

# Licence Variation

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Licence - 5862

WOLLONGONG CITY COUNCIL  
ABN 63 139 525 939  
LOCKED BAG 8821  
WOLLONGONG DC NSW 2500

Attention: Mr David Low

Notice Number 1653715  
File Number EF13/4863  
Date 05-Nov-2025

## NOTICE OF VARIATION OF LICENCE NO. 5862

### BACKGROUND

- A. WOLLONGONG CITY COUNCIL ("the licensee") is the holder of Environment Protection Licence No. 5862 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of activities at REDDALLS ROAD, KEMBLA GRANGE, NSW, 2526 ("the premises").
- B. The Environment Protection Authority (EPA) has previously implemented a Pollution Reduction Program (PRP) on the licence requiring the licensee to implement works to improve stormwater and leachate management at the premises.
- C. The licensee has subsequently identified that stormwater infiltration into the leachate system may be occurring at parts of the landfill, and is intending to undertake further investigations to address this issue.
- D. The EPA has determined that the existing PRP should be updated to include a requirement to undertake a Stormwater Infiltration Management Plan that will investigate infiltration locations and assess options to minimise stormwater infiltration into the leachate system.
- E. The licensee has also advised that the current requirement to undertake laboratory testing of stormwater ponds before discharge is resulting in delays to pond wet weather preparedness. To facilitate a faster monitoring process, the EPA has allowed the licensee to develop a Stormwater Dam Wet Weather Preparedness Discharge Protocol (Protocol) to allow compliant Point 1 discharges in preparation of storm events.
- F. The EPA has considered section 45 of the Act in issuing this variation.

### VARIATION OF LICENCE NO. 5862

# Licence Variation

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1. By this notice the EPA varies licence No. 5862. 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:
  - Addition of condition U1.7 requiring the licensee to complete a Stormwater Infiltration Management Plan.
  - Addition of condition E2.1 in relation to the development of a Stormwater Dam Wet Weather Discharge Protocol.

A handwritten signature in black ink, appearing to read 'Daniel Burchmore', is positioned above a dotted line.

.....  
**Daniel Burchmore**  
**Acting Unit Head**  
**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).

This Summary serves merely to highlight changes made to areas of this licence. Changes made to tables within the licence are indicated using underline (for additions) and Strikethrough (for deletions). While changes to conditions are indicated under subheadings such as 'New condition', 'Old condition', 'Replaced by', and 'Removed condition'.

The attached licence document contains all the changes made to this licence by the attached variation notice.

## 8 Pollution Studies and Reduction Programs

### Stormwater and Leachate Management Improvement Works

#### ***New condition:***

#### **Stormwater infiltration management plan**

##### **Background**

Stormwater infiltration into waste cells increases the volume of leachate at the premises, which must then be managed appropriately. The licensee suspects there are locations at the premises (such as the lower Eastern Gully) where significant stormwater infiltration into the leachate system may be occurring.

##### **Aim**

The purpose of this condition is to require the licensee to identify and then address areas of the premises where significant stormwater infiltration into leachate is occurring.

##### **Requirements**

The licensee must submit to the EPA a stormwater infiltration management plan (the Plan). The Plan must include the following:

- a. Details of investigative measures undertaken by the licensee to identify and assess locations at the premises where significant stormwater infiltration into the leachate system is suspected.
- b. An options assessment of feasible measures to minimise stormwater infiltration at these areas as much as practicable.
- c. A recommendation for the preferred stormwater infiltration minimisation option(s) to be implemented at the premises, along with a proposed timeframe for completion and anticipated costs.

Due Date: 30 April 2026

#### ***New condition:***

Following the completion of this Plan, the EPA intends to add a licence condition requiring the implementation of stormwater infiltration minimisation options.

The EPA anticipates this may be a rolling program with ongoing investigations and rectification works as required.

## 9 Special Conditions

### Stormwater Dam Wet Weather Preparedness Discharge Protocol

#### ***New condition:***

##### **Background**

Stormwater dams at the premises may overflow (through Point 1) in an uncontrolled manner during storm events when dams exceed capacity. Ideally, dam capacity should be maximised in advance of significant storm events to retain as much stormwater as possible at the premises. The licensee currently experiences delays in stormwater dam wet weather preparedness while undertaking testing and awaiting results against Point 1 limits for pH and Total Suspended Solids. To facilitate a faster monitoring process, the EPA is willing to consider a proposed Stormwater Dam Wet Weather Preparedness Discharge Protocol (Protocol) to allow compliant Point 1 discharges in preparation of storm events.

## **Aim**

To reduce uncontrolled stormwater discharge volumes through an established Protocol which is activated in advance of predicted storm events.

