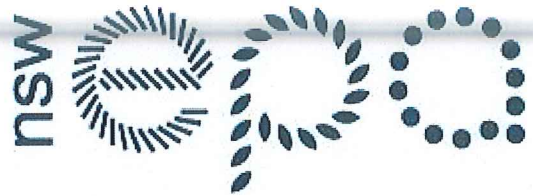
**L4.3** Noise-enhancing meteorological conditions

- 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 and D with wind speeds up to and including 3m/s at 10m above ground level
Evening	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level
Night	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level; or Stability Categories E and F with wind speeds up to and including 2m/s at 10m above ground level



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- 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 Gundagai**;
- 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  $L_{Aeq}(15 \text{ minute})$  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 the premises; or where applicable;
  - ii. In an area within 30 metres of a residence facade, 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  $L_{Aeq}(15 \text{ minute})$  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 L4.5:** 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.

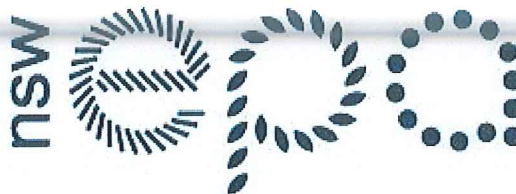
**L4.8** Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.

## **L5. Hours of operation**

**L5.1** All construction work at the premises must only be conducted between 7:00am and 6:00pm Monday to Friday and between 8:00am and 1:00pm Saturdays, and at no time on Sundays or Public Holidays.

**L5.2** Activities at the premises, other than construction work, may only be carried on between 7:00am and 5:00pm Monday to Friday. No activities at the premises may be carried out on Weekends or Public Holidays.

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## ***L6. Noise Management Plan***

**L6.1** The licensee 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 contacts details; and
- f. Noise monitoring and reporting procedures.

**L6.2** The licensee 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; and
- i. Measures to monitor noise performance and respond to complaints.



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## Operating conditions

### **01. Dust**

**01.1** All operations and activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

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

**01.3** The premises must be maintained in a manner that prevents or minimises the emission of air pollutants from the premises.

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

**02.1** 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).

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

**03.1** A Stormwater Management Scheme must be prepared and implemented in accordance with the requirements outlined within:

- a. The EPA's *Composting and Related Organics Processing Facilities Guidelines* (DECC 2004); and
- b. *Managing Urban Stormwater: Council Handbook* (available from the EPA).

### **04. Leachate Management**

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

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

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

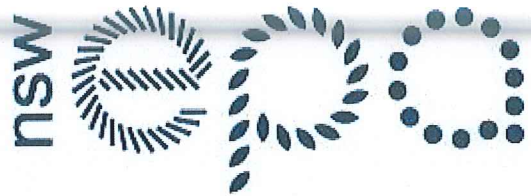
**04.4** The licensee must ensure that a freeboard of 1 metre is maintained in the leachate pond. The licensee must install a marker in the leachate pond to allow the 1 metre freeboard to be checked visually.

### **05. Air Quality and Odour Management Plan**

**05.1** Prior to the commencement of construction, the licensee must submit an Air Quality and Odour Management Plan to the EPA by electronic mail to [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)

As a minimum the Air Quality and Odour Management Plan must include, but not be limited to:

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- Address both construction and operational phases of the proposal;
- Proactive and reactive mitigation and management strategies for all significant and potentially significant emission sources;
- Key performance indicator(s);
- Monitoring method(s);
- Location, frequency and duration of monitoring;
- Response mechanisms and contingency measures;
- System and performance review for continuous improvement; and
- Compliance reporting.

## ***O6. Pollution of Waters***

**O6.1** Except as may be expressly provided in any other condition of the Environment Protection Licence, there must be no discharge of any surface waters from the premises.

**O6.2** The licensee must take all practical measures to avoid or minimise discharges from the premises and avoid or minimise pollutants contained in discharges permitted in accordance with the Environment Protection Licence.

**O6.3** The capacity of the leachate management system must be designed and maintained with adequate volume to capture all runoff from rainfall events at the premises except in storm events exceeding the 24 hour, 1 in 10 year average recurrence interval (ARI) storm.

