

General Terms of Approval - Issued

Notice No: 1633765



Fairfield City Council
Planning Assessments
86 Avoca Road
Wakeley NSW 2176

Attention: Mason Shute

Notice Number 1633765
File Number SF23/100109
Date 03-Nov-2023

Re: Composting (and export of fertiliser and protein) Unit 3, 132-136 Newton Road Wetherill Park NSW 2164 (Lot 11, DP 747795).

Issued pursuant to Section 4.46 Environmental Planning and Assessment Act 1979

I refer to the development application (DA 219.1/2023) and accompanying information provided for the proposed Composting facility, at Unit 3, 132-136 Newton Road Wetherill Park NSW 2164 (Lot 11, DP 747795), received by the Environment Protection Authority (EPA) via the CNR Portal (CNR-58046).

The EPA understands Goterra Pty Ltd (the Proponent) is seeking development consent for receipt, sorting, and processing of compostable waste and the export of fertiliser and protein (the Proposal). The EPA understands that the Proposal includes a composting facility with capacity to process up to 4,800 tonnes per annum of received organics in an existing warehouse.

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

The general terms of approval for this proposal are provided at **Attachment A**. If Fairfield City Council grants development consent for this proposal these conditions should be incorporated into the consent. In addition, mandatory conditions that are typically included in an EPA licence are also provided at **Attachment B**.

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

If you have any questions or wish to discuss this matter further please contact Hannah Lyons on 02 9995 5548.

General Terms of Approval - Issued

Notice No: 1633765



Yours sincerely

A handwritten signature in blue ink, appearing to read 'G Orel'.

.....
George Orel

Unit Head

Environment Protection Authority

(by Delegation)

General Terms of Approval - Issued



Notice No: 1633765

Attachment A – General Terms of Approval

Administrative conditions

A1. Information supplied to the EPA

A1.1 Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- the development application DA 219.1/2023 submitted to Fairfield City Council on 17 July 2023;
- any environmental impact statement (EIS) relating to the development; and
- all additional documents supplied to the EPA in relation to the development.

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 (POEO act), having regard to the matters in s.83 of that Act.

Limit conditions

L1. Pollution of waters

L1.1 Except as may be expressly provided by a licence under the POEO act in relation of the development, section 120 of the POEO act must be complied with in and in connection with the carrying out of the development.

L1.2 Leachate is not permitted to be discharged from the premises.

L1.3 Any leachate generated at the premises must not come into contact with stormwater or any stormwater infrastructure.

L5. Waste

L5.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997.

L5.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the Protection of the Environment Operations Act 1997.

L5.3 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises except the wastes expressly referred to in the column titled 'Waste' and meeting the definition, if any, in the column titled 'Description' in the table below.

General Terms of Approval - Issued



Notice No: 1633765

L5.4 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.

L5.5 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.

L5.6 This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	Organic waste	As defined in Schedule 1 of the POEO Act, in force from time to time	Composting	The total quantity of organic waste must not exceed 4,800 tonnes per year

L5.7 The total amount of waste referred to in the table above, must not exceed 4,800 tonnes of waste received from offsite per year.

L6. Noise limits

L6.1 All feasible and reasonable noise and vibration mitigation and management measures should be implemented to minimise impacts associated with the construction works on surrounding sensitive receivers. Any ongoing operational noise emissions associated with the proposed works should be assessed in accordance with the Noise Policy for Industry.

L7 Hours of operation

L7.1 All construction work at the premises must only be conducted in alignment with development consent.

L7.2 The hours of operation specified in conditions L7.1 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.

L7.3 All work at the premises must only be conducted in alignment with development consent.

Operating Conditions

01. Odour

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

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

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.

01.2 All operations and activities occurring at the premises must be carried out in a manner that prevents and minimises the emission of air pollutants (including odour) from the premises.

01.3 The premises must be maintained in a manner that prevents and minimises the emission of air pollutants (including odour) from the premises.