## **Requirements**

The licensee may submit a proposed Protocol to the EPA for review and approval which:

- a) Incorporates field measurements (probe, realtime, or equivalent) for pH and TSS (see note);
- b) Involves monitoring in advance of any discharge to confirm condition L2.4 compliance and then daily monitoring during any discharge;
- c) Details procedure to stop discharges should monitoring results approach, or exceed L2.4 limits; and
- d) Explains record-keeping procedures.

Note: If the licensee wishes to use turbidity (e.g. NTU) in place of TSS to determine compliance with Condition L2.4, the licensee must:

- a) develop a robust site-specific statistical correlation assessment methodology that identifies the relationship between turbidity and TSS for water quality from the discharge point(s);
- b) develop a method to enable the ongoing verification of the relationship between turbidity and TSS;
- c) provide the EPA with a copy of the methodologies detailed in a) and b), including relevant results, before using turbidity in place of TSS; and
- d) provide the EPA with any amendments the licensee makes to the statistical correlation as a result of the ongoing verification required by this condition before using the revised statistical correlation.

Due Date: NA



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## Licence Details

|                   |        |
|-------------------|--------|
| Number:           | 5862   |
| Anniversary Date: | 29-May |

## Licensee

WOLLONGONG CITY COUNCIL

LOCKED BAG 8821

WOLLONGONG DC NSW 2500

## Premises

WHYTES GULLY WASTE DISPOSAL FACILITY

REDDALLS ROAD

KEMBLA GRANGE NSW 2526

## Scheduled Activity

Waste disposal (application to land)

## Fee Based Activity

Waste disposal by application to land

## Scale

Any capacity

## Contact Us

NSW EPA

6 Parramatta Square

10 Darcy Street

PARRAMATTA NSW 2150

Phone: 131 555

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

Locked Bag 5022

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# Environment Protection Licence

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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:

|                                |
|--------------------------------|
| <b>WOLLONGONG CITY COUNCIL</b> |
| <b>LOCKED BAG 8821</b>         |
| <b>WOLLONGONG DC NSW 2500</b>  |

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        |
|--------------------------------------|---------------------------------------|--------------|
| 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  |
|---|
| WHYTES GULLY WASTE DISPOSAL FACILITY  |
| REDDALLS ROAD   |
| KEMBLA GRANGE   |
| NSW 2526  |
| LOT 2 DP 240557, PART LOT 52 DP 1022266, PART LOT 53 DP 1022266, PART LOT 501 DP 1079122, PART LOT 502 DP 1079122   |
| THE PREMISES BOUNDARY IS DEPICTED BY THE AREA BOUNDED IN GREEN ON THE DRAWING LABELLED "WHYTES GULLY WASTE DISPOSAL FACILITY SITE BOUNDARY PLAN - 2 JULY 2014" (EPA REF DOC14/116147) |

### 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:

- 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.

A3.2 The Whytes Gully Landfill Environmental Management Plan (LEMP), dated March 2012 is not to be taken as part of the documentation in A3.1, other than those parts specifically referenced in this licence.

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## 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.

| <i>Air</i>             |                             |                         |   |
|------------------------|-----------------------------|-------------------------|---|
| EPA identification no. | Type of Monitoring Point    | Type of Discharge Point | Location Description  |
| 3                      | Surface gas monitoring      |                         | Areas where intermediate or final cover has been placed.  |
| 4                      | Gas accumulation monitoring |                         | Inside all buildings within 250 metres of deposited waste.  |
| 21                     | Subsurface gas monitoring   |                         | Monitoring point labelled LFG MW1 on Figure 14 titled "Proposed Landfill Gas Monitoring Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E298084 N6184278 |
| 22                     | Subsurface gas monitoring   |                         | Monitoring point labelled LFG MW2 on Figure 14 titled "Proposed Landfill Gas Monitoring Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E298202 N6184228 |
| 23                     | Subsurface gas monitoring   |                         | Monitoring point labelled LFG MW3 on Figure 14 titled "Proposed Landfill Gas Monitoring Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E298297 N6184244 |
| 24                     | Subsurface gas monitoring   |                         | Monitoring point labelled LFG MW4 on Figure 14 titled "Proposed Landfill Gas Monitoring Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E298376 N6184303 |
| 25                     | Subsurface gas monitoring   |                         | Monitoring point labelled LFG MW5 on Figure 14 titled "Proposed Landfill Gas Monitoring Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E298438 N6184381 |
| 26                     | Subsurface gas monitoring   |                         | Monitoring point labelled LFG MW6 on Figure 14 titled "Proposed Landfill Gas Monitoring Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E298376 N6184303 |
| 27                     | Subsurface gas monitoring   |                         | Monitoring point labelled LFG MW7 on Figure 14 titled "Proposed Landfill Gas Monitoring Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E298470 N6184553 |
| 28                     | Subsurface gas monitoring   |                         | Monitoring point labelled LFG MW8 on Figure 14 titled "Proposed Landfill Gas Monitoring Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E298376 N6184303 |

