

# Licence Variation

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Licence - 20209

WENTWORTH SHIRE COUNCIL  
PO BOX 81  
WENTWORTH NSW 2648

Attention: Simon Rule

Notice Number      1634773  
File Number        EF13/4392  
Date                 20-Aug-2024

## NOTICE OF VARIATION OF LICENCE NO. 20209

### BACKGROUND

- A. WENTWORTH SHIRE COUNCIL (“the licensee”) is the holder of Environment Protection Licence No. 20209 (“the licence”) issued under the *Protection of the Environment Operations Act 1997* (“the Act”). The licence authorises the carrying out of activities at ARUMPO ROAD, BURONGA, NSW, 2739 (“the premises”).
- B. On 16-Nov-2023 the Environment Protection Authority (EPA) received an application for the variation of the licence. The application was seeking to vary the licence in accordance with plans to expand the Buronga Landfill as per State Significant Development (SSD) 10096818.
- C. The EPA reviewed the application along with the accompanying Buronga Landfill Expansion SSD Assessment dated July 2023 and Development Consent dated 19 July 2023, issued by the Department of Planning, Industry and Environment. The EPA agrees to vary the licence to allow for and reflect the requirements of the planned expansion.

### VARIATION OF LICENCE NO. 20209

1. By this notice the EPA varies licence No. 20209. The attached licence document contains all variations that are made to the licence by this notice.
2. The following variations have been made to the licence:
  - P1.2 – Additional Groundwater monitoring points added.
  - P1.2 - Amend EPA Point 4 'Type of Monitoring Point' from "Water quality" to "Water quality"
  - L2.1 table – Amendment made to 'Other Limits' column of "General solid waste (non-putrescible and putrescible) – to increase limits.
  - L2.4 - Addition of Condition L2.4 – increase exceedance levels per year.

# Licence Variation

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- L2.5 - Amend previous condition L2.4 to L2.5.
- O5.5 Updated LEMP document details
- O6.3 – Updated LEMP document details
- O6.7 b) – Administration change to repeated wording
- O6.8 – Amend final capping details as per Buronga Landfill Expansion - State Significant Development Assessment SSD - 10096818" dated July 2023
- O6.9 Updated LEMP document details
- M2.2 – Additional EPA monitoring points added.

A handwritten signature in black ink, appearing to read 'Michael Waanders', is written over a horizontal dotted line.

.....  
**Michael Waanders**  
**Acting Unit Head - Operations**  
**Environment Protection Authority**  
(by Delegation)

## **INFORMATION ABOUT THIS NOTICE**

- This notice is issued under section 58(5) of the Act.
- Details provided in this notice, along with an updated version of the licence, will be available on the EPA's Public Register (<http://www.epa.nsw.gov.au/prpoeo/index.htm>) in accordance with section 308 of the Act.

## **Appeals against this decision**

- You can appeal to the Land and Environment Court against this decision. The deadline for lodging the appeal is 21 days after you were given notice of this decision.

## **When this notice begins to operate**

- The variations to the licence specified in this notice begin to operate immediately from the date of this notice, unless another date is specified in this notice.
- If an appeal is made against this decision to vary the licence and the Land and Environment Court directs that the decision is stayed the decision does not operate until the stay ceases to have effect or the Land and Environment Court confirms the decision or the appeal is withdrawn (whichever occurs first).

# Licence Variation

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# Environment Protection Licence

Licence - 20209

## Licence Details

Number:	20209
Anniversary Date:	05-April

## Licensee

WENTWORTH SHIRE COUNCIL

PO BOX 81

WENTWORTH NSW 2648

## Premises

BURONGA LANDFILL

ARUMPO ROAD

BURONGA NSW 2739

## Scheduled Activity

Waste disposal (application to land)

## Fee Based Activity

Waste disposal by application to land

## Scale

Any capacity

## Contact Us

NSW EPA

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10 Darcy Street

PARRAMATTA NSW 2150

Phone: 131 555

Email: [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)

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# Environment Protection Licence