**O6.4** The licensee must:

- Implement contingency measures to avoid discharges as set out in the EIS and those measures outlined in Section 2.2.2 of *Response to Development Assessment Application feedback, Final Report* prepared for Snowy Valleys Council by RM Consulting Group and dated January 2022;
- Handle and treat all water that has entered processing and storage areas and water that has come into contact with leachate in the same manner as leachate.

## ***O7. Other Operating Conditions***

**O7.1** The development must be designed, constructed operated and maintained in a manner that does not preclude the retrofit of air quality (including odour) emissions controls and management measures and, any best practice or contingency measures identified in the *Odour Impacts and Management Assessment (Revision 3)* prepared by the Odour Unit Pty Ltd and dated 4 May 2022. This is to include re-designing of the premises to enable a change in composting method (for example, composting tunnels).

**O7.2** The premises must be maintained in a condition which prevents or minimises the emission of air impurities from the premises, including odour.

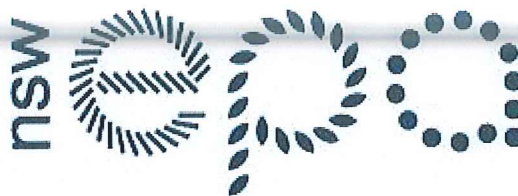
**O7.3** Activities conducted at the premises must be undertaken in a manner that prevents or minimises the emission of air impurities, including odour from the premises.

**O7.4** A layer of fine mulch (bio-cover) must be placed on top of the aerated static piles in Stages 0 and Stage 1 at a depth of approximately 500mm.

**O7.5** If directed by the EPA, a textile/fleece cover must be placed on top of the piles in Stage 0, Stage 1, Stage 2, Stage 3 and Stage 4.



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Note. Stage 0 -Stage 4 as defined in the *Proposed Gilmore Composting Facility - Odour Impact and Management Assessment (Revision 3)*, prepared by the Odour Unit Pty Ltd and dated 4 May 2022.

## Monitoring and recording conditions

### M1 Monitoring records

**M1.1** The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in conditions M1.2 and M1.3.

**M1.2** All records required to be kept by the licence must be:

- In a legible form, or in a form that can readily be reduced to a legible form;
- Kept for at least 4 years after the monitoring or event to which they relate took place; and
- Produced in a legible form to any authorised officer of the EPA who asks to see them.

**M1.3** The following records must be kept in respect of any samples required to be collected:

- The date(s) on which the sample was taken;
- The time(s) at which the sample was collected;
- The point at which the sample was taken; and
- The name of the person who collected the sample.

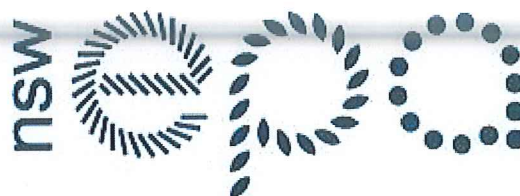
### M2. Requirement to monitor concentration of pollutants discharged

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

**Point 1-3**

*Water and Land*

Pollutant	Units of measure	Frequency	Sampling Method
Ammonia	milligrams per litre	every 6 months	grab sample
BOD	milligrams per litre	every 6 months	grab sample
Conductivity	microsiemens per centimetre	every 6 months	in situ
Nitrogen (total)	milligrams per litre	every 6 months	grab sample
Oil and Grease	milligrams per litre	every 6 months	grab sample
pH	pH	every 6 months	in situ



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Phosphorus (total)	milligrams per litre	every 6 months	grab sample
Standing water level	metres	every 6 months	in situ
Total suspended solids	milligrams per litre	every 6 months	grab sample

## Point 4

### Water and Land

Pollutant	Units of measure	Frequency	Sampling Method
<to be determined through a Water Assessment Plan developed by the proponent - see Condition M2.2>	<details to be provided>	Daily During Discharge	<details to be provided>

## M2.2 Surface Water Monitoring - Water Assessment Plan

A Water Assessment Plan (WAP) must be prepared in accordance with the Composting Guidelines (DECC 2004) within six (6) months of the site have becoming operational and submitted to the EPA by electronic mail to [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au). This WAP must document all the water related monitoring requirements, test methods, frequency and location of sampling for ongoing regular monitoring. The WAP would include the analytes listed in Appendix D (Indicator parameters) of the Composting Guidelines (DECC 2004), storage level monitoring in the leachate storage dam and sludge level monitoring.