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|    |                           |  |
|----|---------------------------|--|
| 29 | Subsurface gas monitoring | Monitoring point labelled LFG MW9 on Figure 14 titled "Proposed Landfill Gas Monitoring Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E298465 N6184645  |
| 30 | Subsurface gas monitoring | Monitoring point labelled LFG MW10 on Figure 14 titled "Proposed Landfill Gas Monitoring Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E298448 N6184684 |
| 31 | Subsurface gas monitoring | Monitoring point labelled LFG MW11 on Figure 14 titled "Proposed Landfill Gas Monitoring Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E298400 N6184695 |
| 32 | Subsurface gas monitoring | Monitoring point labelled LFG MW12 on Figure 14 titled "Proposed Landfill Gas Monitoring Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E298351 N6184701 |

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   |
|------------------------|---|---|--|
| 1                      | Stormwater monitoring and discharge point | Stormwater monitoring and discharge point | Outlet at Reddalls Road - Monitoring point identified at E297772 N6184025.   |
| 5                      | Groundwater quality monitoring            |   | Monitoring point labelled GABH02 on Figure 15 titled "Current Site Investigation Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E297754.9 N6184377 |
| 9                      | Groundwater quality monitoring            |   | Monitoring point labelled GMW102 on Figure 15 titled "Current Site Investigation Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E297952.6 N6184807 |
| 10                     | Groundwater quality monitoring            |   | Monitoring point labelled GMW103 on Figure 15 titled "Current Site Investigation Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E298470.2 N6184603 |

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| 11 | Groundwater quality monitoring | Monitoring point labelled GMW104 on Figure 15 titled "Current Site Investigation Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV).<br>E297597.9 N6184508  |
| 12 | Groundwater quality monitoring | Monitoring point labelled GMW105 on Figure 15 titled "Current Site Investigation Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV).<br>E298433.3 N6184397  |
| 13 | Groundwater quality monitoring | Monitoring point labelled GMW106 on Figure 15 titled "Current Site Investigation Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV).<br>E298356.8 N6184294  |
| 14 | Groundwater quality monitoring | Monitoring point labelled GMW108S on Figure 15 titled "Current Site Investigation Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV).<br>E297870.2 N6184262 |
| 15 | Groundwater quality monitoring | Monitoring point labelled GMW108D on Figure 15 titled "Current Site Investigation Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV).<br>E297871.4 N6184262 |
| 16 | Groundwater quality monitoring | Monitoring point labelled GMW109S on Figure 15 titled "Current Site Investigation Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV).<br>E297605.7 N6184068 |
| 17 | Groundwater quality monitoring | Monitoring point labelled GMW110 on Figure 15 titled "Current Site Investigation Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV).<br>E297572.6 N6184266  |
| 18 | Groundwater quality monitoring | Monitoring point labelled GMW111 on Figure 15 titled "Current Site Investigation Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV).<br>E297588.6 N6184385  |
| 19 | Groundwater quality monitoring | Monitoring point labelled GMW109D on Figure 15 titled "Current Site Investigation Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV).<br>E297604.9 N6184068 |

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| 20 | Groundwater quality monitoring | Monitoring point labelled BH6 on Figure 15 titled "Current Site Investigation Locations" dated 6 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E297807.4 N6184052                |
| 33 | Stormwater monitoring point    | Downstream monitoring point labelled 4 on Figure 13 titled "Proposed Surface Water Monitoring Locations" dated 26 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E297767 N6183396 |
| 34 | Stormwater monitoring point    | Upstream monitoring point labelled 6 on Figure 13 titled "Proposed Surface Water Monitoring Locations" dated 26 March 2012 (Whytes Gully New Landfill Cell EA - Volume IV). E297495 N6184504   |

## 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.
- L1.2 There must be no discharge of contaminated stormwater to waters in rainfall events that are less than a 90th percentile 5-day rainfall event, as established in Managing Urban Stormwater: Soils and construction - Volume 1 (Landcom, 2004).

Discharges of contaminated stormwater from the stormwater ponds in rainfall events greater than the 90th percentile 5-day rainfall event do not constitute a breach of this licence.

- L1.3 There must be no discharge of leachate to waters under dry weather conditions (less than 10 mm of rainfall with a 24 hour period) or storm event(s) of less than 1:25 year, 24 hour recurrence interval (less than 275 mm of rainfall within a 24 hour time period).

Discharges of leachate from the leachate pond caused by a 1:25 year, 24 hour recurrence interval storm event or greater do not constitute a breach of this licence.

