

Development Consent

Section 80 (1) of the Environmental Planning and Assessment Act 1979

I, the Minister for Planning, under Section 80(1) of the Environmental Planning and Assessment Act, 1979 ("the Act") determine the Development Application ("the Application") referred to in Schedule 1 by granting Consent to the Application subject to the Conditions set out in Schedule 2.

The reason for the imposition of Conditions is to minimise any adverse environmental effects of the development, consistent with the objectives of the Act.

Andrew Refshauge MP
Minister for Planning
Team, Division or Organisation Name

Sydney

16 August 2002

The Department has prepared a consolidated version of the consent which is intended to include all modifications to the original determination instrument.

The consolidated version of the consent has been prepared by the Department with all due care. This consolidated version is intended to aid the consent holder by combining all consents relating to the original determination instrument but it does not relieve a consent holder of its obligation to be aware of and fully comply with all consent obligations as they are set out in the legal instruments, including the original determination instrument and all subsequent modification instruments.

CONSOLIDATED CONSENT

SCHEDULE 1

Application made by: Bald Hill Quarry Pty Ltd

To: The Minister for Planning and Public Spaces

In respect of: Lots 7 & 9, DP133540; Lots 11 & 12, DP439146;
Lot 158, DP 753621

For the following: Bald Hill Quarry Regional Landfill

Development Application: DA No. 262-09-01 lodged with the Department of Planning on 26 September 2001, accompanied by an Environmental Impact Statement prepared by R.W. Corkey & Co. Pty. Limited and dated September 2001.

BCA Classification: Storage Class 7

Determination:

- 1) To ascertain the date upon which the Consent becomes effective, refer to Section 83 of the Act.
- 2) To ascertain the date upon which the Consent is liable to lapse, refer to Section 95 of the Act

CONSOLIDATED CONSENT

SUMMARY OF MODIFICATIONS

Application Number	Determination Date	Decider	Modification Description
DA 262-09-01-MOD-1	24 January 2007	A/Executive Director, Major Project Assessments	Requirement for Landfill Environmental Management Plan (LEMP) and Annual Environmental Monitoring Report (AEMR)
DA 262-09-01-MOD-2	5 December 2012	Executive Director, Major Project Assessments	Increase in annual waste input rate from 20,000t to 40,000t
DA 262-09-01-MOD-3	27 March 2020	Director, Industry Assessments	Temporary increase to receive bushfire impacted waste

CONSOLIDATED CONSENT

SCHEDULE 2

CONDITIONS OF DEVELOPMENT CONSENT

The following acronyms and abbreviations are used in this section:

Applicant	Bald Hill Quarry Pty Ltd
dB (A)	Decibel (A-weighted scale)
Department	Department of Planning, Industry and Environment
EA	Environmental Assessment
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
EMS	Environmental Management System
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPA	NSW Environment Protection Authority
EPL	Environment Protection Licence issued under the Protection of the Environment Operations Act 1997 in respect of the development
LEMP	Landfill Environmental Management Plan
Minister	NSW Minister for Planning and Public Spaces
ML	Megalitre
Modification Assessments	<p>The document assessing the environmental impact of a proposed modification of this consent and any other information submitted with the following modification applications made under the EP&A Act:</p> <p>(a) MOD 1 - modification application for 121-10-2006, dated 28 September 2006, and supporting information supplied by Bald Hill Quarry Pty Limited;</p> <p>(b) MOD 2 - modification application for 262-09-2001, dated 12 June 2012, and supporting EA titled Environmental Assessment for the Increase in Annual Waste Quantities to the Bald Hill Quarry Regional Landfill via Jugiong, NSW, prepared by R.W.Corkery & Co. Pty. Ltd and supporting information supplied by Bald Hill Quarry Pty Limited; and</p> <p>(c) MOD 3 - Jugiong Regional Landfill Review of Environmental Impacts for Modification prepared by Bald Hill Quarry Pty Ltd dated March 2020.</p>
NPWS	National Parks and Wildlife Service
Planning Secretary	Planning Secretary of the Department (or delegate)
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Premises, the	Bald Hill Quarry Regional Landfill site
Project, the	Bald Hill Quarry Regional Landfill
RMS	NSW Roads and Maritime Service
Reporting year	1 January and 31 December
SWRWMG	South West Regional Waste Management Group

1 General

1.1. The Bald Hill Quarry Regional Landfill (the Project) shall be carried out in accordance with:

- a. the Development Application No.262-09-2001 lodged with the Department on 26 September 2001;
- b. the EIS prepared for the 'Bald Hill Quarry Regional Landfill' and associated documents prepared for the Applicant by R.W. Corkery & Co. Pty. Limited and dated September 2001;
- c. the Landfill Environmental Management Plan (LEMP) approved by the DEC;
- d. all supplementary material prepared by Charles Dearling, titled Aboriginal Cultural Heritage Study dated March 2002;
- e. modification application -MOD 121-10-2006, dated 28 September 2006, and supporting information supplied by Bald Hill Quarry Pty Limited;
- f. modification application 262-09-2001 - MOD 2, dated 12 June 2012, and supporting EA titled Environmental Assessment for the Increase in Annual Waste Quantities to the Bald Hill Quarry Regional Landfill via Jugiong, NSW, prepared by R.W.Corkery & Co. Pty. Ltd and supporting information supplied by Bald Hill Quarry Pty Limited; and
- g. the conditions of consent granted by the Minister.

If there is any inconsistency between the above documents, the latter document shall prevail over the former to the extent of the inconsistency. However, the conditions of this consent shall prevail over all other documents to the extent of any inconsistency.

1.2. In the event of any inconsistency with the application or any of the above plans or reports, the Conditions of Consent granted by the Minister shall prevail.

1.3. It shall be the ultimate responsibility of the Applicant to ensure compliance with the Conditions of this Consent.

1.4. These Conditions do not relieve the Applicant of the obligation to obtain all other approvals and licences from all relevant authorities required under any other Act. The Applicant shall comply with the terms and Conditions of such approvals and licences.

2 The Applicant may only carry out the Project in accordance with:

- a) the Development Application No.262-09-2001 lodged with the Department on 26 September 2001;
- b) the EIS prepared for the 'Bald Hill Quarry Regional Landfill' and associated documents prepared for the Applicant by R.W. Corkery & Co. Pty. Limited and dated September 2001;
- c) the Landfill Environmental Management Plan (LEMP) approved by the DEC;
- d) all supplementary material prepared by Charles Dearling, titled Aboriginal Cultural Heritage Study dated March 2002;
- e) all written directions of the Planning Secretary;
- f) Modification Assessments;
- g) conditions of this approval.

If there is any inconsistency between the above documents, the latter document shall prevail over the former to the extent of the inconsistency. However, the conditions of this consent shall prevail over all other documents to the extent of any inconsistency.