In addition to proposed regular ongoing monitoring, an initial monitoring program to characterise water quality that may be expected in any managed overflow discharge from the established operation must be included in the WAP.

The following analytes should be considered in the Water Assessment Plan:

- The analytes listed in Appendix D (Indicator parameters) of the Composting Guidelines (DECC 2004) (pH, alkalinity, ammonia, calcium, chloride, fluoride, iron, magnesium, manganese, nitrate, organochlorine, pesticides, organophosphate pesticides, total phenolics, polycyclic aromatic hydrocarbons, potassium, sodium, sulfate, total organic carbon and electrical conductivity);
- Total suspended solids;
- Total phosphorus;
- Total nitrogen; and
- Biochemical oxygen demand.

Note: additional water monitoring conditions may be added to the Environment Protection Licence for ongoing monitoring after the completion of the initial characterisation monitoring program.

## M3. Requirement to Monitor Noise

**M3.1** Attended noise monitoring must be undertaken in accordance with Condition L4.5 and must:

- Occur at each location specified in Condition L4.1;
- Occur annually in a reporting period;





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- c. Occur during each day, evening and night period as defined in the Noise Policy for Industry (EPA, 2017) for a minimum of 1.5 hours during the day; and
- d. Occur for three consecutive operating days.

## M4. Weather Monitoring

**M4.1** The meteorological weather station must be maintained to be capable of continuously monitoring the parameters specified in condition M4.3

**M4.2** For each monitoring point specified in the table below the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.

**M4.3** The licensee must maintain and calibrate the meteorological monitoring station in accordance with the reference test methods and manufacturer's specifications. Records of the calibration and maintenance must be made available to the EPA upon request.

### Point 10

Parameter	Units of Measure	Averaging Period	Method	Frequency
Wind speed at 10 metres	m/s	10 minutes and 1 hour	AS/NZS 3580.14	Continuous
Wind direction at 10 metres	°	10 minutes and 1 hour	AS/NZS 3580.14	Continuous
Sigma Theta at 10 metres	°	10 minutes and 1 hour	AS/NZS 3580.14	Continuous
Temperature at 10 metres	degrees Celsius	10 minutes and 1 hour	AS/NZS 3580.14	Continuous
Temperature at 2 metres	degrees Celsius	10 minutes and 1 hour	AS/NZS 3580.14	Continuous
Solar Radiation	W/m <sup>2</sup>	10 minutes and 1 hour	AS/NZS 3580.14	Continuous
Rainfall	mm	10 minutes and 1 hour	AS/NZS 3580.14	Continuous
Barometric Pressure	hPa	10 minutes and 1 hour	AS/NZS 3580.14	Continuous
Siting	-	-	AS/NZS 3580.1.1 and AS/NZS 3580.14	Continuous

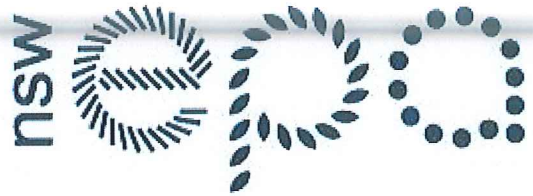
Note: Any other method approved in writing by the EPA.

Note: The weather monitoring instrumentation installed and operated at the site must have a stall speed or lower limit of measure for measuring wind speed less than 0.2m/s.

## Reporting conditions

**R1.1** The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the Protection of the Environment Operations Act 1997 in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary

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of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

## ***R4 Noise Monitoring Report***

A noise compliance assessment report must be submitted to the EPA via electronic mail to [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au) within 30 days of the completion of the annual noise monitoring. The assessment must be prepared by a competent person and include:

- a. An assessment of compliance with noise limits presented in Condition L4.1 and L4.3; and
- b. An outline of any management actions taken within the monitoring period to address any exceedences of the limits contained in Conditions L4.1 and L4.3.

## **Special Conditions**

### ***E1. Composting Volumes***

**E1.1** Any increase in composting volumes beyond 3,000tpa, would be subject to EPA approval by a staged increase approach, this approval will be based on the environmental performance of the premises.