### 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.

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- 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\.
- L2.4 Water and/or Land Concentration Limits

## POINT 1

| Pollutant | Units of Measure     | 50 percentile concentration limit | 90 percentile concentration limit | 3DGM concentration limit | 100 percentile concentration limit |
|-----------|----------------------|-----------------------------------|-----------------------------------|--------------------------|------------------------------------|
| pH        | pH                   |                                   |                                   |                          | 6.5 - 8.5                          |
| TSS       | milligrams per litre |                                   |                                   |                          | 50                                 |

## 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 |
|------|---------------------------------------|---|---|--------------|
| T140 | Tyres                                 | As defined in Schedule 1 of the POEO Act, in force from time to time    | Waste storage<br>Waste disposal (application to land) | NA           |
| NA   | General solid waste (non-putrescible) | As defined in Schedule 1 of the POEO Act, as in force from time to time | Waste disposal (application to land)                  | NA           |
| NA   | General solid waste (putrescible)     | 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           |

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- L3.2 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.

Note:

This condition does not apply where:

- The tyres received comply with the EPA Tyre Disposal Specifications; or
- The premises have the capacity, at the time of unloading the tyres, to comply with the EPA Tyre Disposal Specifications; or
- The premises have the capacity, at the time of unloading the tyres, to recycle or reprocess the tyres into a saleable product, including retreading the tyres.

- L3.3 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.

## L4 Potentially offensive odour

- L4.1 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

## 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:

- the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- 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:

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

### O3 Dust

- O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the

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premises.

- O3.2 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 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 ensure that all gates are locked whenever the premises is unattended.

## 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 The licensee must ensure that the local amenity is not degraded by litter from the premises.
- O6.3 The licensee must only dispose of waste in the Upper Eastern Gully Tipping Face, Cell 1B, Package 3 or Package 2.
- O6.4 The surface of filled areas must have a minimum slope of one per cent with suitable design to prevent ponding of water. Any surface depressions that develop must be restored, graded and compacted to prevent further ponding of water.
- O6.5 The licensee must apply cover material to landfilled waste in accordance with this condition. This cover material must be either Virgin Excavated Natural Material (VENM), Excavated Natural Material (ENM - as defined and characterised by the Excavated Natural Material Order, as in force from time to time), Road Asphalt Profilings (RAP), Steel Furnace Slag (SFS), Steel Framed Fabric or Metal Covered Landfill Lids or an alternative cover approved in writing by the EPA.
- Daily cover must be applied to a minimum depth of 150mm over all exposed landfilled waste prior to ceasing operations at the end of each day.
  - Intermediate cover must be applied to a depth of 300mm over surfaces of the landfilled waste at the premises which are to be exposed for more than 90 days.
  - 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 may be maintained adjacent to the tip face.
  - Excavated Natural Material used as cover material must be managed in accordance with the practices detailed in the licensee's letter dated 21 March 2017 (Z17/70390).
- O6.6 The licensee must ensure that landfill cells are capped progressively during operations and specifically at times when the level of waste reaches final heights.

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- O6.7 Vehicles leaving the premises must not track materials to external surfaces.
- O6.8 The licensee must not exhume any landfilled waste unless approved in writing by the EPA.
- O6.9 The licensee must obtain approval from the EPA prior to constructing any landfill cells at the premises.
- O6.10 The licensee must provide a report to the EPA which details the design, construction, operation and rehabilitation of any new landfill cell. This report must be submitted to the EPA at least six months before the licensee intends to construct the cell, and it must include details on a QA/QC program which can demonstrate that the cell was constructed to meet its design specifications.
- O6.11 Any report prepared in accordance with condition O6.10 must consider the recommendations made in the document titled "Wollongong Waste and Resource Recovery Park - Slope Stability Re-Assessment For Package 2 and Package 3" prepared by Golder Associates and dated 27 June 2018.
- O6.12 The licensee must prepare and maintain a detailed filling plan for each active landfill cell at the premises.
- O6.13 The last licensee must prepare and submit to the EPA within six 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.
- O6.14 The licensee is permitted to construct Stage 2B-2 Landfill Cell in accordance with the following documents, drawings and requirements:
1. WWARRP Stage 2B-2 Cell - Final Design Report, GHD, 6 June 2022
  2. Stage 2B-2 - Technical Specification, GHD, September 2022
  3. Response to EPA comments on design documentation of Stage 2B-2 Cell and WWARRP, GHD, 15 September 2022
- Prior to using any Coal Washery Reject in the construction, the licensee must submit evidence to the EPA that the material meets the technical specifications required in the construction. The material must not be used until written approval is provided by the EPA.
- Note: The most recent documents, drawings and requirements supersedes any conflict between older documentation, drawings, requirements.
- O6.15 Prior to disposing of any waste in the Stage 2B-2 Cell, the licensee must submit to the EPA a Construction Quality Assurance (CQA) Report providing works as-executed documentation and the results of the implementation of the CQA Plan detailed in the "Construction Quality Assurance Plan - Stage 2B-2", GHD, 14 April 2022.