- 2.1. The Applicant shall comply or ensure compliance with all the requirements of the **Planning Secretary** in respect of the implementation of any measures arising from the Conditions of this Consent.
- 2.2. The Applicant must bring to the attention of the **Planning Secretary** any matter that may require further investigation for compliance with these Conditions and the issuing of instructions from the **Planning Secretary** for compliance with these Conditions. The Applicant must ensure that these instructions are implemented to the satisfaction of the **Planning Secretary** within any time specified in the instructions.

3 Pre-Construction Compliance Report

- 3.1. At least one month prior to commencement of construction (or within such period as otherwise agreed by the **Planning Secretary**) of the Project, the Applicant shall submit for approval by the **Planning Secretary**, a compliance report detailing the status of compliance with all relevant Conditions that apply prior to commencement of construction. Construction shall not commence until the **Planning Secretary** has approved the report. This report shall address:
 - the details of any studies and/or requirements of the relevant Conditions, and
 - action taken or proposed to implement the recommendations made in the report or in the relevant Conditions.

4 Pre-Operation Compliance Report

- 4.1. At least one month prior to the commencement of operations (or within such period as otherwise agreed by the **Planning Secretary**) of the Project, the Applicant shall submit for approval by the **Planning Secretary** a compliance report detailing compliance with all relevant Conditions that apply prior to commencement of operations. Landfilling shall not commence until the **Planning Secretary** has approved the report. The report shall address:
 - the details of any studies and/or requirements of various relevant Conditions, and
 - action taken or proposed to implement the recommendations made in the report or in the relevant Conditions.

5 Administrative Licensing Requirements

- 5.1. ¹Prior to the Applicant applying to the EPA for a variation of the existing Environment Protection Licence (EPL) under the *Protection of the Environment Operations Act 1997* (POEO Act) the Applicant must prepare a final Landfill Environmental Management Plan (LEMP) in accordance with the EPA's *Environmental Guidelines: Solid Waste Landfills*. The LEMP should be prepared in consultation with the holder of the supervisory licence and also address all matters specified in Condition 16 of this Consent.
- 5.2. ²The Applicant must accompany its licence variation application for the existing EPL with the LEMP prepared in accordance with Condition 5.1.

Note: The EPA will review the LEMP and may, as a result, attach conditions to the EPL, which are not inconsistent with the development consent
- 5.3. ³An application under sections 53 and 87 of the POEO Act for a supervisory licence must be made at the same time as the licence variation application for the existing EPL.
- 5.4. ⁴The Applicant must prepare and submit to the EPA within three months of the landfill ceasing to dispose of waste a closure plan in accordance with section 76 of the POEO Act.

¹ EPA General Terms of Approval

² EPA General Terms of Approval

³ EPA General Terms of Approval

⁴ EPA General Terms of Approval

Note: In the event that an entity (other than the licensee of the existing Premises) seeks to occupy the Bald Hill Quarry Regional Landfill then that entity will need to make an application for an EPL to permit the construction, operation and post closure management of the landfill.

6 Obligation to Prevent and Minimise Harm to the Environment

6.1. The Applicant shall:

- a. take all practicable measures to prevent and minimise harm to the environment as a result of the construction, operation and post closure of the development;
- b. comply with section 120 of the POEO Act except as expressly provided by the EPL;
- c. carry out all activities in a competent manner and in particular, those subject to the EPL;
- d. ensure that all plant and equipment used in connection with the activities on the site are maintained and operated in a proper and efficient manner;
- e. establish a community environment liaison committee, comprising representatives of the community and the Applicant, which will meet at least annually. Discussion at the meetings must include implementation of the Development Consent and other statutory approvals, and provide adequate time for the community to raise matters of concern associated with the environmental impact of the development, with a view to achieving mutually satisfactory solutions;
- f. notify the EPA of any incidents causing or threatening material harm to the environment as soon as practicable after becoming aware of the incident in accordance with the requirements of Part 5.7 of the POEO Act; and
- g. ensure that all employees, contractors and sub-contractors engaged to carry out works are aware of the procedures outlined in the LEMP and are aware of, and able to, comply with these Conditions.

6.2. If at any time the **Planning Secretary** is made aware of the occurrence of any environmental impacts from the Project that pose serious environmental or amenity concerns, and are due to the failure of measures required by the Conditions of Development Consent to ameliorate the impacts, the **Planning Secretary** may request the Applicant to cease the activities causing those impacts.

6.3. The Applicant may recommence the activities that were ceased, upon written advice by the **Planning Secretary** that those concerns have been addressed to her satisfaction.

6.4. The Applicant shall comply with the requirements of the **Planning Secretary** in respect of the implementation of the Conditions of this Development Consent, within such time as the **Planning Secretary** may determine. The **Planning Secretary** may request the Applicant to cease work until non-compliance has been addressed to the **Planning Secretary's** satisfaction.

6.5. The Applicant will ensure that all contractors and sub-contractors are aware of, and comply with, the Conditions of this Consent.

6.6. The Applicant shall comply with all relevant Conditions prescribed in Part 7 of the *EP&A Regulation 2000*, as required by Section 80 A (11) of the Act.

7 Dispute Resolution

7.1. The Applicant shall endeavour to resolve any dispute arising out of the implementation of these Conditions.

7.2. Should this not be possible in the case of a dispute between the Applicant and a public authority, company or person (but excluding any dispute between the Applicant and its contractors and/or subcontractors engaged in the construction or operation of the Project), in the first instance either party can refer the matter to the **Planning Secretary** for

resolution and, if not resolved, to the Minister. The Minister's determination of the disagreement shall be final and binding on all parties.

8 Contact Telephone Number

- 8.1. ⁵Within 3 months of the date of issue of the EPL, the Applicant 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 EPL.
- 8.2. ⁶Within 3 months from the date of issue of the EPL, the Applicant 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.
- 8.3. ⁷The Applicant must operate 24-hour telephone contact lines for the purpose of enabling the EPA to directly contact one or more representatives of the Applicant who can:
- Respond at all times to incidents relating to the Premises; and
 - Contact the Applicant's employees or agents authorised at all times to:
 - speak on behalf of the Applicant
 - provide any information or document required under the EPL.
- 8.4. ⁸The Applicant is to inform the EPA of the representative or representatives and their telephone number within 3 months of the date of the issue of the EPL. The EPA must be notified of the telephone number on commencement of its operation.
- 8.5. ⁹ The Applicant is to inform the EPA in writing of the appointment of any subsequent contact persons, or changes to the person's contact details as soon as practicable and in any event within fourteen days of the appointment or change.
- 8.6. The occupiers of the properties Benangaroo, Tiana Park and Westaroo must have access to the 24 hour telephone contact lines referred to in Condition 8.3.

