



# Environment Protection Licence

Licence - 5186

Licence Details	
Number:	5186
Anniversary Date:	20-December

Licensee	
BRANDOWN PTY. LIMITED	
PO BOX 141	
KEMPS CREEK NSW 2178	

Premises	
BRANDOWN PTY LIMITED	
90 RANGE ROAD CECIL PARK NSW 2178	
KEMPS CREEK NSW 2178	

Scheduled Activity	
Extractive activities	
Waste disposal (application to land)	

Fee Based Activity	Scale
Extractive activities	> 100000-500000 T annually extracted or processed
Waste disposal by application to land	Any capacity

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10 Darcy Street	
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## 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).



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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:

BRANDOWN PTY. LIMITED
PO BOX 141
KEMPS CREEK NSW 2178

subject to the conditions which follow.



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## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 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
Extractive activities	Extractive activities	> 100000 - 500000 T annually extracted or processed
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
BRANDOWN PTY LIMITED
90 RANGE ROAD CECIL PARK NSW 2178
KEMPS CREEK
NSW 2178
PART LOT 90 DP 1101411
AS SHOWN BY THE RED OUTLINE ON THE DRAWING "18943 PROPOSED RECYCLING LIC 2023 REV1" DATED 30 OCTOBER 2023 PREPARED BY MATTHEW FREEBURN SURVEYORS REF- DOC23/544109-11

### A3 Information supplied to the EPA

A3.1 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:

- a) 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
- b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

A3.2 The document titled Report on Landfill Environmental Management Plan – Brandown Landfill Elizabeth Drive, Kemps Creek prepared by Douglas Partners Pty Ltd dated February 2008 is not to be taken as part of the



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documentation in A4.1, other than those parts specifically referenced in this licence.

Note: For the purposes of this licence the abbreviation “LEMP” is defined as the document titled Report on Landfill Environmental Management Plan – Brandown Landfill Elizabeth Drive, Kemps Creek prepared by Douglas Partners Pty Ltd dated February 2008.

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

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

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

Air			
EPA identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Dust monitoring		Dust gauge labelled "1" on Drawing 10B Dust Monitoring - Current Locations in the LEMP dated Feb 2008.
2	Dust monitoring		Dust gauge labelled "2" on Drawing 10B Dust Monitoring - Current Locations in the LEMP dated Feb 2008.
3	Dust monitoring		Dust gauge labelled "3" on Drawing 10B Dust Monitoring - Current Locations in the LEMP dated Feb 2008.

P1.2 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.

P1.3 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 Identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description
7	Groundwater quality monitoring		Groundwater monitoring bore "GW7" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43

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8	Groundwater quality monitoring		Groundwater monitoring bore "GW8" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
9	Groundwater quality monitoring		Groundwater monitoring bore "GW9" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
10	Groundwater quality monitoring		Groundwater monitoring bore "GW10" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
11	Groundwater quality monitoring		Groundwater monitoring bore "GW11" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
13	Groundwater quality monitoring		Groundwater monitoring bore "GW13" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
14	Groundwater quality monitoring		Groundwater monitoring bore "GW14A" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
15	Discharge to waters Effluent quality and volume monitoring	Discharge to waters Effluent quality and volume monitoring	The spillway from the southeastern dam described as sedimentation pond S15 in LEMP and marked on Figure 2A of the LEMP, discharging to unnamed creek and flowing to Kemps Creek.
16	Surface water quality monitoring		Surface water monitoring location marked "16" on Figure 7A of the LEMP.
17	Surface water quality monitoring		Surface water monitoring location marked "17" on Figure 7A of the LEMP.



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18	Surface water quality monitoring	Surface water monitoring location marked "18" on Figure 7A of the LEMP.
19	Surface water quality monitoring	Surface water monitoring location marked "19" on Figure 7A of the LEMP.
20	Surface water quality monitoring	The southeastern dam described as sedimentation pond S15 in LEMP and marked on Figure 2A of the LEMP.
21	Groundwater quality monitoring	Groundwater monitoring bore "GW21" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
22	Groundwater quality monitoring	Groundwater monitoring bore "GW22" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
23	Groundwater quality monitoring	Groundwater monitoring bore "GW23" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
24	Groundwater quality monitoring	Groundwater monitoring bore "GW24" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
25	Groundwater quality monitoring	Groundwater monitoring bore "GW25" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
26	Groundwater quality monitoring	Groundwater monitoring bore "GW26" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43