## O7 Other operating conditions

- O7.1 Drainage from areas not subject to waste disposal activities must be directed away from the existing leachate collection pond(s).

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- O7.2 The licensee must maintain a leachate management system to collect and direct all leachate to a point for treatment and disposal to sewer.
- O7.3 Disturbed areas must be provided with separate water quality controls for the treatment of runoff containing suspended or turbid pollutants.

## 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:
- in a legible form, or in a form that can readily be reduced to a legible form;
  - kept for at least 4 years after the monitoring or event to which they relate took place; and
  - produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- the date(s) on which the sample was taken;
  - the time(s) at which the sample was collected;
  - the point at which the sample was taken; and
  - the name of the person who collected the sample.

### M2 Requirement to monitor concentration of pollutants discharged

- M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the 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 3

| Pollutant | Units of measure  | Frequency           | Sampling Method  |
|-----------|-------------------|---------------------|------------------|
| Methane   | percent by volume | Special Frequency 2 | Special Method 1 |

#### POINT 4

| Pollutant | Units of measure  | Frequency           | Sampling Method  |
|-----------|-------------------|---------------------|------------------|
| Methane   | percent by volume | Special Frequency 2 | Special Method 2 |

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## POINT 21,22,23,24,25,26,27,28,29,30,31,32

| Pollutant | Units of measure  | Frequency           | Sampling Method  |
|-----------|-------------------|---------------------|------------------|
| Methane   | percent by volume | Special Frequency 2 | Special Method 3 |

## M2.3 Water and/ or Land Monitoring Requirements

### POINT 1,33,34

| Pollutant                         | Units of measure            | Frequency           | Sampling Method |
|-----------------------------------|-----------------------------|---------------------|-----------------|
| Alkalinity (as calcium carbonate) | milligrams per litre        | Special Frequency 1 | Grab sample     |
| Ammonia                           | milligrams per litre        | Special Frequency 1 | Grab sample     |
| Calcium                           | milligrams per litre        | Special Frequency 1 | Grab sample     |
| Chloride                          | milligrams per litre        | Special Frequency 1 | Grab sample     |
| Conductivity                      | microsiemens per centimetre | Special Frequency 1 | Grab sample     |
| Dissolved Oxygen                  | milligrams per litre        | Special Frequency 1 | Grab sample     |
| Filterable iron                   | milligrams per litre        | Special Frequency 1 | Grab sample     |
| Fluoride                          | milligrams per litre        | Special Frequency 1 | Grab sample     |
| Magnesium                         | milligrams per litre        | Special Frequency 1 | Grab sample     |
| Nitrate                           | milligrams per litre        | Special Frequency 1 | Grab sample     |
| pH                                | pH                          | Special Frequency 1 | Grab sample     |
| Potassium                         | milligrams per litre        | Special Frequency 1 | Grab sample     |
| Sodium                            | milligrams per litre        | Special Frequency 1 | Grab sample     |
| Sulfate                           | milligrams per litre        | Special Frequency 1 | Grab sample     |
| Temperature                       | degrees Celsius             | Special Frequency 1 | In situ         |
| Total organic carbon              | milligrams per litre        | Special Frequency 1 | Grab sample     |
| Total Phenolics                   | milligrams per litre        | Special Frequency 1 | Grab sample     |
| Total suspended solids            | milligrams per litre        | Special Frequency 1 | Grab sample     |

### POINT 5,9,10,11,12,13,14,15,16,17,18,19,20

| 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     |

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|                                  |                             |           |             |
|----------------------------------|-----------------------------|-----------|-------------|
| 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                    | micrograms 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                        | micrograms 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 | 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 kilogram     | Yearly    | Grab sample |

Note: Special frequency 1 means annually and whenever overflows occur.

Note: Special frequency 2 means monthly if an initial survey indicates significant gas.

Note: Special method 1 means in accordance with surface gas emission monitoring procedures described in Section 5.2 Landfill Gas Surface Emission Monitoring of the Environmental Guidelines: Solid Waste Landfills (2016).

Note: Special method 2 means in accordance with gas accumulation monitoring procedures described in Section 5.4 Gas Accumulation Monitoring in Enclosed Structures of the Environmental Guidelines: Solid Waste

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Landfills (2016)

Note: Special method 3 means in accordance with subsurface gas monitoring procedures described in Section 5.3 Landfill Gas Sub-Surface Monitoring of the Environmental Guidelines: Solid Waste Landfills (2016).

## 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.

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".

M3.2 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.

## 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:

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

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

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- 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 after: the date of the issue of this licence.

## M6 Other monitoring and recording conditions

- M6.1 The licensee must maintain a record of all events involving the removal of any waste that was brought to the facility and which is not permitted to be disposed of at the facility.
- M6.2 The licensee must make available to the EPA the results of monthly Trade Waste monitoring of leachate and include these results in the Annual Report.