9 Complaints Register

- 9.1. ¹⁰ The Applicant must keep a legible record of all complaints made to the Applicant or any employee or agent of the Applicant in relation to pollution arising from any activity to which this Consent applies.
- 9.2. ¹¹ 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 Applicant in relation to the complaint, including any follow-up contact with the complainant; and
 - If no action was taken by the Applicant, the reasons why no action was taken.

⁵ EPA General Terms of Approval

⁶ EPA General Terms of Approval

⁷ EPA General Terms of Approval

⁸ EPA General Terms of Approval

⁹ EPA General Terms of Approval

¹⁰ EPA General Terms of Approval

¹¹ EPA General Terms of Approval

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

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

9.5. The record must be produced to the occupiers of the properties Benangaroo, Tiana Park and Westaroo on request.

10 Community Notification and Liaison

10.1. The local community, and in particular the owners the nearby residences, shall be kept informed of the progress of the construction phase of the Project. This shall include notifications of traffic disruptions and controls; disruption to access to the site and private property, and work required outside of the nominated work hours. Except in the case of an emergency, notification shall occur at least 24 hours prior to the works being undertaken.

11 Financial Assurances for Final Site Rehabilitation

11.1.¹⁴ In accordance with the provisions of Part 9.4 of the POEO Act 1997, the EPA will require a financial assurance to cover the cost of final rehabilitation of the landfill determined by the EPA from the plan provided by Condition 11.2.

11.2.¹⁵ The Applicant must prepare a post closure landfill rehabilitation management plan. This plan must be documented in the LEMP and address the following:

- Capping the landfill in accordance with benchmark technique 28 "Site Capping and Revegetation" documented in the "*Environmental Guidelines: Solid Waste Landfills*;"
- post closure environmental monitoring requirements;
- post closure leachate management;
- post closure landfill gas management;
- post closure management of surface water in the event that the void is not filled with waste; and
- the estimated cost of these works must be provided and should be based on a nominal period of 50 years after the landfill ceases to accept waste. The duration of this period will be determined from actual monitoring data at the time.

Note: The EPA will require lodgement of the financial assurance prior to the commencement of landfilling activities.

Note: The EPA would accept a nominal financial assurance prior to the commencement of landfilling activities and the remainder of the financial assurance could be amortised over a time period negotiated with the Applicant.

12 Manufacturer's Performance Guarantees

12.1.¹⁶ Prior to installation, the Applicant must provide manufacturer's performance guarantees to the EPA for all plant and equipment, demonstrating to the satisfaction of the EPA that emissions of air pollutants will comply with:

- The *Clean Air (Plant & Equipment) Regulation 1997*; and
- The plant and equipment design parameters specified in Condition 32.4.

13 Road Maintenance

¹² EPA General Terms of Approval

¹³ EPA General Terms of Approval

¹⁴ EPA General Terms of Approval

¹⁵ EPA General Terms of Approval

¹⁶ EPA General Terms of Approval

- 13.1. The Applicant shall enter into a Road Maintenance Agreement with Harden Shire Council for the Quarry access road. The Agreement shall include a requirement for a joint inspection every twelve months, or as agreed by Council as relevant, following completion of the road upgrade, to determine and assess as to whether maintenance is required, and to stipulate that should maintenance be required and not be carried out within one month of the inspection, the Council, as applicable, will be entitled to carry out such maintenance work at the Applicant's cost.

Note: This maintenance requirement shall commence when the maintenance requirement for the Bald Hill No.2 Quarry North Ridge Development (1999) ceases to apply.

- 13.2. Within 2 months of the date of the approval of MOD 2, the Applicant shall commission and pay the full cost of an independent audit of the intersection at the site access road with the Hume Highway. The audit shall:

- a. be prepared in consultation with the RMS and to the satisfaction of the **Planning Secretary**;
- b. assess the compliance of the existing intersection with the requirements of the RMS;
- c. be undertaken by a suitably qualified independent person; and
- d. be submitted to the RMA and **Planning Secretary** within 1 month of completing the audit.

Should the audit ascertain that the intersection does not comply with the intersection treatment required by the RMS, the Applicant shall, within a six month period (or other as determined by the RMS and **Planning Secretary**) from the audit completion date, commission and pay the full cost of any intersection and/or pavement upgrade works.

14 Environmental Management System (EMS)

- 14.1. In the assessment of tenders for construction and operation of the project, the Applicant shall include as a key evaluation criterion, the need for each tenderer to demonstrate the capacity and commitment to support the Applicant's accountability to implement an Environmental Management System by way of commitment to a recognised Environmental Management System (such as ISO 14000, BS7750 – 1994 or similar), or demonstration of a proven satisfactory environmental management performance record.

15 Environmental Management Plan (EMP) (Construction Stage)

- 15.1. The Applicant shall prepare a Project specific EMP (Construction).
- 15.2. The EMP shall be submitted to the **Planning Secretary** and approval obtained prior to commencement of construction.
- 15.3. The EMP (Construction Stage) shall be prepared in accordance with the Conditions of this Consent, all relevant Acts and Regulations and accepted best practice management procedures, and shall reference applicable environmental goals and issues set out in the relevant EPA guidelines.
- 15.4. The EMP shall address, but not necessarily be limited to:
- Dust and noise control measures;
 - Control of clean and dirty runoff; and
 - Prevention of groundwater pollution.

16 Landfill Environmental Management Plan (LEMP)

- 16.1. The Applicant shall implement a Landfill Environmental Management Plan (LEMP) prepared in accordance with the DEC's *Environmental Guidelines: Solid Waste Landfills*, and to the satisfaction of the DEC.
- 16.2. The Applicant shall prepare and implement a revised Landfill Environmental Management Plan (LEMP). The LEMP shall:
- be prepared in consultation with the EPA and to the satisfaction of the **Planning Secretary**;
 - be prepared in accordance with the EPA's *Environmental Guidelines: Solid Waste Landfills*;
 - incorporate MOD 2; and
 - be submitted to the Department within 3 months of commencement of MOD 2.
- 16.3. The Applicant must document in the LEMP a landscape rehabilitation plan, which shall address, but not necessarily be limited, to the following matters:
- clear identification of the proposed rehabilitation works to be undertaken;
 - the rehabilitation standards to be adopted;
 - a rehabilitation schedule (to be reviewed on a regular basis);
 - procedures for stabilisation of exposed soil areas;
 - a post-establishment maintenance and monitoring program for rehabilitated areas;
 - closure strategies in the event that landfilling activities conclude prior to reaching the final levels stated in the EIS;
 - a closure plan in accordance with section 76 of the POEO Act (see Condition 12.2);
 - site capping and revegetation in accordance with the EPA's *Environmental Guidelines: Solid Waste Landfills*;
 - the use of tubestock from local seed in the rehabilitation works;
 - soil improvement measures including the possible use of green waste compost produced on site;
 - enhance habitat potential of the site for native fauna and the conservation value of the existing ecological communities;
 - control exotic weed infestations and minimise the long-term potential for further weed infestation of the site;
 - ensure bush regeneration work is undertaken by appropriately qualified bush regenerators.
 - post closure environmental monitoring;
 - post closure management of surface water;
 - post closure management of sedimentation dams;
 - post closure leachate management; and
 - post closure landfill gas management.
- 16.4. The final landform shall be agreed in consultation with the Department and Council, with consideration being given to the final land use, noting that disturbance of filled material should be kept to a minimum in future landscaping.