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27	Groundwater quality monitoring	Groundwater monitoring bore "GW27" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
28	Groundwater quality monitoring	Groundwater monitoring bore "GW28A" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
29	Groundwater quality monitoring	Groundwater monitoring bore "GW33" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
30	Groundwater quality monitoring	Groundwater monitoring bore "GW34" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
31	Groundwater quality monitoring	Groundwater monitoring bore "GW35" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
32	Groundwater quality monitoring	Groundwater monitoring bore "GW36" as depicted on Map titled "Monitoring Network Brandown Waste Management Facility -- Kemps Creek Lot 90 DP1101411" Douglas Partners - 12-2-2018 - Project No. 45532.43
33	Leachate quality monitoring	Concrete leachate riser located in Cell 5 and marked "RISER 33" on "Plan showing Riser Coordinates over Lot 90 in DP 1101411" dated 11/2/2020 by Freeburn Surveying (EPA Reference: DOC20/98794-2)
34	Leachate quality monitoring	Concrete leachate riser located in Cell C3/C5 and marked "RISER 4" on "Plan showing Riser Coordinates over Lot 90 in DP 1101411" dated 11/2/2020 by Freeburn Surveying (EPA Reference: DOC20/98794-2).



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35	Leachate quality monitoring	Northern concrete leachate riser located in Cell C6 and marked "RISER 5" on "Plan showing Riser Coordinates over Lot 90 in DP 1101411" dated 11/2/2020 by Freeburn Surveying (EPA Reference: DOC20/98794-2)
36	Leachate quality monitoring	Concrete leachate riser marked "RISER 6" on "Plan showing Riser Coordinates over Lot 90 in DP 1101411" dated 11/2/2020 by Freeburn Surveying (EPA Reference: DOC20/98794-2)

## 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 Concentration limits

L2.1 For each monitoring/discharge point or utilisation area specified in the table/s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table/s.

L2.4 Water and/or Land Concentration Limits

#### POINT 15

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Biochemical oxygen demand	milligrams per litre				20
Nitrogen (ammonia)	milligrams per litre				1



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pH	pH	6.5-8.5
Total suspended solids	milligrams per litre	50

- L2.5 The licensee is taken not to have exceeded a concentration limit specified in the licence for the discharge of Total Suspended Solids from Point 15 if:
- a) The discharge from Point 15 occurs solely as a result of a rainfall event at the premises; and
  - b) The licensee has taken all practical measures to avoid or minimise water pollution.

### L3 Waste

- L3.1 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	General Solid Waste (non-putrescible) excluding biosolids	As defined in Schedule 1 of the POEO Act, as in force from time to time	Waste disposal (application to land)	NA
NA	Waste tyres	As defined in Schedule 1 of the POEO Act, as in force from time to time	Waste disposal (application to land)	NA
NA	Asbestos waste	As defined in Schedule 1 of the POEO Act, as in force from time to time	Waste disposal (application to land)	NA
NA	Waste	Any waste received on site that is below licensing thresholds in Schedule 1 of the POEO Act, as in force from time to time	-	NA

- L3.2 All waste received at the premises for the purposes of disposal must be landfilled in Cell 4 or Cell 5.
- L3.3 The licensee must not exhume any landfilled waste at the premises unless provided with written authorisation from the EPA to do so.

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L3.4 The licensee must not dispose of any tyre at the premises unless:

- a) The tyre has a diameter of 1.2 metres or more; and/or
- b) The tyre has been shredded or had its walls removed; and/or
- c) The tyre was delivered to the premises as part of a domestic load.

L3.5 In condition L3.4:

- a) tyres are taken to be shredded only if the tyres are in pieces measuring no more than 250mm in any direction; and
- b) domestic loads means a load containing no more than 5 tyres having a diameter of less than 1.2 metres.

L3.6 Tyres stockpiled on the premises must:

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

## L4 Noise limits

- L4.1 Noise from the premises must not exceed an LA10 (15 minute) noise emission criterion of 45 dB(A), except as expressly provided by this licence.
- L4.2 Noise from the premises is to be measured or computed at any point within one metre of the nearest affected residence or other noise sensitive areas to determine compliance with condition L6.1 5dB(A) must be added if the noise is tonal or impulsive in character

## L5 Blasting

L5.1 The overpressure level from blasting operations on the premises must not:

- a) Exceed 115dB (Lin Peak) for more than 5% of the total number of blasts over a period of 12 months; and
- b) Exceed 120dB (Lin Peak) at any time.

The airblast overpressure values stated above apply when the measurements are performed with equipment having a lower cut-off frequency of 2Hz or less. If the instrumentation has a higher cut-off frequency then a correction of 5dB should be added to the measure value. Equipment with a lower cut-off frequency exceeding 10Hz should not be used for the purpose of measuring airblast overpressure.

L5.2 Noise from blasting operations at the premises must be measured at the most affected residential property, or if this is more than 30 metres from the residence, at the most affected point 30 minutes from the residence or other noise sensitive premises.

## L6 Hours of operation

L6.1 The plant and equipment must not be operated outside the following times:

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- a) 0600 hours and 1800 hours Mondays to Fridays inclusive;
- b) 0600 hours and 1700 hours Saturdays; and
- c) 0800 hours and 1700 hours Sundays and Public Holidays.

## **L7 Potentially offensive odour**

- L7.1 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.