Licence - 20209

<b>INFORMATION ABOUT THIS LICENCE</b>	<b>4</b>
Dictionary	4
Responsibilities of licensee	4
Variation of licence conditions	4
Duration of licence	4
Licence review	4
Fees and annual return to be sent to the EPA	4
Transfer of licence	5
Public register and access to monitoring data	5
<b>1 ADMINISTRATIVE CONDITIONS</b>	<b>6</b>
A1 What the licence authorises and regulates	6
A2 Premises or plant to which this licence applies	6
A3 Other activities	6
A4 Information supplied to the EPA	7
<b>2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND</b>	<b>7</b>
P1 Location of monitoring/discharge points and areas	7
<b>3 LIMIT CONDITIONS</b>	<b>8</b>
L1 Pollution of waters	8
L2 Waste	8
L3 Noise limits	10
L4 Hours of operation	10
L5 Potentially offensive odour	10
<b>4 OPERATING CONDITIONS</b>	<b>10</b>
O1 Activities must be carried out in a competent manner	10
O2 Maintenance of plant and equipment	10
O3 Dust	11
O4 Emergency response	11
O5 Processes and management	11
O6 Waste management	12
O7 Other operating conditions	13
<b>5 MONITORING AND RECORDING CONDITIONS</b>	<b>13</b>
M1 Monitoring records	13
M2 Requirement to monitor concentration of pollutants discharged	13
M3 Testing methods - concentration limits	15
M4 Recording of pollution complaints	15



# Environment Protection Licence

Licence - 20209

M5	Telephone complaints line	15
M6	Other monitoring and recording conditions	15
<b>6</b>	<b>REPORTING CONDITIONS</b>	<b>16</b>
R1	Annual return documents	16
R2	Notification of environmental harm	17
R3	Written report	17
R4	Other reporting conditions	18
<b>7</b>	<b>GENERAL CONDITIONS</b>	<b>18</b>
G1	Copy of licence kept at the premises or plant	18
<b>8</b>	<b>SPECIAL CONDITIONS</b>	<b>18</b>
E1	Cell Construction	18
<b>DICTIONARY</b>		<b>19</b>
	General Dictionary	19

# Environment Protection Licence

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Licence - 20209

## Information about this licence

### Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

### Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

### Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

### Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

### Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).



# Environment Protection Licence

Licence - 20209

The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

## Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

## Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

## This licence is issued to:

<b>WENTWORTH SHIRE COUNCIL</b>
<b>PO BOX 81</b>
<b>WENTWORTH NSW 2648</b>

subject to the conditions which follow.



# Environment Protection Licence

Licence - 20209

## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2:

Construction of landfill cells and leachate and stormwater collection systems.

A1.2 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

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

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

### A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
BURONGA LANDFILL
ARUMPO ROAD
BURONGA
NSW 2739
LOT 197 DP 756946, LOT 212 DP 756946 & LOT 1 DP 1037845

### A3 Other activities

A3.1 This licence applies to all other activities carried on at the premises, including:

Ancillary Activity
Resource recovery - recovered aggregate processing and storage
Waste storage

A3.2 Recovered aggregate processing and storage as per Development Application and attachments DA13/120 approved by Wentworth Shire Council dated 20 February 2014.

# Environment Protection Licence

Licence - 20209

## A4 Information supplied to the EPA

- A4.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

## 2 Discharges to Air and Water and Applications to Land

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

- P1.1 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.
- P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

#### *Water and land*

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
2	Groundwater quality		Borehole labelled 'EPA02' as shown on the EPA Groundwater Monitoring Point Plan Map, provided by Tonkin on behalf of Wentworth Shire Council - EPA DOC24/45741
3	Groundwater quality		Borehole labelled 'EPA03' as shown on the EPA Groundwater Monitoring Point Plan Map, provided by Tonkin on behalf of Wentworth Shire Council - EPA DOC24/45741
4	Groundwater quality		Borehole labelled 'EPA04' as shown on the EPA Groundwater Monitoring Point Plan Map, provided by Tonkin on behalf of Wentworth Shire Council - EPA DOC24/45741