- 16.5. The LEMP shall also include an emergency response plan, prepared by the Applicant, which shall document the procedures to deal with all types of incidents (eg: spills, explosions, fires or breakdowns) that may occur at the premises that are likely to cause harm to the environment.
- 16.6. The LEMP shall include procedures for landfill gas and odour monitoring in the event of complaints from the residential properties at Benangaroo, Tiana Park and Westaroo. Procedures for implementation of necessary remediation measures shall also be outlined.

17 Annual Environmental Management Report

- 17.1. Every year from the date of this approval, unless the **Planning Secretary** agrees otherwise, the Applicant shall submit an Annual Environmental Management Report (AEMR) to the **Planning Secretary** and relevant agencies. The AEMR shall:
- a. be conducted by suitably qualified person;
 - b. be submitted within 3 months of the period being assessed by the AEMR;
 - c. identify the standards and performance measures that apply to the development;
 - d. include a summary of the complaints received during the past year, and compare this to the complaints received in previous years;
 - e. include a summary of the monitoring results for the development during the past year;
 - f. include an analysis of these monitoring results against the relevant:
 - impact assessment criteria
 - monitoring results from previous years; and
 - predictions in the EA;
 - g. identify any trends in the monitoring results over the life of the development;
 - h. identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies;
 - i. identify any non-compliance over the last year, and describe what actions were (or are being) taken to ensure compliance; and
 - j. identify continuous improvement measures, outlining new developments in environmental control measures and practices that have been implemented on the site during the previous year, to reduce environmental impacts.

18 Conditions Compliance Reports

- 18.1. Every 3 years from the date of this approval, unless the **Planning Secretary** directs otherwise, the Applicant shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:
- a. be conducted by a suitably qualified, experienced, and independent team of experts whose appointment has been endorsed by the **Planning Secretary**;
 - b. be undertaken in consultation with the EPA and Council;
 - c. assess the environmental performance of the project and undertake any works necessary to determine whether it is complying with the relevant standards, performance measures, and statutory requirements;
 - d. review the adequacy of any strategy/plan/program required under this approval; and, if necessary,
 - e. recommend measures or actions to improve the environmental performance of the project, and/or any strategy/plan/program required under this approval.

19 Independent Environmental Audits

- 19.1. Every year following the date of this Consent, or at periods otherwise agreed to by the **Planning Secretary**, and until such time as agreed to by the **Planning Secretary**, the

Applicant shall arrange for an independent audit of the environmental performance of the development. The audits shall:

- be conducted pursuant to ISO 14010 – *Guidelines and General Principles for Environmental Auditing*, ISO 14011 – *Procedures for Environmental Monitoring and any specifications of the **Planning Secretary***;
- be conducted by a suitably qualified independent person approved by the **Planning Secretary**;
- assess compliance with the requirements of this Consent;
- review the effectiveness of the environmental management of the development; and
- be carried out at the Applicant's expense.
- The audits shall be submitted to the **Planning Secretary**.
- The Applicant shall comply with all reasonable requirements of the **Planning Secretary** in respect of any measures arising from or recommended by the audits and within such time as agreed to by the **Planning Secretary**.

20 Annual Return

20.1. ¹⁷The Applicant must provide an annual return to the EPA in relation to the development as required by the EPL. 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.

21 Waste Recording

21.1. ¹⁸The Applicant must provide the EPA with information on the quantity of waste received at the facility and the quantity of waste transported from the facility each quarter. The information in respect of a particular quarter is to be provided on the approved Form WISQTR.1 and must be received by the EPA within 60 days of the end of that quarter.

For the purposes of this Condition each of the following periods is a quarter:

- (Quarter 1) 1 January - 31 March
- (Quarter 2) 1 April - 30 June
- (Quarter 3) 1 July - 30 September
- (Quarter 4) 1 October - 31 December

22 Permeability of Quarry Wall at Elevation

22.1. Prior to February 2013 (or a date otherwise approved by the EPA), the Applicant shall prepare and submit an assessment of the upper weathered stratigraphy of the quarry void to determine whether there is the need to install a wall lining system (ie. if the weathered zone has an insitu bulk hydraulic conductivity of greater than 10^{-9} m/s).

The assessment shall:

- a. be undertaken by a suitably qualified independent person;
- b. be prepared in consultation with the EPA and to the satisfaction of the **Planning Secretary**; and

¹⁷ EPA General Terms of Approval

¹⁸ EPA General Terms of Approval

c. be submitted to the EPA and Department within 1 month of completing the assessment.

If a barrier is identified as being required by the report, a barrier system should be proposed including detail on the type, quantity and permeability of material(s) to be used, and the proposed construction and quality assurance methods and timeframes, to the satisfaction of the EPA and **Planning Secretary**.

23 Capping system

23.1.¹⁹ The Applicant must prepare and submit to the EPA a report which demonstrates that the proposed capping system will offer an equivalent level of performance as the system detailed in benchmark technique 28 in the *Environmental Guidelines: Solid Waste Landfills* (or as amended). The report must be submitted to the EPA within two years of the Premises ceasing to dispose of waste.

24 Waste Sources, Volumes and Types

24.1.²⁰ The Applicant 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 the EPL.

²¹ This Condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the Premises if it requires an EPL.

24.2.²² The Applicant must ensure that only the following types of waste are disposed of at the Premises:

Type of landfill	Wastes able to be landfilled
Solid Waste Class 1 Landfill	Waste, including putrescible waste, that is assessed as inert waste or solid waste following the technical assessment procedure outlined in Technical Appendix 1 of the Waste Guidelines or that is specified as inert waste or solid waste in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> and asbestos waste (including asbestos waste in bonded matrix and asbestos fibre and dust waste resulting from the removal of thermal or acoustic insulating materials or from processes involving asbestos material, and dust from ventilation collection systems).

24.3. The total tonnage of waste disposed of at the landfill between 1 January and 31 December of any year must not exceed 40,000 tonnes.

24.3a. The Applicant shall ensure that a minimum of 25,000 tonnes of the total annual waste disposal capacity of the landfill is reserved specifically for the disposal of the SWRWMG's municipal waste that is delivered directly to the Landfill by the SWRWMG and/or contractors engaged by the SWRWMG.