### **O3 Dust**

- O3.1 The premises must be maintained in a condition which prevents the emission of dust from the premises.
- O3.2 Activities must be carried out in a manner that minimises the generation of dust.
- O3.3 The licensee must ensure that no material, including sediment or oil, is tracked from the premises.
- O3.4 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

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## O4 Emergency response

- O4.1 The licensee must extinguish fires in waste stockpiles or landfilled waste as soon as possible.

## O5 Processes and management

- O5.1 The licensee must take all practicable steps to control entry to the premises.

## O6 Waste management

- O6.1 Cover material must be:

a) Daily cover

Daily cover material must be either

- i) virgin excavated natural material (VENM); or
- ii) NSW EPA approved alternative daily cover.

Cover material must be applied to a minimum depth of 15 centimetres over all exposed landfilled waste prior to ceasing operations at the end of each day.

b) Intermediate cover

Cover material must be virgin excavated natural material and must be applied to a depth of 30 centimetres over surfaces of the landfilled waste at the premises which are to be exposed for more than 90 days.

c) Cover material 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.

- O6.2 For the purpose of Condition O6.1 a) ii the approved alternative daily cover can be material in accordance with specifications outlined within EPA correspondence dated 30 June 2005 or material listed in conditions O6.3 and O6.4 of this licence.

### Use of Recovered Fines as Alternative Daily Cover (ADC)

- O6.3 For the purposes of condition O6.2, the approved ADC is recovered fines that meet the requirements of the Recovered Fines Alternative Daily Cover Specifications as gazetted and amended by the EPA from time to time, in accordance with clause 12(7)(c) of the Protection of the Environment Operations (Waste) Regulation 2014.
- O6.4 In relation to recovered fines applied to land as ADC as permitted under condition O5.4:
- a) All recovered fines applied to land as ADC at the premises must meet the requirements of the Recovered Fines Alternative Daily Cover Specifications as gazetted and published by the EPA from time to time, before they are received at the premises.
  - b) No more than 1,000 tonnes of recovered fines received can be stored, kept or stockpiled at the active landfill cell at the premises at any time.

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- c) The application to land of recovered fines as ADC must achieve the performance criteria specified in Section 8 Covering of Waste of NSW EPA Environmental Guidelines Solid Waste Landfills Second Edition, 2016, as updated from time to time.
- d) The recovered fines must only be applied as ADC on general solid waste (non-putrescible).
- e) The licensee can only receive a maximum of 15,000 tonnes of recovered fines to apply to land as ADC in one year (any 12 month period).
- f) The licensee must retain at the premises each statement of compliance provided by the scheduled waste facility that supplied the recovered fines for ADC, as required by the Recovered Fines Alternative Daily Cover Specifications as gazetted and published by the EPA from time to time, for a period of six years from the date the recovered fines were received at the premises.

O6.5 There must be no incineration or burning of any waste at the premises.

O6.6 All operations and activities occurring at the premises must be carried out in a manner that will prevent and minimise fire at the premises.

O6.7 The licensee must only dispose of leachate by:

- a) evaporation from the leachate pond; and/or
- g) applied to the active tipping face; and/or
- c) injection back into Cell 3 (active or post capping); and/or
- d) off-site disposal at a facility that can lawfully receive the leachate.

O6.8 The licensee must only inject leachate in accordance with the approach detailed in section 7.5 of the report titled "Design of Leachate Collection System Kemps Creek Landfill" prepared for Brandown Pty Ltd by Douglas Partners Pty Ltd - Project 43752 - December 2006 ("the report"). A report which details the findings of the leachate injection trial, proposed in section 7.5 of the report recommending the on-going injection system's design, must be submitted to the Manager Waste Operations, Department of Environment and Conservation, PO Box A290 Sydney South NSW, 6 months after commencing the disposal of waste in Cell 3A.

Definition: Leachate is taken as water which has come into contact with waste (other than daily and intermediate cover).

O6.9 The licensee must ensure that the level of leachate above the upper surface of the leachate drainage layer in Cell 3 does not exceed 300mm above the HDPE liner at its lowest point.

O6.10 If the height of leachate in the riser for Cell 3 exceeds 300mm above the HDPE liner at its lowest point the licensee must:

- a) Within 7 days of the exceedance: notify the EPA;
- b) Within 21 days of the exceedance: inform the EPA, in writing, what action the licensee has taken and/or will take to ensure that the height of leachate is at or below 300mm.

O6.11 The licensee must monitor and record:

- a) Weekly: the volume of the leachate held in the leachate pond; and
- b) Whenever leachate is pumped into the pond: the volume of leachate added from each cell; and
- c) Whenever leachate is pumped put of the pond: the volume removed from the leachate pond.

O6.12 The licensee must monitor and record:

- a) daily: the height of the leachate relative to the Australian Height Datum in the leachate riser in Cell 3; and



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b) weekly: the height of the leachate relative to the Australian Height Datum in all other leachate risers on the premises.