## **Additions to Definition of Terms of the Licence**

- 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.
- LAeq(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*).



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## Attachment B – Mandatory Conditions for all EPA licences

### Administrative conditions

### Operating conditions

#### Activities must be carried out in a competent manner

Licensed activities must be carried out in a competent manner.

This includes:

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

#### Maintenance of plant and equipment

All plant and equipment installed at the premises or used in connection with the licensed activity:

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

### Monitoring and recording conditions

#### Recording of pollution complaints

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

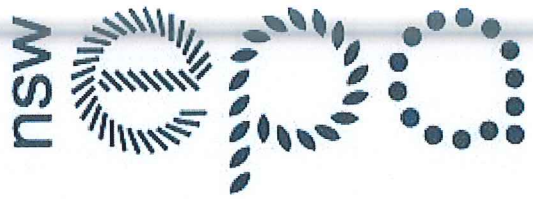
The record must include details of the following:

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

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

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

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## 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:

- c. Statement of Compliance; and
- d. Monitoring and Complaints Summary.

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

#### ***Period covered by Annual Return***

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

*Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.*

Where this licence is transferred from the licensee to a new licensee,

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

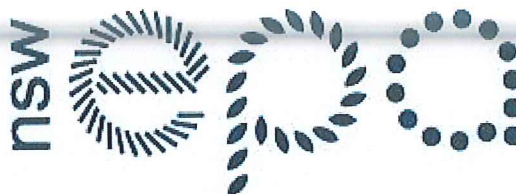
*Note: An application to transfer a licence must be made in the approved form for this purpose.*

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

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



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## ***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.

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

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

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

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

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

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

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

## General conditions

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

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

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

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



## Attachment C

### Background

On 27 April 2021 the Environment Protection Authority (EPA) received a request for comments on the proposed composting facility to be located at 6 Killarney Road, Gilmore.

The EPA reviewed the Environmental Impact Statement (EIS) and provided two responses to Snowy Valleys Council on 13 May 2021 and 28 May 2021 seeking further information in relation to air, noise and surface water.

Additional information in response to our letters was received by the EPA on 16 March 2022. The additional information provided on noise and surface water met the EPA's requirements. However further information was deemed required on air quality, which was subsequently discussed at a meeting on 29 March 2022 and provided in writing to Snowy Valleys Council on 4 April 2022. A response was provided to the EPA on 27 June 2022.

### Summary of Information Required – Air Quality

The EPA has reviewed the *Proposed Gilmore Composting Facility – Odour Impact and Management Assessment (Revision 3)* (herein "The Report") prepared by The Odour Unit and dated 4 May 2022, and provide the following summary:

#### **1. There is uncertainty regarding the some of the input data used in the modelling scenarios**

The EPA recommended (4 April 2022) the Air Quality Impact Assessment (AQIA) be revised to robustly justify the adopted odour emission rates.

The EPA note The Report included information on an additional three modelling scenarios:

- **Base line:** Representative of worst-case scenario under normal conditions for the proposed composting facility;
- **Further mitigated:** Base line scenario with a thicker bio-cover (500mm) on stage 0 and 1;
- **MAF piles Covered:** The further mitigated scenario with textile/fleece covers on MAF piles;
- **5,000 tpa Further mitigated:** The further mitigated scenario at half capacity; and
- **5,000 tpa MAF piles covered:** Further mitigated scenario at half capacity and with textile/fleece covers on MAF piles.

It was indicated in The Report that the textile/fleece can reduce odour emission by up to 95 %.

The EPA has reviewed the additional information and note that no evidence has been provided to robustly justify the assumptions made to estimate emission rates representative of the proposed controls. Namely, the use of a 500mm biocover to achieve an odour emission rate of  $\leq 0.741$  ou.m<sup>3</sup>/m<sup>2</sup>.s and achieving a further 95% odour emission reduction by using textile/fleece covers.

Whilst it has been assumed that the use of the textile/fleece cover will achieve a reduction of odour emissions of 95% at all times, this differs from a statement in Section 7.2 indicating that this type of control can reduce odour emissions by up to 95%. This suggests that the 95% control efficiency may not be achieved and could vary due to factors that have not been discussed in the assessment. Once operational, it would be appropriate for the odour control factor to be evaluated and determined based on specific characteristics of the covers and / or on-site management measures.