## 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 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.

- R1.3 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.

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

- 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:
- in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
  - 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:
- the licence holder; or
  - by a person approved in writing by the EPA to sign on behalf of the licence holder.
- R1.8 The Annual Return must be accompanied by/or include an Annual Report which must contain an assessment of environmental performance relevant to licence conditions including:
- tabulated results of all monitoring data required to be collected by this licence;
  - a graphical presentation of data from at least the last three years (if available) in order to show variability and/or trends. Any statistically significant variations or anomalies should be highlighted and explained;
  - an analysis and interpretation of all monitoring data;
  - an analysis of and response to any complaints received;
  - identification of any deficiencies in environmental performance identified by the monitoring data, trends or incidents and of remedial action taken or proposed to be taken to address these deficiencies; and
  - recommendations on improving the environmental performance of the facility.

## 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.
- R2.3 The licensee must notify the EPA within 24 hours by telephoning Environment Line on 131 555 if surface gas monitoring required by the licence detects methane of 500 ppm (volume/volume) or greater.
- R2.4 The licensee must notify the EPA within 24 hours by telephoning Environment Line on 131 55 if subsurface gas monitoring required by the licence detects methane of 1% (volume/volume) or greater.

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## R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- where this licence applies to premises, an event has occurred at the premises; or
  - 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:
- the cause, time and duration of the event;
  - the type, volume and concentration of every pollutant discharged as a result of the event;
  - 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;
  - 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;
  - action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
  - details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
  - 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 maintain a daily log and record the following data of fires at the site:
- Time and date when the fire was deliberately started or reported.
  - Whether the fire was authorised by the licensee, and, if not, the circumstances which ignited the fire.
  - The time and date that the fire ceased and whether it burnt out or was extinguished.
  - The location of fire (eg. clean timber stockpile, putrescible garbage cell, etc).
  - Prevailing weather conditions.
  - Observations made in regard to smoke direction and dispersion.
  - The amount of waste that was combusted by the fire.
  - Action taken to extinguish the fire.
- R4.2 The licensee or its employees or agents must notify the EPA in accordance with conditions R2.1 and R2.2 of all fires at the premises immediately after becoming aware of the incident.

## 7 General Conditions

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## 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 Pollution Studies and Reduction Programs

### U1 Stormwater and Leachate Management Improvement Works

#### U1.1 Background

The licensee operates a landfill premises with a stormwater catchment that includes significant watershed from an adjoining property. Stormwater volumes infiltrating emplaced waste at the premises can increase the amount of leachate and odour generated, and reduce the water quality of stormwater discharges. In recent years, the licensee has reported instances of leachate overflows and non-compliant stormwater discharges following significant or natural disaster rainfall events at the premises.

The aim of this PRP is to require the licensee to perform works at the premises to improve management of stormwater and leachate generated, divert stormwater away from landfilled areas, and to improve the quality of water discharges from the premises.

Unless otherwise agreed in writing by the EPA, the licensee must complete the following works by the due date.

#### U1.2 Stage 2B-2 Stormwater Infrastructure

The Stage 2B-2 landfill cell will be designed and constructed to contemporary standards and will incorporate appropriate stormwater and leachate management infrastructure to direct stormwater and leachate to dedicated collection ponds.

By 31 December 2025, the licensee must advise the EPA of the completion of the construction of the Stage 2B-2 landfill cell outlined in condition O6.14, including all related stormwater infrastructure upgrades.

#### U1.3 Eastern Gully Stormwater Diversion

The Eastern Gully Stormwater Diversion will direct stormwater from the northern and eastern areas of the premises through a dedicated channel. These works will minimise stormwater interacting with landfill cells.

By 1 October 2025, the licensee must advise the EPA that a planning application has been lodged with the relevant consent authority for a stormwater diversion channel at the Eastern Gully of the premises. The application must be in-line with the letter titled 'MP11\_0094 Whytes Gully Landfill Extension Project - Proposed modification for realignment of the Eastern Gully Stormwater Diversion Channel (MOD 3)', dated 20 November 2024 (EPA reference: DOC25/111694-10). A copy of the application must be provided to the EPA.

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Note: Following approval of the above application by the relevant consent authority, the EPA will develop a due date in consultation with Council to complete the proposed works.

## U1.4 Trade waste sewer upgrade

Current leachate pumping rates are up to 300 kL/day. This is significantly less than the permitted maximum trade waste disposal rate, and restricts the removal of leachate from the premises.

By 15 December 2025, the licensee must advise the EPA that a design proposal has been submitted to the relevant approval bodies for an upgrade to its trade waste sewer system. A copy of this proposal must be provided to the EPA. This proposal must be designed to ensure the licensee can meet its maximum leachate disposal rate to 605 kL/day or other similar quantity agreed to by the EPA.

