

Notice of Modification

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, I modify the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Ben Lusher
Acting Executive Director
Key Sites and Industry Assessments

Sydney 9 SEPTEMBER 2016

SCHEDULE 1

- Development Consent:** DA 31-02-99 granted by the then Minister for Urban Affairs and Planning on 30 November 2000
- For the following:** Woodlawn Waste Management Facility at 619 Collector Road Tarago, in the Goulburn Mulwaree and Palerang Local Government Areas
- Applicant:** Veolia Environmental Services (Australia) Pty Ltd
- Consent Authority:** Minister for Planning
- The Land:** Lots 4, 5-6 in DP830765, Lots 8-9 in DP534616, Lot 19 in DP827588, Lots 14, 25, 30, 33, 34, 69, 70, 86, 88, 91, and 92 in DP754919, Lot 1 DP 241092, part of the land comprising Lot 10 in DP703260 and part of the land comprising Lot 3 in DP754894.
- Modification:** **DA 31-02-99 MOD 2:** Modification for changing the site water and leachate management to allow the use of:
- ED2 for the mine void storm water storage; and
 - ED3S for treated leachate storage.

SCHEDULE 2

The above approval is modified as follows:

- (a) Schedule 2 – Abbreviations and Interpretation are amended by the insertion of the **bold and underlined** words / numbers and deletion of ~~struck-out~~ words/numbers in alphabetical order as follows:

The Department The Department of Urban ~~Affairs and~~ Planning **and Environment**

| | |
|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The Director-General | The Director-General of the Department of Urban Affairs and Planning |
| DLWC | Department of Land and Water Conservation |
| DPI-Water | Department of Primary Industries – Water |
| ED2 | Evaporation Dam No.2, as referred to in MOD 2 |
| ED3N | Evaporation Dam No.3 - North as referred to in MOD 2 |
| ED3S | Evaporation Dam No.3 - South as referred to in MOD 2 |
| ED3S-S | Evaporation Dam No.3 - South (southern lagoon) as referred to in Figure 1 (Appendix A) |
| EPA | Environment Protection Authority |
| MOD 2 | Modification Application titled "<i>Woodlawn Bioreactor – Modification to surface water and leachate management</i>" prepared by Parsons Brinckerhoff and dated 11 December 2015 and Response to Submissions dated June 2016 |
| NPWS | National Parks and Wildlife Service |
| OEH | Office of Environment and Heritage |
| Secretary | Secretary of the Department (or delegate) |
| Water-NSW | NSW Water Supplier |

Delete all references to Director-General and replace with Secretary.

Delete all references to DLWC and replace with DPI-Water.

Delete all references to NPWS and replace with OEH.

- (b) Schedule 2 – Condition 1 is amended by the insertion of the bold and underlined words / numbers as follows:

GENERAL CONDITIONS

Adherence to Terms of DA and EIS

1. Development shall be carried out in accordance with:
 - (a) DA No. 31-02-99;
 - (b) the EIS prepared by Woodward-Clyde Pty Ltd, dated February 1999;
 - (c) the EIS Supplementary Report prepared by Woodward-Clyde Pty Ltd, dated March 1999;
 - (d) the Amended DA and accompanying information prepared by Woodward-Clyde, dated 12 November 1999,
 - (e) Modification Application DA31-02-99 Mod1 and accompanying Environmental Assessment titled "*Modification to DA31-02-99 to Receive Regional Council Waste at the Woodlawn Bioreactor*", prepared by Veolia Environmental Services, dated February 2010 and the associated '*Response to Submissions*' prepared by Veolia Environmental Services dated 12 April 2010; and
 - (f) Modification Application DA 31-02-99 MOD 2; and** except as modified by the following conditions.

In the event of an inconsistency between this consent and DA No. 31.02.99 (and accompanying EIS and other supporting documents), this consent shall prevail.