¹⁹ EPA General Terms of Approval

²⁰ EPA General Terms of Approval

²¹ EPA General Terms of Approval

²² EPA General Terms of Approval

If the SWRWMG confirms in writing to the Applicant by June 30 of each reporting year that it does not require the full 25,000 tonnes waste disposal capacity, then the Applicant may utilise the balance of the 25,000 for other waste sourced from within the local government areas within the SWRWMG.

24.3b. Irrespective of condition 24.3, the Applicant may receive up to 55,000 tonnes of regional waste from bushfire impacted areas of NSW, between March and September 2020, unless otherwise agreed to in writing by the Planning Secretary. The regional waste received from bushfire impacted areas is to be excluded from the maximum annual input rate in Condition 24.3.

Note: The Road Maintenance Agreement in Condition 13.1 also applies to the bushfire impacted waste referred to in Condition 24.3b above.

24.4. ²³Tyres stockpiled on the Premises must:

- not exceed fifty (50) tonnes of tyres at any one time;
- be located in a clearly defined area way from the tipping face;
- be managed to control vermin;
- be managed to prevent any tyres from catching fire; and
- comply with the 'NSW Fire Brigade Guidelines for Bulk Storage of Rubber Tyres', September 2001.

24.5. ²⁴Waste may only be disposed of at the Premises within the Bald Hill Quarry void as depicted in Figures 1.2 and 2.1 in the EIS.

Note: If the licence permits the disposal of asbestos waste, the licensee must comply with Clause 29 of the Protection of the Environment Operations (Waste) Regulation 1996.

24.6. Any hazardous waste or industrial waste generated on or received at the Premises must be segregated, stored and disposed of in a manner to minimise its impact on the environment including separate disposal via a waste transporter licensed by the EPA.

24.7. Waste shall only be sourced from local government areas within the SWRWMG.

24.8. Waste shall not be sourced from the Sydney Metropolitan, Hunter, Illawarra, Queanbeyan and ACT regions.

25 Control of Incoming Wastes

25.1. ²⁵A weighbridge must be provided and used in accordance with Clause 25 of the Protection of the Environment Operations (Waste) Regulation 1996.

25.2. ²⁶The Applicant must develop procedures to screen deliveries of waste to ensure compliance with Condition 24.2. The procedure must be documented in the LEMP.

25.3. ²⁷All waste received at the Premises must either be:

- unloaded in the transfer station; or
- unloaded at the tipping face of the Bald Hill Quarry landfill using a designated vehicle for transport, unless otherwise approved by the EPA.

²³ EPA General Terms of Approval

²⁴ EPA General Terms of Approval

²⁵ EPA General Terms of Approval

²⁶ EPA General Terms of Approval

²⁷ EPA General Terms of Approval

25.4. Clear visible signs are to be erected at the site entrance detailing materials that are excluded from being accepted at the site.

26 Cover Material

26.1.²⁸ Cover material must be virgin excavated natural material, unless otherwise approved in writing by the EPA.

26.2.²⁹ 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 each day, unless otherwise approved in writing by the EPA.

Note: The EPA expects that the waste will be covered each day whilst it is still light. Otherwise waste must be stored in the transfer station building until the next day's landfilling operations.

26.3. If waste is to remain in the transfer station for extended periods due to exceptional circumstances, the Applicant shall monitor the likelihood of odour and pest nuisance at nearby residential properties including Benangaroo, Tiana Park and Westaroo and apply odour neutralising sprays and pesticides to minimise the impacts. Adequate chemicals and spray equipment must be available on site.

26.4.³⁰ Cover material must be applied to a depth of 30 centimetres over surfaces of the landfilled waste which are exposed for more than 90 days, unless otherwise approved in writing by the EPA.

Note: This Condition does not exclude removal of cover prior to recommencement of active landfilling to provide for the efficient operation of the landfill and to avoid perching of leachate within the landfilled waste mass.

26.5.³¹ At least two weeks supply of cover material must be available at the Premises under all weather conditions, unless otherwise approved in writing by the EPA.

Note: The environmental management objectives of cover material include limiting run-on and infiltration of water, controlling and minimising the risk of fire, minimising the emission of landfill gas, suppressing odour, reducing fly propagation and rodent attraction and decreasing litter generation.

Note: Contaminated soils must not be used as cover material, unless approved by the EPA.

27 Leachate Management

27.1.³² There must be no discharge of liquid from the Bald Hill Quarry Regional Landfill, other than into the leachate storage ponds, unless approved by the EPA.

27.2.³³ The Applicant must document in the LEMP the design, operation, monitoring and maintenance details for the leachate collection and conveyance system, including the provision of the diagrams, which will be used for their construction.

Note: The design of the leachate collection system must take into account the weight of waste that it must support.

27.3.³⁴ A leachate barrier system may be required to be installed on all elevated surfaces of the Bald Hill Quarry void in accordance with the system approved by the EPA (based on information required by Condition 22).

²⁸ EPA General Terms of Approval

²⁹ EPA General Terms of Approval

³⁰ EPA General Terms of Approval

³¹ EPA General Terms of Approval

³² EPA General Terms of Approval

³³ EPA General Terms of Approval

³⁴ EPA General Terms of Approval

Note: Further studies are required to determine the RL of the weathered zone of strata in the upper reaches of the Quarry void. These studies may identify those areas where a barrier may be required to prevent the egress of leachate and/or landfill gas. If it is determined that a barrier is required it must offer equivalent performance as the EPA's benchmark – 900mm of clay with a coefficient of permeability of less than or equal to 10^{-9} m/s.

27.4.³⁵ A high level alarm and pump interlock system must be installed on the leachate storage pond(s). The system must be configured such that the alarm system is activated, and any pump transferring leachate to the pond(s) is shut down, when the freeboard in the pond(s) is reduced to less than 500mm. The design, operation, maintenance and monitoring of this system must be documented in the LEMP.

27.5.³⁶ The Applicant must monitor and record the volume of leachate removed and re-introduced to the Bald Hill Quarry Regional Landfill and the leachate storage pond(s). The monitoring and recording methodology must be documented in the LEMP.

27.6.³⁷ The Applicant must install on all leachate and wash down water transfer pipes a leak detection system, in accordance with section 3.2.6.3 of the draft LEMP. The details of the design, operation, monitoring, recording and maintenance of this system must be documented in the LEMP.

27.7.³⁸ Each leachate storage pond must be able to retain at least 2000 cubic metres (56mx56mx at least 0.7m) of leachate and in addition have a freeboard of not less than 500mm.

Note: Settled solids may need to be regularly removed from the leachate storage pond(s) to ensure that they can contain the design volume of leachate and maintain the freeboard. The methodology for removing the solids should ensure the liner(s) is not damaged.