Note: Following approval by the relevant approval bodies, the EPA will develop a due date in consultation with Council to complete the proposed works.

## U1.5 Stormwater Pond Desilting

The build-up of silt in the stormwater ponds reduces retention capacity and results in reduced treatment (settling) time and increased overflows.

Within three months of the completion of the Stage 2B-2 landfill cell outlined in condition O6.14, the licensee must advise the EPA of the completion of desilting works for the three premises stormwater ponds.

## U1.6 Assessment of Improvement Works

By 20 June 2026, the licensee must submit a report to the EPA that assesses the projected impact of the works outlined in condition U1 on leachate and stormwater generation at the premises. The report must include the following:

- (a) The projected impact of the works on leachate volumes generated and discharged at the premises; and
- (b) The projected impact of the works on stormwater volumes generated and discharged from the premises

Note: Following the finalisation of due dates for works under this PRP, the EPA may require an assessment of the premises capability to comply with sections 2.1 and 3.2 of the EPA's 'Environmental Guidelines: Solid Waste Landfills' (2016)

## U1.7 Stormwater infiltration management plan

### Background

Stormwater infiltration into waste cells increases the volume of leachate at the premises, which must then be managed appropriately. The licensee suspects there are locations at the premises (such as the lower Eastern Gully) where significant stormwater infiltration into the leachate system may be occurring.

### Aim

The purpose of this condition is to require the licensee to identify and then address areas of the premises where significant stormwater infiltration into leachate is occurring.

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## Requirements

The licensee must submit to the EPA a stormwater infiltration management plan (the Plan). The Plan must include the following:

- a. Details of investigative measures undertaken by the licensee to identify and assess locations at the premises where significant stormwater infiltration into the leachate system is suspected.
- b. An options assessment of feasible measures to minimise stormwater infiltration at these areas as much as practicable.
- c. A recommendation for the preferred stormwater infiltration minimisation option(s) to be implemented at the premises, along with a proposed timeframe for completion and anticipated costs.

Due Date: 30 April 2026

Note: Following the completion of this Plan, the EPA intends to add a licence condition requiring the implementation of stormwater infiltration minimisation options.

The EPA anticipates this may be a rolling program with ongoing investigations and rectification works as required.

## 9 Special Conditions

### E1 Environmental Obligations of Licensee (Works & Programs)

- E1.1 While the licensee's premises are being used for the purpose to which the licence relates, the licensee must:
- a) Clean up any spill, leak or other discharge of any waste(s) or other material(s) as soon as practicable after it becomes known to the licensee or to one of the licensee's employees or agents.
  - b) In the event(s) that any liquid and non-liquid waste(s) is unlawfully deposited on the premises, such waste(s) must be removed and lawfully disposed of as soon as practicable or in accordance with any direction given by the EPA.
  - c) Provide all monitoring data as required by the conditions of this licence or as directed by the EPA.
- E1.2 In the event of an earthquake, storm, fire, flood or any other event where it is reasonable to suspect that a pollution incident has occurred, is occurring or is likely to occur, the licensee (whether or not the premises continue to be used for the purposes to which the licence relates) must:
- a) make all efforts to contain all firewater on the licensee's premises,
  - b) make all efforts to control air pollution from the licensee's premises,
  - c) make all efforts to contain any discharge, spill or run-off from the licensee's premises,
  - d) make all efforts to prevent flood water entering the licensee's premises,
  - e) remediate and rehabilitate any exposed areas of soil and/or waste,
  - f) lawfully dispose of all liquid and solid waste(s) stored on the premises that is not already securely disposed of,
  - g) at the request of the EPA monitor groundwater beneath the licensee's premises and its potential to migrate from the licensee's premises,
  - h) at the request of the EPA monitor surface water leaving the licensee's premises; and
  - i) ensure the licensee's premises is secure.
- E1.3 After the licensee's premises cease to be used for the purpose to which the licence relates or in the event that the licensee ceases to carry out the activity that is the subject of this licence, that licensee must:
- a) remove and lawfully dispose of all liquid and non-liquid waste stored on the licensee's premises; and
  - b) rehabilitate the site, including conducting an assessment of and if required remediation of any site

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contamination.

## E2 Stormwater Dam Wet Weather Preparedness Discharge Protocol

### E2.1 Background

Stormwater dams at the premises may overflow (through Point 1) in an uncontrolled manner during storm events when dams exceed capacity. Ideally, dam capacity should be maximised in advance of significant storm events to retain as much stormwater as possible at the premises. The licensee currently experiences delays in stormwater dam wet weather preparedness while undertaking testing and awaiting results against Point 1 limits for pH and Total Suspended Solids. To facilitate a faster monitoring process, the EPA is willing to consider a proposed Stormwater Dam Wet Weather Preparedness Discharge Protocol (Protocol) to allow compliant Point 1 discharges in preparation of storm events.