- (c) Schedule 2 is amended by the insertion of the following new Condition 16A, after Condition 16 as shown in **bold and underlined** as follows:

Consultation with Tarago and District Progress Association Incorporated (TADPAI)

16A. The Applicant shall meet quarterly with TADPAI representatives and provide updated information on odour incidents, leachate management and gas extraction and resolution of incidents related to the local community.

(d) Schedule 2 – Condition 64 is amended by the insertion of the **bold and underlined** words / numbers as follows:

64. Stormwater in the mine void must only be discharged into **ED3S sump, for transfer via pipeline to ED2**, or otherwise used for operational purposes within the landfill, as approved in writing by the EPA. (EPA GTA)

(e) Schedule 2 – Condition 65 is amended by the insertion of the bold and underlined words / numbers and deletion of ~~struck-out~~ words/numbers as follows:

65. Stormwater collected in the mine void may only be transferred into **ED3S sump and ED2** provided that:

a) The Applicant can always comply with condition 58; **and**

~~b) the concentration of ammonia in the stormwater to be transferred does not exceed 0.03 mg/L, and the concentration of total organic carbon in the stormwater does not exceed 1 mg/L; and~~

c) the stormwater to be transferred contains no leachate, unless otherwise approved in writing by the EPA. (EPA GTA)

(f) Schedule 2 – is amended by the insertion of the following new Condition 66A, after Condition 66 as shown in **bold and underlined** as follows:

66A. Within two months of the date of the approval of MOD 2 or as otherwise agreed by the Secretary, the Applicant shall submit a revised Stormwater Management Plan to the Secretary for approval. The plan shall be prepared in consultation with the EPA and include the changes to water management in MOD 2, in accordance with the requirements of Condition 66.

(g) Schedule 2 – is amended by the insertion of the following new Condition 66B, after Condition 66A as shown in **bold and underlined** as follows:

66B. Within two months of the date of the approval of MOD 2, or as otherwise agreed by the Secretary, the Applicant shall submit a revised Management Plan for ED3N, ED3S and ED3S-S to the Secretary for approval. The plan shall be prepared in consultation with the EPA and include the changes to water management in MOD 2, in accordance with the requirements of Condition 70.

(h) Schedule 2 – Condition 70 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struck-out~~ words/numbers as follows:

ED3N, ED3S and ED3S-S – Management

70. The Applicant must prepare a management plan for **ED3N, ED3S and ED3S-S** to ensure that:

(a) ~~the~~ **each** dam is **lined and** maintained to prevent leakage of **from the dams** acid mine drainage waters in order to protect groundwater and surface water;

- (b) a monitoring and inspection program is implemented including installation of monitoring bores, a review of monitoring data and six-monthly inspections to evaluate the integrity of the barrier and to assess if leakage from the dam is occurring;
- (c) adequate capacity is retained in **ED3N and ED3S** to meet the environmental performance requirements in condition 58.
- (d) measures are identified to maintain adequate capacity within a suitable time period after receiving water from a rainfall event;
- (e) there is an emergency plan for the management of **leachate** water in excess of the capacity of **ED3N and ED3S**;
- (f) the sources of **leachate** water that are collected or received in **ED3N and ED3S** are identified; and
- (g) the quantity of **leachate** water ~~(in cubic metres per hour)~~ from each source that reports to **ED3N, and ED3S** is monitored and compared in graphical format with rainfall data.

An updated plan including MOD 2 The plan must be documented in the LEMP.

- (i) Schedule 2 – is amended by the insertion of the following new Condition 70A, after Condition 70 as shown in **bold and underlined** as follows:

Treated Leachate Storage in ED3S-S

70A. The Applicant must confirm in writing to the EPA and the Secretary the dam lining is in place (in accordance with Condition 70), prior to the discharge of treated leachate into ED3S-S. From the commencement of MOD 2, the Applicant shall provide quarterly updates to the EPA and the Secretary of the leachate volume in ED3S-S (southern lagoon) and the remaining storage volume.