O6.13 All stormwater pumped out of Landfill Cell 4 must be monitored and managed as leachate if it has a total ammonia concentration level greater than 12mg/L.

O6.14 The licensee must ensure that a freeboard of 200mm is maintained in the leachate pond. The licensee must install a marker in the leachate pond to allow the 200mm freeboard to be checked visually.

O6.15 If the freeboard in the leachate pond falls below 200mm at any time, the licensee must within 24 hours inform the EPA by contacting the Environment Line on 131 555.

O6.16 Surface drainage must be diverted away from any area where waste is being or has been landfilled.

O6.17 The perimeter of the areas where waste has been landfilled must be contoured to prevent stormwater running onto these surface from all storm events less than or equal to a 1 in 10 year recurrence interval of 24 hours duration.

O6.18 The licensee must maintain a filling plan that identifies areas to be used in the future for the disposal of waste. The filling plan must be updated at intervals of no greater than twelve months.

O6.19 The last licensee must prepare and submit to the EPA within twelve months prior to the last load of waste being landfilled a closure plan in accordance with section 76 of the Protection of the Environment Operations Act 1997.

O6.20 Except as otherwise provided by the licence the final capping system for Cell 3:

- a) as referred to in the letter from Douglas Partners Pty Limited of 15 January 2008; and
- b) as depicted as "Cell 3A and 3B" in the drawing "Plan Showing the Cell Layout Over Lot 90 DP 1101411, Bandown Pty Ltd Elizabeth Drive Kemps Creek," Matthew Freeburn, Land Engineering and Mining Surveyors, 24 January 2008; and
- c) as described in Report on Landfill Environmental Management Plan – Bandown Landfill Elizabeth Drive, Kemps Creek prepared by Douglas Partners Pty Ltd dated February 2008.

must comprise the system detailed in, and be installed in accordance with the specifications, procedures and Capping Quality Assurance (CQA) program proposed in Section 4 of the Douglas Partner's letter referred to at (a) above.

O6.21 In addition to the requirements set out in Condition O6.18, the final capping system must include:

- a) a compacted clay bearing sealing/ layer of minimum thickness 500 mm and a permeability of  $10^{-9}$  m/second; and
- b) a compacted shale sealing layer of minimum thickness 500 mm and a permeability of  $6 \times 10^{-9}$  m/second ; and
- c) a revegetation layer of minimum thickness 600 mm.

O6.22 In addition to the requirements set out Conditions O6.18 and O6.19, the CQA program for the final capping system must include:

- a) field surveys of;
  - i) the surface on which the compacted clay layer is installed;
  - ii) the upper surface of every installed layer of the capping system; and

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b) compaction and moisture testing of the proposed clay and shale layers at a minimum frequency of 1 test each per 1000 m<sup>3</sup> of material placed and permeability testing at a minimum frequency of 1 test per 5000 m<sup>2</sup>.

O6.23 Following completion of installation of the compacted clay layer, surface gas monitoring must be undertaken in accordance with Benchmark Technique 17 of the Environmental Guidelines: Solid Waste Landfills, NSW Environment Protection Authority 1996.

O6.24 In the event that the monitoring undertaken in accordance with Condition O6.21 indicates surface methane emissions greater than 500 parts per million (v/v) the licensee must:

- a) inform the EPA; and
- b) install a gas drainage system between the compacted clay and shale layers, which complies with the following:
  - i) it must have a minimum thickness of 300 mm; and
  - ii) the calcium carbonate content of the material used for the layer must not exceed 10% by weight.

O6.25 The licensee shall:

- a) notify the EPA at least 3 months prior to the commencement of the installation of the capping system in Cell 3;
- b) within 12 months from the notification referred to in (a) complete the installation of the of the clay, shale and if necessary the gas drainage layers, of the capping system (as detailed in Condition O6.19 and O6.20);
- c) within 3 months of completion of the installations referred to in (b) provide the EPA with a Capping Quality Assurance (CQA) report which provides details of the implementation of the CQA program (as detailed in Condition O6.18) and the results of the field surveys and compaction, moisture content and permeability testing required by Condition O6.20.

O6.26 The final contours of the completed capping system for Cell 3 must be in accordance with Drawing 11 – Final Landform in Appendix A to Report on Landfill Environmental Management Plan – Brandown Landfill Elizabeth Drive, Kemps Creek prepared by Douglas Partners Pty Ltd dated February 2008.

O6.27 The height of waste, capping and any other materials above the base of Cell 3 and Cell 4 must not exceed 50 metres AHD.

## O7 Other operating conditions

O7.1 The height of groundwater measured in groundwater de-watering pipe in Cell 3 must be maintained below 20m AHD until:

- a) 200,000 cubic metres of waste has been placed in Cell 3; and
- b) The EPA has provided written approval to the licensee to exceed this limit.

O7.2 Groundwater extracted from the groundwater dewatering pipe in Cell 3 must be sampled and analysed for total ammonia at a frequency of one grab sample per week and a record of the analysis results must be maintained on the premises.