#### Aim

To reduce uncontrolled stormwater discharge volumes through an established Protocol which is activated in advance of predicted storm events.

#### Requirements

The licensee may submit a proposed Protocol to the EPA for review and approval which:

- a) Incorporates field measurements (probe, realtime, or equivalent) for pH and TSS (see note);
- b) Involves monitoring in advance of any discharge to confirm condition L2.4 compliance and then daily monitoring during any discharge;
- c) Details procedure to stop discharges should monitoring results approach, or exceed L2.4 limits; and
- d) Explains record-keeping procedures.

Note: If the licensee wishes to use turbidity (e.g. NTU) in place of TSS to determine compliance with Condition L2.4, the licensee must:

- a) develop a robust site-specific statistical correlation assessment methodology that identifies the relationship between turbidity and TSS for water quality from the discharge point(s);
- b) develop a method to enable the ongoing verification of the relationship between turbidity and TSS;
- c) provide the EPA with a copy of the methodologies detailed in a) and b), including relevant results, before using turbidity in place of TSS; and
- d) provide the EPA with any amendments the licensee makes to the statistical correlation as a result of the ongoing verification required by this condition before using the revised statistical correlation.

Due Date: NA

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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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|                         |   |
|-------------------------|---|
| <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 Bernie Weir

Environment Protection Authority

(By Delegation)

Date of this edition: 06-December-2000

# Environment Protection Licence

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## End Notes

- 1 Licence varied by notice 1004923, issued on 28-Mar-2001, which came into effect on 19-Apr-2001.
- 2 Licence varied by notice 1006649, issued on 15-Jun-2001, which came into effect on 10-Jul-2001.
- 3 Licence varied by notice 1010783, issued on 22-Oct-2001, which came into effect on 16-Nov-2001.
- 4 Licence varied by notice 1013124, issued on 19-Mar-2002, which came into effect on 13-Apr-2002.
- 5 Licence varied by notice 1018823, issued on 11-Jul-2002, which came into effect on 05-Aug-2002.
- 6 Licence fee period changed by notice 1027159 on 07-May-2003.
- 7 Licence varied by notice 1040733, issued on 15-Mar-2005, which came into effect on 21-Mar-2005.
- 8 Licence varied by notice 1046062, issued on 11-Oct-2005, which came into effect on 05-Nov-2005.
- 9 Licence varied by change to DEC Region allocation, issued on 17-Mar-2006, which came into effect on 17-Mar-2006.
- 10 Licence varied by change to EPA Region, issued on 07-Aug-2006, which came into effect on 07-Aug-2006.
- 11 Licence varied by notice 1080328, issued on 20-Nov-2007, which came into effect on 20-Nov-2007.
- 12 Licence varied by notice 1092800, issued on 17-Oct-2008, which came into effect on 17-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 1095240, issued on 28-Nov-2008, which came into effect on 28-Nov-2008.
- 15 Licence varied by Correction to EPA Region data record., issued on 28-Jun-2010, which came into effect on 28-Jun-2010.
- 16 Licence varied by notice 1502805 issued on 16-Apr-2012
- 17 Licence varied by notice 1506302 issued on 23-Aug-2013
- 18 Licence varied by notice 1522234 issued on 08-Jul-2014
- 19 Licence varied by notice 1525454 issued on 28-Oct-2014
- 20 Licence varied by notice 1532651 issued on 01-Sep-2015

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|    |                          |                               |
|----|--------------------------|-------------------------------|
| 21 | Licence varied by notice | 1544472 issued on 14-Oct-2016 |
| 22 | Licence varied by notice | 1546335 issued on 23-Nov-2016 |
| 23 | Licence varied by notice | 1547871 issued on 20-Jan-2017 |
| 24 | Licence varied by notice | 1549078 issued on 06-Jun-2017 |
| 25 | Licence varied by notice | 1553778 issued on 05-Jul-2017 |
| 26 | Licence varied by notice | 1566693 issued on 05-Jul-2018 |
| 27 | Licence varied by notice | 1572784 issued on 20-Dec-2018 |
| 28 | Licence varied by notice | 1576255 issued on 19-Feb-2019 |
| 29 | Licence varied by notice | 1579764 issued on 23-May-2019 |
| 30 | Licence varied by notice | 1604123 issued on 12-Mar-2021 |
| 31 | Licence varied by notice | 1616678 issued on 09-Mar-2022 |
| 32 | Licence varied by notice | 1622668 issued on 19-Sep-2022 |
| 33 | Licence varied by notice | 1625010 issued on 17-Jan-2023 |
| 34 | Licence varied by notice | 1630637 issued on 11-Jul-2023 |
| 35 | Licence varied by notice | 1648541 issued on 27-Jun-2025 |