# Environment Protection Licence

Licence - 20209

5	Water quality	Water quality	Discharge point from the sediment basin as shown in the bore locations map provided by Wentworth Shire Council located on CM9 as DOC23/146291.
6	Leachate Storage Pond		Leachate storage pond as shown in the 'Leachate Pond & Stormwater Ponds' map provided by Wentworth Shire Council located on CM9 as DOC23/172237.
7	Groundwater quality		Borehole labelled 'EPA07' as shown on the EPA Groundwater Monitoring Point Plan Map, provided by Tonkin on behalf of Wentworth Shire Council - EPA DOC24/45741
8	Groundwater quality		Borehole labelled 'EPA08' as shown on the EPA Groundwater Monitoring Point Plan Map, provided by Tonkin on behalf of Wentworth Shire Council - EPA DOC24/45741

## 3 Limit Conditions

### L1 Pollution of waters

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

### L2 Waste

L2.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

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

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

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

Code	Waste	Description	Activity	Other Limits
NA	Building and demolition waste	As defined in the NSW Resource Recovery Exemption titled "Recovered Aggregate Order 2014" and includes material comprising of concrete, brick, ceramics, natural rock and asphalt that	Resource recovery	The total quantity of Recovered Aggregate that can be received in each annual Reporting period is 10,000 tonnes. The total amount of Recovered

# Environment Protection Licence

Licence - 20209

		can be processed into an engineered material. This does not include refractory bricks or associated refractory materials or asphalt that contains coal tar.		Aggregate that can be stored at the premises at any one time is 20,000 tonnes.
NA	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2005	As specified in each particular resource recovery exemption	NA
NA	Waste	Any waste received on site that is below the licensing thresholds in Schedule 1 of the POEO Act, as in force from time to time	-	NA
J100	Waste mineral oils unfit for their original intended use	Mineral oils unfit for their original intended use; Oil filters; Transformer fluids (excluding PCB's); Waste hydrocarbons	Waste storage	4,000 litres
T140	Tyres		Waste disposal (application to land)	500 tonnes
N220	Asbestos		Waste disposal (application to land)	500 tonnes
NA	General solid waste (non-putrescible and putrescible)	Municipal Solid Waste, Commercial & Industrial	Waste disposal (application to land)	89,000 tonnes, made up of a maximum of 60,000 tonnes of Municipal Solid Waste and a maximum of 29,000 tonnes of Commercial and Industrial and Construction and Demolition Waste

L2.2 The licensee must not dispose of any tyres on the premises which;

- have a diameter of less than 1.2 metres; and
- are delivered at the premises in a load containing more than 5 whole tyres; and
- became waste in the Sydney Metropolitan Area.

L2.3 Tyres stockpiled on the premises must:

- not exceed fifty (50) tonnes of tyres at any one time; and
- be located in a clearly defined area away from the tipping face; and
- be managed to control vermin; and
- be managed to prevent any tyres from catching fire.

# Environment Protection Licence

Licence - 20209

- L2.4 The total quantity of combined waste received at the premises must not exceed 100,000 tonnes per year. The total quantity of combined waste applied to land at the premises must not exceed 90,000 tonnes per year.

### L3 Noise limits

- L3.1 All operations and activities occurring on the premises must be conducted in a manner that will not cause or permit offensive noise beyond the boundary of the premises.

### L4 Hours of operation

- L4.1 All work at the premises must be conducted between the hours of:

6:00am to 7:00pm Monday to Friday; and

7:00am to 6.00pm Saturdays, Sundays and Public Holidays

### L5 Potentially offensive odour

- L5.1 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.

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.

## 4 Operating Conditions

### O1 Activities must be carried out in a competent manner

- O1.1 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.

### O2 Maintenance of plant and equipment

- O2.1 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.

# Environment Protection Licence

Licence - 20209

## O3 Dust

- O3.1 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.