27.8.³⁹ All leachate storage ponds must be designed as per the specifications provided by the Department of Land and Water Conservation (DLWC) at Attachment 1 to these Conditions. On completion of construction of the ponds, the Applicant shall inform DLWC to inspect the ponds. The ponds shall not be commissioned until they have been approved by DLWC.

27.9.⁴⁰ At the commencement of waste disposal operations a leachate storage pond must be installed and be operational.

27.10.⁴¹ A leachate barrier system must be installed beneath any leachate storage pond. The barrier must be 1.5 mm of HDPE with a coefficient of permeability of less than 10^{-14} m/s, unless otherwise approved by the EPA. The design and construction details must be included in the LEMP.

27.11.⁴² The Applicant must prepare a quality assurance program which details how the HDPE liner will be installed on the base of the leachate storage pond(s). The quality assurance program must be documented in the LEMP.

27.12. The Applicant must prepare a quality assurance program to detail how the leachate riser(s) will be protected from being chemically damaged by leachate. The quality assurance program must be documented in the LEMP.

³⁵ EPA General Terms of Approval

³⁶ EPA General Terms of Approval

³⁷ EPA General Terms of Approval

³⁸ EPA General Terms of Approval

³⁹ EPA General Terms of Approval

⁴⁰ EPA General Terms of Approval

⁴¹ EPA General Terms of Approval

⁴² EPA General Terms of Approval

27.13. ⁴³ The Applicant must design the leachate riser to take into account the likely stresses it may experience due to the settlement of the landfilled waste. The Applicant must also provide the design details of the leachate and landfill gas collection systems including scaled diagrams which detail how:

- the leachate and gas feeder pipes couple with the riser; and
- leachate from the rubble sump enters the riser.

The design details for the riser and leachate and landfill gas collection systems must be documented in the LEMP.

27.14. ⁴⁴ The leachate holding ponds must be maintained in a condition that minimises the production of offensive odour.

27.15. ⁴⁵ The Applicant must maintain the level of leachate to no greater than 300mm (or a depth otherwise approved by the EPA) above the lowest level of the Bald Hill Quarry void, unless the leachate storage pond(s) have a freeboard of less than or equal to 0.5 metres or as otherwise approved by the EPA.

Note: The pumping system to the leachate storage ponds will be required to be controlled by a level indicator at the leachate storage ponds. Further, the purpose of this condition is to minimise the head of leachate in the void and to ensure that the leachate storage pond(s) do not overflow/discharge.

Note: In the event that the Applicant is unable to maintain a freeboard of 500mm in the proposed leachate storage pond and keep the head of leachate in the riser below 300mm, then the EPA will at a later date require the Applicant to install another leachate pond to provide additional storage and evaporative capacity.⁴⁶ The Applicant must install, operate and maintain a level indicator system to monitor whether the height of the leachate in the Bald Hill Quarry void is greater than 300mm (or a depth otherwise approved by the EPA) above the lowest level of the Bald Hill Quarry void. The details of this system must be documented in the LEMP.

28 Vermin and Pests

28.1. The Applicant must take all practicable measures to prevent the attraction and infestation of the Premises with vermin and pests.

28.2. ⁴⁷ A plan to manage pests, diseases, vermin and declared noxious weeds must be developed and detailed in the LEMP.

28.3. The Applicant shall install, maintain and operate bird scare devices to discourage the use of the site by birds.

28.4. The Applicant shall initiate a baiting program (using best practice guidelines) for foxes and feral cats to reduce their numbers at the site and minimise the risk of predation on neighbouring livestock and native fauna.

28.5. The Applicant shall undertake control baiting at appropriate times each year to best control flies and pests, and in particular in anticipation of the lambing and weaning season in the area. Baiting shall be environmentally friendly and shall not be undertaken in a manner or location which puts at risk any working dogs associated with adjoining livestock businesses.

29 Surface Water Management

⁴³ EPA General Terms of Approval

⁴⁴ EPA General Terms of Approval

⁴⁵ EPA General Terms of Approval

⁴⁶ EPA General Terms of Approval

⁴⁷ EPA General Terms of Approval

29.1.⁴⁸ Except as may be expressly provided by the EPL, section 120 of the POEO Act must be complied with in and in connection with the carrying out of the development.

29.2.⁴⁹ There must be no discharge of liquid from the leachate storage pond(s), other than into the Bald Hill Quarry Regional Landfill, unless approved by the EPA.

29.3.⁵⁰ Surface drainage works must be installed and maintained around the top benches of the quarry void. The design of these works must be documented in the LEMP.

29.4.⁵¹ Any wash down water must be captured and diverted either to the Bald Hill Quarry Regional Landfill and/or the leachate storage pond(s). The design and operation of the wash down water capture system must be documented in the LEMP.

Note: The wash down water includes all water used to clean the transfer station.

29.5.⁵² Any discharge of water from any sediment control dam on the Premises must not exceed 50 mg/L for Total Suspended Solids, unless the discharge is an overflow resulting from a rainfall event(s).

29.6. The Applicant must not import water or other liquids into the landfill area, unless otherwise permitted by the EPL.

29.7.⁵³ A soil and water management plan must be prepared and implemented and the works maintained. This plan must be documented in the LEMP and must be designed in accordance with the *Managing Urban Stormwater: Soils and Construction* document (available from the Department of Housing- 3rd Edition, August 1998). The design must be based on the 90th percentile, 5 day rainfall event for the site.

Note: The design of the existing sediment control works will need to be considered in line with the requirement of this Condition.

29.8. Vehicles leaving the site shall not track materials to external surfaces.

29.9. Trucks used for transporting waste must only be washed at a designated facility as frequently as is necessary to minimise environmental impacts from the trucks. The truck wash down facility must be designed, installed and operated with the aim to collect, treat and dispose of any wash down waters to the leachate collection system. Any collected solids must be returned to the active tipping face. The truck wash down facility must be documented in the LEMP.

29.10. The impact of flooding should be considered in the LEMP. The final height of any flood protection bunds should be above the Probable Maximum Flood (PMF) level.

29.11.⁵⁴ The volume of the sediment zone of sedimentation basins must not be reduced by more than 20 percent from their design capacity, unless otherwise approved by the EPA.

Note: The sediment zone should be determined from Condition 29.7.

29.12. The Applicant must develop a program to manage stormwater that falls within the Bald Hill Quarry void. The program should address the design and management approach proposed to be employed to limit the quantity of stormwater which could result in the uncontrolled generation of leachate. The program should be included in the LEMP.

⁴⁸ EPA General Terms of Approval

⁴⁹ EPA General Terms of Approval

⁵⁰ EPA General Terms of Approval

⁵¹ EPA General Terms of Approval

⁵² EPA General Terms of Approval

⁵³ EPA General Terms of Approval

⁵⁴ EPA General Terms of Approval

29.13. On completion of construction of the sedimentation ponds and other stormwater control structures, the Applicant shall inform DLWC to inspect the works. The ponds and structures shall not be commissioned until they have been approved by DLWC.