O7.3 The licensee must notify in writing the Senior Manager Waste Compliance, EPA, PO Box A290 Sydney South NSW 1232 within 24 hours of becoming aware of groundwater extracted from the groundwater dewatering pipe of sampled groundwater has a total ammonia concentration above 12mg/L.

O7.4 Groundwater extracted from groundwater dewatering pipe in Cell 3 which has a total ammonia concentration above 12mg/L must be treated as leachate and in accordance with Condition O5.1 of the licence must be:



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- a) transferred for storage to leachate pond (only if the pond’s actual freeboard is greater than 0.2 metres); and/or
- b) injected back into Cell 3; and/or
- c) applied to the active tipping face; and/or
- d) disposed of off-site at a facility which can lawfully receive the groundwater.

## 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, specified opposite in the other columns:
- M2.2 Air Monitoring Requirements

POINT 1,2,3

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Monthly	Australian Standard 3580.10.1-1991

M2.3 Water and/ or Land Monitoring Requirements

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## POINT 7,8,9,10,11,13,14,21

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as calcium carbonate)	milligrams per litre	Quarterly	Grab sample
Aluminium	milligrams per litre	Yearly	Grab sample
Arsenic	milligrams per litre	Yearly	Grab sample
Barium	milligrams per litre	Yearly	Grab sample
Benzene	milligrams per litre	Yearly	Grab sample
Cadmium	milligrams per litre	Yearly	Grab sample
Calcium	milligrams per litre	Quarterly	Grab sample
Chloride	milligrams per litre	Quarterly	Grab sample
Chromium (hexavalent)	milligrams per litre	Yearly	Grab sample
Chromium (total)	milligrams per litre	Yearly	Grab sample
Cobalt	milligrams per litre	Yearly	Grab sample
Copper	milligrams per litre	Yearly	Grab sample
Ethyl benzene	milligrams per litre	Yearly	Grab sample
Fluoride	milligrams per litre	Yearly	Grab sample
Lead	milligrams per litre	Yearly	Grab sample
Magnesium	milligrams per litre	Quarterly	Grab sample
Manganese	milligrams per litre	Yearly	Grab sample
Mercury	milligrams per litre	Yearly	Grab sample
Nitrate	milligrams per litre	Yearly	Grab sample
Nitrite	milligrams per litre	Yearly	Grab sample
Nitrogen (ammonia)	milligrams per litre	Quarterly	Grab sample
Organochlorine pesticides	milligrams per litre	Yearly	Grab sample
Organophosphate pesticides	milligrams per litre	Yearly	Grab sample
pH	pH	Quarterly	Probe
Polycyclic aromatic hydrocarbons	milligrams per litre	Yearly	Grab sample
Potassium	milligrams per litre	Quarterly	Grab sample
Sodium	milligrams per litre	Quarterly	Grab sample
Standing Water Level	metres	Quarterly	Grab sample
Sulfate	milligrams per litre	Quarterly	Grab sample
Toluene	milligrams per litre	Yearly	Grab sample
Total dissolved solids	milligrams per litre	Quarterly	Grab sample
Total organic carbon	milligrams per litre	Quarterly	Grab sample
Total petroleum hydrocarbons	milligrams per litre	Yearly	Grab sample
Total Phenolics	milligrams per litre	Yearly	Grab sample
Xylene	milligrams per litre	Yearly	Grab sample
Zinc	milligrams per litre	Yearly	Grab sample

## POINT 15



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Pollutant	Units of measure	Frequency	Sampling Method
BOD	milligrams per litre	Special Frequency 1	Grab sample
Chemical oxygen demand	milligrams per litre	Special Frequency 1	Grab sample
Conductivity	microsiemens per centimetre	Special Frequency 1	Grab sample
Nitrogen (ammonia)	milligrams per litre	Special Frequency 1	Grab sample
pH	pH	Special Frequency 1	Grab sample
Total organic carbon	milligrams per litre	Special Frequency 1	Grab sample
Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample

POINT 16,17,18,19,20

Pollutant	Units of measure	Frequency	Sampling Method
BOD	milligrams per litre	Quarterly	Grab sample
Chemical oxygen demand	milligrams per litre	Quarterly	Grab sample
Conductivity	microsiemens per centimetre	Quarterly	Grab sample
Nitrogen (ammonia)	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Total organic carbon	milligrams per litre	Quarterly	Grab sample
Total suspended solids	milligrams per litre	Quarterly	Grab sample