## O4 Emergency response

- O4.1 Within 3 months of the date of the issue of this licence, the licensee must develop, or update, an emergency response plan which documents the procedures to deal with all types of incidents (e.g. spill, explosions or fire) that may occur at the premises or outside of the premises (e.g. during transfer) which are likely to cause harm to the environment.
- O4.2 The licensee must extinguish fires at the premises as soon as possible.

## O5 Processes and management

- O5.1 The licensee must take all practicable steps to control entry to the premises.
- O5.2 The licensee must install and maintain lockable security gates at all access and departure locations.
- O5.3 The licensee must ensure that all gates are locked whenever the landfill is unattended.
- O5.4 The licensee must ensure that all vehicles containing waste enter and exit the site through the weighbridge.
- O5.5 The licensee must implement the litter management program specified in clause 7.4.4 of the Buronga Landfill Expansion, Landfill Environmental Management Plan, Wentworth Shire Council. Dated 24 July 2024 Ref: 202597R12Rev02. EPA DOC24/608285
- O5.6 The licensee must ensure that adequately trained staff are available at the premises in order to administer the requirements of this licence.
- O5.7 The licensee must install and maintain a stockproof perimeter fence around the premises.
- O5.8 The licensee must ensure that all weather roads are maintained on site to allow waste to be accepted and disposed of at the landfill in all reasonable weather conditions.

### Leachate management

- O5.9 A leachate barrier and collection system must be installed and managed at the landfill as specified in Environmental Guidelines: Solid Waste Landfills or alternative of equal or better environmental performance.
- O5.10 The sediment basin and leachate holding pond must be maintained to ensure that their design capacity is available for the storage of rainfall runoff from a 1 in 20 year, 24 hour Average Recurring Interval rainfall event.
- O5.11 Excess leachate is permitted to be disposed of at a premises which may lawfully receive the leachate for treatment.

# Environment Protection Licence

Licence - 20209

O5.12 Landfill leachate must not be irrigated except as expressly permitted by a condition of this licence.

## O6 Waste management

O6.1 The licensee must have in place and implement procedures to identify and prevent the disposal of any waste not permitted by this licence to be disposed of at the premises.

O6.2 Surface drainage must be diverted away from any area where waste is being or has been landfilled.

O6.3 The licensee must manage the disposal of waste at the premises in accordance with the progressive filling plan as described in the Buronga Landfill Expansion Landfill Environmental Management Plan, Wentworth Shire Council. Dated 24 July 2024 Ref: 202597R12Rev02. EPA DOC/608285

O6.4 There must be no incineration or burning of any waste at the premises.

O6.5 An average compaction rate of not less than 650 kg per cubic metre must be achieved for all waste disposed of at the premises.

O6.6 The licensee must ensure that the achieved compaction rate of landfilled waste (excluding cover material) is stated in the annual report for the waste premises submitted to the EPA.

O6.7 Cover material must be clean soil, virgin excavated natural material or other suitable waste materials won on the premises or imported to the premises.

a) Daily cover

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

b) Intermediate cover

Cover material must be applied to a depth of 300mm over surfaces of the landfilled waste at the premises which are not to be exposed for more than 90 days.

c) Cover material stockpile

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

O6.8 Final capping must comprise of:

a) For all cells, including those in AREA 1, AREA 2, AREA 3, AREA 4 and AREA5 as identified in Figure 5 of "Buronga Landfill Expansion - State Significant Development Assessment SSD - 10096818" dated July 2023; Each sub-cell must be filled progressively with compacted waste, daily cover and intermediate cover up to the final design contour level. The sub-cell must then be capped in accordance with the EPA's Environmental Guidelines - Solid waste landfills 2016 (Landfill Guidelines), using stockpiled material. Following capping, a revegetation layer using phytocap technology must be installed to support planting grass cover of suitable native species.

b) The licensee is required to submit a detailed design, proposal, addressing the design and construction matters set out in the Landfill Guidelines, Minimum Standards Parts 9.

O6.9 The licensee must conduct a filling plan survey consistent with Buronga Landfill Expansion Landfill Environmental Management Plan, Wentworth Shire Council. Dated 24 July 2024 Ref: 202597R12Rev02. EPA DOC24/608285

# Environment Protection Licence

Licence - 20209

A report detailing the results of the survey must be submitted to the EPA within 1 month of completion of the survey.