## **2. The odour criterion must be revised**

The EPA recommended (4 April 2022) a revision of the impact assessment to estimate the odour criterion based on the combined population at residential and industrial / commercial locations within the 2 OU criterion.

The EPA note that the adopted criteria for each of the modelling scenarios was presented in Table 6.1 of The Report. The criteria is estimated based on the anticipated number of people (2.3) per residential dwelling within the 2 OU contour.

The EPA note that the criteria used in The Report does not account for industrial and commercial locations such as the Timber mill as previously requested. The EPA has undertaken calculations to estimate an appropriate odour performance criterion for the proposal. Assuming a population of 50 for the timber mill, the EPA estimate an appropriate odour performance criterion for the proposal is 5 OU.

## **3. Predicted odour concentrations at the neighbouring Timber Mill facility are above the estimated Odour Impact Criterion**

The EPA recommended (4 April 2022) the OIMA be revised to include additional and quantifiable controls until compliance can be achieved at all sensitive receptors, including the Timber mill located 100 m to the west of the proposal. Where compliance could not be demonstrated at all sensitive receptors, the proponent could consider revising the proposed material types and / or quantities to be received and processed at the premises.

The Report concludes that the modelling results for the three additional modelling scenarios demonstrate compliance at all discrete receptors, including the Timber mill. It is therefore concluded in the letter that *"the odour generated on site can be effectively mitigated and managed through to the expected annual production volume of 10,000 tonnes per annum (tpa) by way of bio-cover and/or textile covers on the composting stockpiles"*.

As outlined above, the EPA note that the proponent has not adopted the correct odour criterion for the proposal. The EPA consider an odour criterion of 5 OU is appropriate for the proposal as it includes an estimate of the number of employees at the neighbouring Timber Mill.

Modelling scenarios 3 (10,000 tpa, using a 500 mm biocover during Stages 0 and 1, and textile/fleece covers during Stages 0 - 4) and 5 (5,000 tpa, using a 500 mm biocover during Stages 0 and 1, and textile/fleece covers during Stages 0 - 4) predict compliance with an odour performance criterion of 5 OU across all sensitive receptors including the timber mill. It should be noted that both modelling scenarios assume the implementation of thicker biocovers (500mm) during Stages 0-1 and textile/fleece covers during Stages 0-4 at all times.

This in turn suggests that the risk of adverse air quality impacts can be reduced provided the level of control as assumed in modelling scenarios 3 and 5 can be achieved on an ongoing basis. However, as noted in item 1 above, uncertainty remains in the assessment regarding the level of performance that



will be achieved by the proposed odour mitigation measures. This is due to the lack of detailed information supplied by the proponent to support the assumed emission rates.

The facility operating at half capacity and with textile/fleece covers (Scenario 5) is predicted to more comfortably comply with an odour performance criterion of 5OU at all receptors. Consequently, the EPA consider the proposal should be granted at a capacity of 3,000 tpa without textile/fleece covers, however if directed by the EPA a textile/fleece cover must be placed on top of the piles in Stage 0, Stage 1, Stage 2, Stage 3 and Stage 4.

#### **4. Detailed information must be provided regarding some of the management measures**

The EPA requested (4 April 2022) that the proponent provides detailed information regarding the proposed proactive and reactive measures to prevent or minimise the risk of odour impacts from piles being exposed to 'excessive' rain.

As outlined in The Report, compost covers will be purchased by the proponent and stored on site. These covers are designed to be used for aerated systems such as the Mobile Aerated Floor (MAF) system proposed. Further, it is indicated that they can prevent and reduce the risk of stockpiles being exposed to stormwater.

The EPA reiterates that the risk of odour impacts from a facility using open windrow composting is higher than the risk from a facility where compost activities take place in an enclosed environment (e.g., compost vessels/tunnels). However, it is acknowledged that the diligent and appropriate use of '*fit for purpose*' textile/fleece covers may help reduce the risk of windrows being exposed to unfavourable conditions that can lead to anaerobic conditions.