POINT 22,23,24,25,26,27,28,29,30,31,32

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as calcium carbonate)	milligrams per litre	Quarterly	Grab sample
Aluminium	milligrams per litre	Yearly	Grab sample
Arsenic	milligrams per litre	Yearly	Grab sample
Barium	milligrams per litre	Yearly	Grab sample
Benzene	milligrams per litre	Yearly	Grab sample
Cadmium	milligrams per litre	Yearly	Grab sample
Calcium	milligrams per litre	Quarterly	Grab sample
Chloride	milligrams per litre	Quarterly	Grab sample
Chromium (hexavalent)	milligrams per litre	Yearly	Grab sample
Chromium (total)	milligrams per litre	Yearly	Grab sample
Cobalt	milligrams per litre	Yearly	Grab sample
Copper	milligrams per litre	Yearly	Grab sample
Ethyl benzene	milligrams per litre	Yearly	Grab sample
Fluoride	milligrams per litre	Yearly	Grab sample
Lead	milligrams per litre	Yearly	Grab sample
Magnesium	milligrams per litre	Quarterly	Grab sample
Manganese	milligrams per litre	Yearly	Grab sample
Mercury	milligrams per litre	Yearly	Grab sample

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Nitrate	milligrams per litre	Yearly	Grab sample
Nitrite	milligrams per litre	Yearly	Grab sample
Nitrogen (ammonia)	milligrams per litre	Quarterly	Grab sample
Organochlorine pesticides	milligrams per litre	Yearly	Grab sample
Organophosphate pesticides	milligrams per litre	Yearly	Grab sample
pH	pH	Quarterly	Grab sample
Polycyclic aromatic hydrocarbons	milligrams per litre	Yearly	Grab sample
Potassium	milligrams per litre	Quarterly	Grab sample
Sodium	milligrams per litre	Quarterly	Grab sample
Standing Water Level	metres	Quarterly	In situ
Sulfate	milligrams per litre	Quarterly	Grab sample
Toluene	milligrams per litre	Yearly	Grab sample
Total dissolved solids	milligrams per litre	Quarterly	Grab sample
Total organic carbon	milligrams per litre	Quarterly	Grab sample
Total petroleum hydrocarbons	milligrams per litre	Yearly	Grab sample
Total Phenolics	milligrams per litre	Yearly	Grab sample
Xylene	milligrams per litre	Yearly	Grab sample
Zinc	milligrams per litre	Yearly	Grab sample

## POINT 33,34,35,36

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as calcium carbonate)	milligrams per litre	Quarterly	Grab sample
Aluminium	milligrams per litre	Yearly	Grab sample
Arsenic	milligrams per litre	Yearly	Grab sample
Barium	milligrams per litre	Yearly	Grab sample
Benzene	milligrams per litre	Yearly	Grab sample
Cadmium	milligrams per litre	Yearly	Grab sample
Calcium	milligrams per litre	Quarterly	Grab sample
Chloride	milligrams per litre	Quarterly	Grab sample
Chromium (hexavalent)	milligrams per litre	Yearly	Grab sample
Chromium (total)	milligrams per litre	Yearly	Grab sample
Cobalt	milligrams per litre	Yearly	Grab sample
Conductivity	microsiemens per centimetre	Quarterly	Grab sample
Copper	milligrams per litre	Yearly	Grab sample
Ethyl benzene	milligrams per litre	Yearly	Grab sample
Fluoride	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Yearly	Grab sample
Magnesium	milligrams per litre	Quarterly	Grab sample
Manganese	milligrams per litre	Quarterly	Grab sample
Mercury	milligrams per litre	Yearly	Grab sample

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Nitrate	milligrams per litre	Quarterly	Grab sample
Nitrite	milligrams per litre	Quarterly	Grab sample
Nitrogen (ammonia)	milligrams per litre	Quarterly	Grab sample
Organochlorine pesticides	milligrams per litre	Yearly	Grab sample
Organophosphate pesticides	milligrams per litre	Yearly	Grab sample
pH	pH	Quarterly	Grab sample
Phosphorus (total)	milligrams per litre	Quarterly	Grab sample
Polycyclic aromatic hydrocarbons	milligrams per litre	Yearly	Grab sample
Potassium	milligrams per litre	Quarterly	Grab sample
Sodium	milligrams per litre	Quarterly	Grab sample
Standing Water Level	metres	Quarterly	In situ
Sulfate	milligrams per litre	Quarterly	Grab sample
Toluene	milligrams per litre	Yearly	Grab sample
Total dissolved solids	milligrams per litre	Quarterly	Grab sample
Total petroleum hydrocarbons	milligrams per litre	Yearly	Grab sample
Total Phenolics	milligrams per litre	Yearly	Grab sample
Total suspended solids	milligrams per litre	Quarterly	Grab sample
Xylene	milligrams per litre	Yearly	Grab sample
Zinc	milligrams per litre	Yearly	Grab sample

M2.4 For the purposes of the table above Special Frequency 1 means the collection of samples:

- on the first day of the authorised discharge that is compliant with condition L2.1 and weekly thereafter if the discharge continues; and
- within three days of the first of discharge that is occurring as a result of a rainfall event at the premises.