## **O7 Other operating conditions**

- O7.1 The licensee must have in place and operate a calibrated weighbridge to record the volume of all waste brought into the premises.
- O7.2 The weighbridge must have a valid Calibration Certificate at all times.
- O7.3 The EPA must be notified immediately if the weighbridge becomes inoperative and it must be repaired as soon as practicable.
- O7.4 The conditions of the licence must be in accordance with the Wentworth Shire Council Buronga Landfill Expansion, Landfill Environmental Management Plan. Dated 24 July 2024 - Ref: 202597R12Rev02 prepared by Tonkin. EPA DOC24/608285

## **5 Monitoring and Recording Conditions**

### **M1 Monitoring records**

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
  - a) in a legible form, or in a form that can readily be reduced to a legible form;
  - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
  - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
  - a) the date(s) on which the sample was taken;
  - b) the time(s) at which the sample was collected;
  - c) the point at which the sample was taken; and
  - d) the name of the person who collected the sample.

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

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



# Environment Protection Licence

Licence - 20209

specified opposite in the other columns:

## M2.2 Water and/ or Land Monitoring Requirements

### POINT 2,3,4,6,7,8

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Yearly	Representative sample
Benzene	milligrams per litre	Yearly	Representative sample
Calcium	milligrams per litre	Yearly	Representative sample
Chloride	milligrams per litre	Yearly	Representative sample
Conductivity	microsiemens per centimetre	Every 6 months	In situ
Fluoride	milligrams per litre	Yearly	Representative sample
Lead	milligrams per litre	Yearly	Representative sample
Magnesium	milligrams per gram	Yearly	Representative sample
Manganese	milligrams per litre	Yearly	Representative sample
Nitrate + nitrite (oxidised nitrogen)	milligrams per litre	Yearly	Representative sample
Nitrogen (ammonia)	milligrams per litre	Yearly	Representative sample
pH	pH	Every 6 months	In situ
Potassium	milligrams per litre	Yearly	Representative sample
Sodium	milligrams per litre	Yearly	Representative sample
Sulfate	milligrams per litre	Yearly	Representative sample
Total organic carbon	milligrams per litre	Yearly	Representative sample
Total Phenolics	milligrams per litre	Yearly	Representative sample

### POINT 2,3,4,7,8

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as calcium carbonate)	milligrams per litre	Yearly	Representative sample
Standing Water Level	metres	Every 6 months	In situ

### POINT 5

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	millisiemens per centimetre	Yearly	Representative sample
Nitrate + nitrite (oxidised nitrogen)	milligrams per litre	Yearly	Representative sample
Nitrogen (ammonia)	milligrams per litre	Yearly	Representative sample
pH	pH	Yearly	In situ
Total organic carbon	milligrams per litre	Yearly	Representative sample
Total suspended solids	milligrams per litre	Yearly	Representative sample

# Environment Protection Licence

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Licence - 20209

## **M3 Testing methods - concentration limits**

M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

## **M4 Recording of pollution complaints**

M4.1 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.

M4.2 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.

M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## **M5 Telephone complaints line**

M5.1 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.

M5.2 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.

M5.3 The preceding two conditions do not apply until 3 months from the date of the issue of this licence.

## **M6 Other monitoring and recording conditions**

M6.1 The licensee must monitor the remaining disposal capacity (in cubic metres) of the landfill.

M6.2 The licensee must develop and implement a Waste Control Program in accordance with the LEMP. The licensee must update and submit the updated Waste Control Program to the EPA for approval if any significant changes are made by the licensee.

# Environment Protection Licence

Licence - 20209

## 6 Reporting Conditions

### R1 Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

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

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

### R1.2 Monitoring report

The licensee must supply with the Annual Return a report, which provides:

- a) an analysis and interpretation of monitoring results; and
- b) actions to correct identified adverse trends.

R1.3 An Annual Return must be prepared in respect of each reporting period, 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.