30 Odour

30.1.⁵⁵ The Applicant must not cause or permit the emission of offensive odours from the Premises, as defined under section 129 of the POEO Act.

30.2. The Applicant shall ensure that odours emitted from the site do not result in an odour level in excess of 2 odour Units per cubic metre at any residential receptor.

30.3. The Applicant shall ensure that loads presenting for disposal that contain large amounts of highly biodegradable wastes or are highly odorous are buried immediately on arrival.

30.4. The Applicant shall ensure that all waste materials are removed from the transfer station and disposed of at the landfill during the hours of operation of the premises.

30.5. Waste must not be received at the premises unless it can be landfilled and compliance can be achieved with condition 26.2 or 26.4.

31 Dust

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

31.2. Monitoring sites shall be selected to monitor dust deposition rates at nearby sensitive receptors in accordance with *Australian Standard AS2922-1987 Ambient Air – Guide for Siting of Sampling Units*.

31.3. Dust deposition monitoring and analysis shall be conducted according to Australian Standard AS3580.10.1-1991 Particulates - Deposited Matter - Gravimetric Method.

31.4. Details of the dust monitoring undertaken in accordance with these Conditions are to be included in the Annual Environmental Management Report.

32 Landfill Gas

32.1.⁵⁷ The Applicant shall ensure that as much landfill gas as is practicable is collected and treated by the landfill gas flare.

32.2.⁵⁸ The landfill gas flare must be installed and operational within twelve months of the commencement of landfilling at the Premises, unless otherwise approved by the EPA. The design, installation, operation, monitoring and maintenance of the flare must be detailed in the LEMP.

32.3.⁵⁹ The following points referred to in the table below are identified for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

EPA Point No.	Type of monitoring point	Type of discharge point
1	Source Air	Landfill gas flare

⁵⁵ EPA General Terms of Approval

⁵⁶ EPA General Terms of Approval

⁵⁷ EPA General Terms of Approval

⁵⁸ EPA General Terms of Approval

⁵⁹ EPA General Terms of Approval

32.4.⁶⁰The design parameters for the flare must meet the requirements specified in the table below:

EPA Point No.	Parameter	Units of measure	Minimum Destruction Efficiency
1	Volatile organic compounds, air toxics and odour minimum destruction efficiency	%	98

32.5.⁶¹The flare system must be ground level, shrouded with greater than or equal to 0.6 seconds retention time at greater than or equal to 760°C. The flare system must be provided with automatic combustion air control, automatic shutoff gas valve and automatic re-start system.

33 Combustion parameters

33.1.⁶²For each monitoring/discharge point specified in the table below (by point number), the parameter must be equal to or greater than the lower limits specified for that parameter in the table.

EPA Point No.	Parameter	Units of measure	Lower limit	Averaging period
1	Residence time	s	0.6	Continuous
1	Temperature	°C	760	Continuous

33.2.⁶³To avoid any doubt, Condition 33.1 does not authorise the discharge or emission of any other pollutants.

34 Noise

34.1.⁶⁴Noise generated at the Premises must not exceed the noise limits presented in the Table below:

Noise Limits (dB(A))

Location	Day		Evening	
	L _{Aeq} (15 minute)	L _{Aeq} (day)	L _{Aeq} (15 minute)	L _{Aeq} (evening)
Tiana Park	37	NA	37	NA
Westaroo and Benangaroo	35	NA	35	NA

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⁶¹ EPA General Terms of Approval

⁶² EPA General Terms of Approval

⁶³ EPA General Terms of Approval

⁶⁴ EPA General Terms of Approval

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Note: NA = not applicable

For the purpose of the above Table:

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays.
- Evening is defined as the period from 6pm to 10pm.
- No operations permitted during the night time period defined as 10pm to 7am.
- Noise from the Premises is to be measured at either "Tiana Park" or "Westaroo" at the most affected point on or within the residential boundary or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30m from the boundary to determine compliance with the $L_{Aeq(15\text{ minute})}$ noise limits.
- The noise emission limits apply under meteorological conditions of -Temperature inversion conditions of up to 3°C/100m and wind speeds up to 3m/s at 10 metres above the ground.

Definition

$L_{A10(15\text{ minute})}$ is the sound pressure level that is exceeded for 10% of the time when measured over a 15 minute period.

Note: Noise measurement

For the purpose of noise measures required for this Condition, the L_{A10} noise level must be measured or computed at any point at the most affected residential receiver over a period of 15 minutes using "FAST" response on the sound level meter.

For the purpose of the noise criteria for this Condition, 5dBA must be added to the measured level if the noise is substantially tonal or impulsive in character. The location or point of impact can be different for each development, for example, at the closest residential receiver or at the closest boundary of the development. Measurement locations can be:

- 1 metre from the facade of the residence for night time assessment;
- at the residential boundary;
- 30 metres from the residence (rural situations) where boundary is more than 30 metres from residence.

35 Hours of Operation

35.1.⁶⁵ All construction work at the Premises must only be conducted between 7am to 5pm Monday to Saturday.

35.2.⁶⁶ Activities at the Premises, other than construction work, may only be carried on between 7am to 10pm Monday to Friday and from 7am to 5pm on Saturdays, Sundays and Public Holidays.

35.3.⁶⁷ This Condition does not apply to the delivery of material outside the hours of operation 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

⁶⁵ EPA General Terms of Approval

⁶⁶ EPA General Terms of Approval

⁶⁷ EPA General Terms of Approval

notification is provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

- 35.4.⁶⁸ The hours of operation specified in Conditions 35.1 and 35.2 may be varied by the EPL if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

36 Heritage

36.1. The Applicant must implement all Management Recommendations as outlined in Section 11 of the *Aboriginal Cultural Heritage Study – Proposed Regional Landfill, Jugiong, NSW* prepared by Charles Dearling and dated March 2002.

36.2. Should any artefacts or other archaeological material be found, all work likely to affect the site(s) shall cease and the NPWS shall be consulted in terms of an appropriate course of action prior to recommencement of work.

36.3. All permits required shall be obtained prior to commencement of construction and operation.

37 Unauthorised Entry

37.1.⁶⁹ The Applicant must take all practicable steps to control entry to the Premises

37.2.⁷⁰ The Applicant must maintain a stockproof perimeter fence around the Premises.

37.3.⁷¹ The Applicant must install and maintain lockable security gates at all access and departure locations.

37.4.⁷² The Applicant must ensure that all gates are locked whenever the landfill is unattended.

38 Local Amenity

38.1.⁷³ The Applicant must implement a litter management program. This program must be documented in the LEMP.

39 Fire Risk Reduction

39.1.⁷⁴ The Applicant must have in place and implement a site-specific fire management plan and train all staff in relevant procedures to minimise the risk of fire at the Premises. This plan must be documented in the LEMP.