General Terms of Approval - Issued



Notice No: 1633765

O1.4 All odour generating activities must be undertaken within an enclosure that is operated under negative pressure at all times.

O1.5 The air drawn from the waste receipt, storage and process plant rooms must be connected to and treated by a wet scrubber before being discharged to atmosphere.

O1.6 The final design of each of the ventilation outlets (i.e. exhaust stacks) must have a continuous minimum discharge velocity of 3.5 m/s, a minimum height of 6 metres above ground level and include a sampling plane compliant with Australian Standard AS4323.1 *Stationary source emissions - Selection of sampling positions*.

O1.7 The development must be designed, constructed, operated, and maintained in a manner that does not preclude the retrofit of fit for purpose air quality (including odour) emissions controls and management measures including best practice and any of the contingency measures submitted to the EPA as part of the proposal (e.g., installation of additional scrubbers, augmentation of scrubber treatment capacity, exhaust stack extension).

O2. Dust

O2.1 All operations and activities occurring at the premises must be carried out in a manner that will minimise emissions of dust and air pollutants from the premises.

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

O3 Processing and storage

O3.1 The building doors must be closed at all times except for vehicle entry and exit.

O3.2 All operations undertaken inside the building (i.e., handling, sorting, screening) must be undertaken when doors are closed.

O3.3 All material loading and unloading operations inside the building must be undertaken when doors are closed

O3.4 Unacceptable waste material identified in the feedstock (after receipt of the waste material) at the premises must be stored inside the receipt and processing shed and must only be stored for a maximum of two days prior to disposal at a lawful waste facility.

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 POEO act, 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;

General Terms of Approval - Issued



Notice No: 1633765

the point at which the sample was taken; and
the name of the person who collected the sample.

Reporting conditions

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

Special Conditions

E1. Odour Management Plan

E1.1 The Proponent must prepare and implement an Air Quality and Odour Management Plan describing measures to prevent or minimise odour impacts associated with the operation. The Plan shall include, but not necessarily be limited to:

- i. Clear objectives and targets*
- ii. Key performance indicators*
- iii. identification of all point and diffuse sources of odour associated with the operation;*
- iv. a detailed description of the odour mitigation methods and management practices, including the design of all engineering controls that will be used throughout the operation to ensure offensive odour impacts do not occur off-site.*
- v. develop and implement a management plan for the operation and maintenance of the engineering controls that will be used throughout the operation to ensure offensive odour impacts do not occur off-site.*
- vi. a detailed description of the methods used for monitoring the effectiveness of the odour mitigation methods and management practices for all point and diffuse sources of odour associated with the operation*
- vii. location, frequency and duration of monitoring*
- viii. details of proposed contingency measures should odour impacts occur*
- ix. details of the proposed maintenance procedures for the overall project to ensure potential odour impacts are managed*
- x. a communications strategy for handling potential odour complaints that includes recording, investigating, reporting and actioning*
- xi. odour complaints register to be reported to the EPA as required in the Annual Return. The register must document investigations undertaken to identify the cause(s) of odour and action(s) to rectify the complaints*
- xii. system and performance review for continuous improvement.*

E3. Composting Order and Exemption

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

General Terms of Approval - Issued



Notice No: 1633765

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

General Terms of Approval - Issued



Notice No: 1633765

Attachment B – Mandatory Conditions for all EPA licences

Administrative conditions

Other activities

(To be used on licences with ancillary activities)

This licence applies to all other activities carried on at the premises, including:

- **Composting**

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;

General Terms of Approval - Issued



Notice No: 1633765

- the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- if no action was taken by the licensee, the reasons why no action was taken.

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

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

Telephone complaints line

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

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

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

Reporting conditions

Annual Return documents

What documents must an Annual Return contain?

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

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

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

Period covered by Annual Return

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

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

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

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

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

General Terms of Approval - Issued



Notice No: 1633765

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.

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.

General Terms of Approval - Issued



Notice No: 1633765

Written report

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

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

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

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

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

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

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

General conditions

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

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

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

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