R1.4 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.

R1.5 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.

R1.6 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not

# Environment Protection Licence

Licence - 20209

later than 60 days after the date the transfer was granted (the 'due date').

- R1.7 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.
- R1.8 Within the Annual Return, the Statements 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.
- R1.9 A person who has been given written approval to certify a certificate 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 of this licence.

## R2 Notification of environmental harm

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

Note: The licensee or its employees must notify all relevant authorities 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.

- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.

## R3 Written report

- R3.1 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.
- R3.2 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.
- R3.3 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;
  - 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; and

# Environment Protection Licence

Licence - 20209

g) any other relevant matters.

R3.4 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.

## R4 Other reporting conditions

R4.1 The licensee must record the following data in relation to fires occurring at the premises:

- a) Time and date when the fire started.
- b) Whether the fire was authorised by the licensee, and, if not, the circumstances which ignited the fire.
- c) The time and date that the fire burnt out or was extinguished.
- d) The location of fire (eg. clean timber stockpile, putrescible garbage cell, etc).
- e) Prevailing weather conditions at the time of the fire.
- f) Observations made in regard to smoke direction and dispersion.
- g) The amount of waste that was combusted by the fire.
- h) Action taken to extinguish the fire;
- i) Action taken to prevent a reoccurrence.

The data must be recorded on each day that the fire is burning.

R4.2 The licensee or its employees or agents must notify the occurrence of all fires on the premises in accordance with conditions R2.1 and R2.2 as soon as practical after becoming aware of the fire.

## 7 General Conditions

### G1 Copy of licence kept at the premises or plant

G1.1 A copy of this licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

## 8 Special Conditions

### E1 Cell Construction

E1.1 The licensee must construct Cell 1 in accordance with the approved designs, specifications, methods and Construction Quality Assurance (CQA) Plan Buronga Land Fill Stage 1A Cell 1 Construction Quality Assurance Plan prepared by Tonkin.

E1.2 On completion of construction of Cell 1, the licensee must submit to the EPA a CQA Report prepared in accordance with the NSW Landfill Guidelines, Minimum Standards Part 11. The licensee must not dispose of

# Environment Protection Licence

Licence - 20209

waste in Cell 1 until the EPA has approved the CQA Report in writing.

## Dictionary

### General Dictionary

<b>3DGM [in relation to a concentration limit]</b>	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>AM</b>	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>BOD</b>	Means biochemical oxygen demand
<b>CEM</b>	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
<b>general solid waste (non-putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

# Environment Protection Licence

Licence - 20209

<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>general solid waste (putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>grab sample</b>	Means a single sample taken at a point at a single time
<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>restricted solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>special waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TM</b>	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

# Environment Protection Licence

Licence - 20209

<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids
<b>Type 1 substance</b>	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
<b>Type 2 substance</b>	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
<b>utilisation area</b>	Means any area shown as a utilisation area on a map submitted with the application for this licence
<b>waste</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>waste type</b>	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non-putrescible), special waste or hazardous waste
<b>Wellhead</b>	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Mr Darren Wallett

Environment Protection Authority

(By Delegation)

Date of this edition: 05-April-2013



# Environment Protection Licence

Licence - 20209

## End Notes

2	Licence varied by notice	1519910 issued on 12-May-2014
3	Licence varied by notice	1526662 issued on 12-Dec-2014
4	Licence varied by notice	1528653 issued on 06-Mar-2015
5	Licence varied by notice	1532101 issued on 17-Jul-2015
6	Licence varied by notice	1535200 issued on 09-Nov-2015
7	Licence varied by notice	1536741 issued on 21-Dec-2015
8	Licence varied by notice	1536820 issued on 05-Jan-2016
9	Licence varied by notice	1539729 issued on 12-Apr-2016
10	Licence varied by notice	1546513 issued on 10-Nov-2016
11	Licence varied by notice	1551718 issued on 23-May-2017
12	Licence varied by notice	1558634 issued on 24-Nov-2017
13	Licence varied by notice	1626494 issued on 08-Mar-2023