40 Basalt Extraction

40.1.⁷⁵ The Applicant must not extract any basalt from Bald Hill Quarry Stage 1 void, unless it demonstrates to the satisfaction of the EPA, using an appropriate hydrogeological technique, that the proposed excavation will not expose any geological section with bulk in-situ hydraulic conductivity of greater than 10^{-9} m/s. The proposed excavation works must be approved by the EPA before any extraction works are commenced.

41 Recycling

41.1.⁷⁶ The Applicant must document in the LEMP the maximum quantity and type of recyclable material that will be stockpiled at the Premises at any one time.

42 Staff Training

⁶⁸ EPA General Terms of Approval

⁶⁹ EPA General Terms of Approval

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⁷³ EPA General Terms of Approval

⁷⁴ EPA General Terms of Approval

⁷⁵ EPA General Terms of Approval

⁷⁶ EPA General Terms of Approval

42.1.⁷⁷ All staff including contractors and subcontractors must be trained in environmental awareness and responsibility, both generally and specific to the Applicant's activities. The training program must be documented in the LEMP.

42.2.⁷⁸ The Applicant must ensure that adequately trained staff are available at the Premises in order to administer the requirements of this Consent.

43 Monitoring and Recording Conditions

43.1.⁷⁹ The results of any monitoring required to be conducted by the EPA's general terms of approval or the EPL or in order to comply with the load calculation protocol must be recorded and retained as set out in Conditions 43.2 and 43.3.

43.2.⁸⁰ All records required to be kept by the EPL 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.

43.3.⁸¹ 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.

43.4.⁸² 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:

EPA Point No.	Parameter	Units of measure	Method	Frequency
1	Volumetric flow rate	M ³ /s	CEM-6	Continuous
1	Temperature	°C	TM-2	Continuous

Note: All methods are specified in the Approved Methods for Sampling and Analysis of Air Pollutants in New South Wales and all monitoring must be conducted strictly in accordance with the requirements outlined in this document.

44 Groundwater Monitoring

⁷⁷ EPA General Terms of Approval

⁷⁸ EPA General Terms of Approval

⁷⁹ EPA General Terms of Approval

⁸⁰ EPA General Terms of Approval

⁸¹ EPA General Terms of Approval

⁸² EPA General Terms of Approval

44.1.⁸³ A groundwater monitoring program must be implemented. The groundwater monitoring program must be documented in the LEMP and should be based on the program outlined in the draft LEMP. Furthermore, the EPA will be requiring quarterly monitoring. AOX can be interchanged with Organochlorine Pesticide (OCP) and Organophosphate Pesticides (OPPs). An annual round of monitoring of the major cations and anions will also be required for the purpose of further assessing the groundwater chemistry by the application of piper diagrams. The standing level of the groundwater must be monitored.

The Applicant shall consult with DLWC and include its requirements in the monitoring program.

44.2.⁸⁴ The groundwater monitoring program must address why all of the recommended monitoring sites in the Geo-Eng Australia 2001 report were not adopted and groundwater monitoring wells installed. The EPA will review these reasons and may require additional monitoring wells.

Note: The groundwater monitoring wells installed by Coffey Geosciences Ltd as detailed in Figure 3.6 of the EIS should be the minimum monitoring sites and also the abstraction well (BH2-1, BH8-2, BH5, BH10, 40BL187473).

45 Surface Water Monitoring

45.1.⁸⁵ A surface water-monitoring program must be implemented to monitor the environmental performance of the construction, operation and rehabilitation of the landfill and recycling facilities on surface water. The surface water-monitoring program must be documented in the LEMP and should be based on the program outlined in the draft LEMP. The monitoring program must clearly document the monitoring locations and propose the identification of them with signs.

46 Non-permitted waste incidents

46.1.⁸⁶ A record must be maintained of all events involving the removal of any waste that was brought to the Premises and which is not permitted to be disposed of at the Premises.

47 Recording for fires

47.1.⁸⁷ The Applicant must maintain a daily log and record the following data of fires at the site:

- Time and date when the fire was deliberately started or reported;
- Whether the fire was authorised by the Applicant, and, if not, the circumstances which ignited the fire;
- The time and date at which the fire ceased and whether it burnt out or was extinguished;
- The location of fire (eg. Clean timber stockpile, putrescible garbage cell, etc)
- Prevailing weather conditions
- Observations made in regard to smoke direction and dispersion
- The amount of waste that was combusted by the fire
- Action taken to extinguish the fire.

⁸³ EPA General Terms of Approval

⁸⁴ EPA General Terms of Approval

⁸⁵ EPA General Terms of Approval

⁸⁶ EPA General Terms of Approval

⁸⁷ EPA General Terms of Approval

47.2.⁸⁸ The Applicant or its employees or agents must notify the EPA of any fire at the Premises as soon as practicable after becoming aware of the incident.

48 Climatic Records

Rainfall and evaporation at the Premises, or alternative monitoring site approved by the DEC, must be measured and recorded in millimetres per 24 hour period at the same time each day.

49 Buildings and Structural Work

49.1. All building work must be carried out in accordance with the requirements of the Building Code of Australia and the relevant construction and occupation certificates obtained.

⁸⁸ EPA General Terms of Approval

ATTACHMENT 1 – 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:

Bald Hill Quarry

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:
 - (a) must be maintained in a proper and efficient condition; and
 - (b) must be operated in a proper and efficient manner.

Monitoring and recording conditions

Recording of pollution complaints

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

- The record must include details of the following:
 - (a) the date and time of the complaint;
 - (b) the method by which the complaint was made;
 - (c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - (d) the nature of the complaint;
 - (e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - (f) 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) a Statement of Compliance; and
 - (b) a Monitoring and Complaints Summary.

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

Period covered by Annual Return

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

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

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

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

- Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on
 - (a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
 - (b) in relation to the revocation of the licence – the date from which notice revoking the licence operates.

Deadline for Annual Return

The Annual Return for the reporting period must be supplied to the EPA 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’).

Bald Hill Quarry Regional Landfill 19 June 2002.

Notification where actual load cannot 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 as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act

Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

Written report

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

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

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

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

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

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

General conditions

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

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

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

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

Definitions

Leachate- Liquid released by, or water that has percolated through waste or water that has contacted waste and which contains dissolved and/or suspended liquids and/or solids and/or gases.

Virgin Excavated Natural Material- (eg clay, gravel, sand, soil and rock) that is not mixed with any other waste and that:

- (a) has been excavated from the areas that are not contaminated, as a result of industrial, commercial, mining or agricultural activities, with manufactured chemicals and does not contain sulphidic ores or soils, or
- (b) consists of excavated natural materials that meet such criteria as may be approved by the EPA.

Approved- means as approved by the EPA.