## M3 Testing methods - concentration limits

M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:

- any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
- if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
- if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

M3.2 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



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Publication unless another method has been approved by the EPA in writing before any tests are conducted.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2022* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

## **M4 Environmental monitoring**

- M4.1 The Licensee must record the following data for every fire at the premises:
- a) time and date that the fire started;
  - b) time and date that the fire was either burnt out or extinguished;
  - c) location of the fire (eg. clean timber stockpile, putrescible garbage cell etc);
  - d) prevailing weather conditions; and
  - e) observations made in regard to smoke direction and dispersion.

## **M5 Weather monitoring**

- M5.1 The licensee must monitor and record daily rainfall at the premises.

## **M6 Recording of pollution complaints**

- M6.1 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.
- M6.2 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.
- M6.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M6.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## **M7 Telephone complaints line**

- M7.1 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.





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M7.2 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.

M7.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

## M8 Requirement to monitor volume or mass

M8.1 For each discharge point or utilisation area specified below, the licensee must monitor:

- a) the volume of liquids discharged to water or applied to the area;
- b) the mass of solids applied to the area;
- c) the mass of pollutants emitted to the air;

at the frequency and using the method and units of measure, specified below.

### POINT 15

Frequency	Unit of Measure	Sampling Method
Daily	kilolitres per day	No method specified

## M9 Other monitoring and recording conditions

M9.1 For each blast at the premises, the licensee must monitor and record:

- a) over-pressure noise level (linear peak); and
- b) ground vibration, peak particle velocity;

at the most affected residential property boundary, or if this is more than 30 metres from the residence, at the most affected point 30 metres from the residence or other noise sensitive areas.

M9.2 The licensee must monitor and record noise at the premises, expressed as  $L_{A10}$  (15 minute), at the three nearest affected residents continually over one full working day at least once every 12 months.

## 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.

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

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

R1.3 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.

R1.4 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.

R1.5 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 later than 60 days after the date the transfer was granted (the 'due date').

R1.6 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.

R1.7 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.

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.

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

## R2 Notification of environmental harm

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

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.

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.

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## **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
  - 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 notify the occurrence of fires on the premises in accordance with condition R2.1 and R3.1 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.

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## 8 Pollution Studies and Reduction Programs

### U1 Operational Water Balance

- U1.1 The licensee must monitor and prepare a report (the "report") on an operational water balance for the premises which includes at least the following information:
1. monitoring data on rainfall, evaporation rate and the actual levels of leachate in the landfill and the leachate pond in which the water balance is recalculated using actual measured parameters (with daily time steps for 12 consecutive months);
  2. comparison of the actual volume of leachate generated with the volumes predicted in *Report on Water Balance Study* (Project No. 45531) prepared for Brandown Pty Ltd by Douglas Partners Pty Ltd dated August 2008;
  3. weather monitoring data for the premises (rainfall and evaporation);
  4. the quantities of leachate transferred to the leachate pond, injected and disposed of off-site and other relevant monitoring data;
  5. a determination of whether it is possible for the leachate pond to contain (without overflowing) the leachate generated from the design yearly rainfall of 1252mm for operating cell 4 until it is capped; and
  6. advice with supporting data on the percentage per month of rainfall and groundwater which becomes leachate in Cell 4 per month.

- U1.2 The report is to be submitted to Senior Manager Waste Compliance, EPA, PO Box A290, Sydney South 1232, by no later than *(date to be added when notice issued - due date 13 months after notice issued)*

### U2 Detailed Groundwater Assessment

- U2.1 The licensee must complete a detailed groundwater assessment of all groundwater and leachate wells on the premises and include up-gradient groundwater wells labelled MWA and MWB shown in "*Douglas Partners Report on Leachate Pumping Test*" dated November 2015. The groundwater assessment must test for all analytes listed in the table under licence condition M2.3. MWA and MWB must be sampled for the same analytes listed for groundwater wells under condition M2.3.
- U2.2 The licensee must engage a suitably qualified environmental consultant that is approved by the EPA and provide a groundwater sampling methodology.
- U2.3 The Licensee is to provide a detailed groundwater assessment report by 5pm Friday 29 June 2018.

The report must include;

- A detailed inspection of all current groundwater wells at the Premises that include current well condition, total depth of well and descriptions of any sediment build-up or blockage;
- The time, date and locations of samples collected;
- Field sampling sheets with details of monitoring parameters including pH, electrical conductivity, temperature, dissolved oxygen and redox potential;
- Field observations of water quality including colour, odour, and standing water level intervals;
- The use of a low-flow sampling technique capable of controlling flow rates to minimise drawdown of the aquifer head; and

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- Provide a figure with groundwater contours, elevations and flow direction.

## 9 Special Conditions

### E1 Financial assurance

- E1.1 The financial assurance, in favour of the EPA, in the amount of one million dollars (\$1,000,000) must be maintained while activities are carried out under environment protection licence 5186 (EPL 5186) and environment protection licence 12618 (EPL 12618) and thereafter until such time as the EPA is satisfied the premises outlined in EPL 5186 and EPL 12618 are environmentally secure.
- E1.2 The financial assurance must be replenished by the full amount claimed or realised if the EPA has claimed on or realised the financial assurance or any part of it to undertake a work or program required to be carried out by EPL 5186 and/or EPL 12618 which has not been undertaken by the licence holder.
- E1.3 The EPA may increase the amount of the financial assurance at any time as a result of reassessment of the total likely costs and expenses of rehabilitation of the premises noted in EPL 5186 and/or EPL 12618.
- E1.4 The licensee must provide to the EPA the original counterpart guarantee within five working days of the issue of:
- a) the adjusted financial assurance as required by condition E1.3
- E1.5 The EPA may claim on the financial assurance under s303 of the POEO Act if a licensee fails to carry out any work or program required to comply with the conditions of EPL 5186 and/or EPL 12618, or a clean-up notice issued under section 91 of the *Protection of the Environment Operations Act 1997* in relation to the premises noted on EPL 5186 and/or EPL 12618.

### E2 Exhumation of waste for the creation of Cell 6

- E2.1 Historical waste is located within the area proposed for the creation of landfill Cell 6 (part of Lot 1 DP 621472) identified in Orange on map prepared by Brandown Pty Ltd; Ref No. 18943: Dated 30 October 2023 (DOC23/544109-10). Exhumed waste for the creation of landfill Cell 6, may be temporarily stockpiled subject to the following conditions:
- a. Exhumed waste for the creation of landfill Cell 6 may be temporarily stockpiled on the land identified in Green on map prepared by Brandown Pty Ltd; Ref No. 18943: Dated 30 October 2023(DOC23/544109-10).
  - b. Waste exhumed for the creation of Cell 6, that is not placed directly into Cell 5, is to be stockpiled in accordance with the document 'Application to Exhume Waste' Dated 28 July 2023, (DOC23/544109-9).
  - c. Any waste exhumed must be disposed of by application to land into landfill Cell 5 and Cell 6 as soon as practicable after exhumation or within 2 months of the completion of Cell 6.
  - d. The licensee must maintain the integrity of the capping layer of Cell 1 and it should not be disturbed damaged and/or reduced by the addition and/or removal of any material to this area.



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E2.2 The exhumation of waste must not begin until the EPA has received and approved a new volumetric survey of the entire premises under EPL 5186 and EPL 12618.



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## 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

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<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> .





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

Ms Nadia Kanhoush

Environment Protection Authority

(By Delegation)

Date of this edition: 21-December-2000

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## End Notes

- 1 Licence varied by notice 1024201, issued on 09-Oct-2003, which came into effect on 03-Nov-2003.
- 2 Licence varied by notice 1032508, issued on 18-Nov-2003, which came into effect on 13-Dec-2003.
- 3 Licence varied by notice 1043715, issued on 02-Jun-2005, which came into effect on 27-Jun-2005.
- 4 Licence varied by notice 1049104, issued on 12-Jul-2005, which came into effect on 06-Aug-2005.
- 5 Licence varied by notice 1050663, issued on 12-Aug-2005, which came into effect on 01-Sep-2005.
- 6 Licence varied by notice 1051516, issued on 02-Sep-2005, which came into effect on 27-Sep-2005.
- 7 Licence varied by notice 1053429, issued on 01-Dec-2005, which came into effect on 26-Dec-2005.
- 8 Licence varied by notice 1063385, issued on 28-Feb-2007, which came into effect on 28-Feb-2007.
- 9 Licence varied by notice 1071515, issued on 12-Sep-2007, which came into effect on 12-Sep-2007.
- 10 Licence varied by notice 1080254, issued on 16-Nov-2007, which came into effect on 16-Nov-2007.
- 11 Licence varied by notice 1080704, issued on 12-Sep-2008, which came into effect on 12-Sep-2008.
- 12 Licence varied by notice 1093240, issued on 31-Oct-2008, which came into effect on 31-Oct-2008.
- 13 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 14 Licence varied by notice 1115874, issued on 28-Jun-2010, which came into effect on 28-Jun-2010.
- 15 Licence varied by correction to DECCW Region data record, issued on 07-Jul-2010, which came into effect on 07-Jul-2010.
- 16 Licence varied by notice 1118444, issued on 03-Dec-2010, which came into effect on 03-Dec-2010.
- 17 Licence varied by notice 1518646 issued on 16-Apr-2014
- 18 Licence varied by notice 1548534 issued on 05-Feb-2018
- 19 Licence varied by notice 1563440 issued on 09-Apr-2018



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20	Licence varied by notice	1564013 issued on 06-Jul-2018
21	Licence varied by notice	1573711 issued on 06-Feb-2019
22	Licence varied by notice	1583033 issued on 13-Aug-2019
23	Licence varied by notice	1591495 issued on 04-Mar-2020
24	Licence varied by notice	1634609 issued on 01-Dec-2023