- (j) Schedule 2 – is amended by the insertion of the following new Condition 70B, after Condition 70A as shown in **bold and underlined** as follows:

ED2 - Management

70B. The Applicant must prepare a management plan for ED2 to ensure that:

- (a) only mine void stormwater that does not contain leachate and direct rainfall and runoff is received and stored within ED2;
- (b) the dam is lined and maintained to prevent the leakage of stored acid mine drainage waters in order to protect groundwater and surface water;
- (c) a monitoring and inspection program is implemented including installation of monitoring bores, a review of monitoring data and six-monthly inspections to evaluate the integrity of the barrier and to assess if leakage from the dam is occurring;
- (d) adequate capacity is retained in ED2 to meet the environmental performance requirements in condition 58.
- (e) measures are identified to maintain adequate capacity within a suitable time period after receiving water from a rainfall event;
- (f) there is an emergency plan for the management of water in excess of the capacity of ED2;
- (g) the sources of water that are collected or received in ED2 are identified; and
- (h) the quantity of water from each source that reports to ED2 is monitored and compared in graphical format with rainfall data.

The plan must be prepared in consultation with the EPA and submitted to the Secretary for approval within two months of the date of approval for MOD 2 or as otherwise agreed by the Secretary. The revised plan shall be documented in the LEMP.

70C. Seepage or leakage points in ED2 must be identified and repaired to the satisfaction of the Secretary and EPA prior to the transfer of any stormwater from ED3S to ED2.

(k) Schedule 2 – is amended by the insertion of the following new Condition 70C, after Condition 70B as shown in **bold and underlined** as follows:

Long-term Leachate Management

70D. The Proponent must develop and implement a Longterm Leachate Management Strategy that:

- **Minimises the generation of leachate at the premises;**
- **Captures, treats and disposes of all leachate generated at the premises;**
- **Maintains leachate levels in the waste mass to a level that does not inhibit the efficiency of the landfill gas extraction system;**
- **Progressively removes all treated leachate from ED3; and**
- **Minimise the emission of offensive odours from leachate treated and stored onsite so that there is no off site impact.**

The Longterm Leachate Management Strategy must be submitted to the Secretary and the EPA (for inclusion as a Pollution Reduction Program attached to environment protection licence 11436) for approval within two months of the approval date of MOD 2.

70E. Treated leachate must not be discharged to any part of ED3S, other than ED3S-S, until such time as the Long Term Leachate Management Strategy has been approved by the Secretary and the EPA.

70F. The Longterm Leachate Management Strategy must be operational no later than 20 December 2017, or as otherwise agreed by the Secretary.

(l) Schedule 2 – Condition 132 is amended by the insertion of the **bold and underlined** words / numbers and deletion of ~~struck-out~~ words/numbers as follows:

Surface Water Monitoring

132. The Applicant shall prepare and implement a surface water-monitoring program to monitor the environmental performance of the construction, operation and rehabilitation of the development on surface water. The surface water-monitoring program must be documented in the LEMP.

Note: The specific requirements of the monitoring program will be stipulated in the EPL.

The program must include details on:

- a. Monitoring locations including:
 - i. Crisps Creek;
 - ii. Allianoyonyiga Creek;
 - iii. ED3N;

- iv. **ED3S;**
- v. **ED3S-S;**
- vi. **ED2;**
- vii. **Downstream receiving waters of ED2;**
- viii. **Treated leachate effluent discharge line,**
- ix. **Discharge line from ED3S to ED2, and**
 - x. rainwater collected in the mine void;
- b. monitoring methodologies and standards to be employed;
- c. monitoring frequency based on rainfall events and creek flow assessment;
- d. an assessment of the contribution of surface water pollution from the Woodlawn Waste Management Facility as distinct from the Woodlawn Mine site;
- e. the quantity of water relocated from the mine void into ED3;
- f. the quantity of water relocated from ED3 into the mine void;
- g. the chemical composition of liquids added to the landfilled waste;
- h. **the chemical composition of treated leachate in the effluent discharge line;**
- i. **the chemical composition of leachate within ED3S-S;**
- j. the quantity of water that reports to ED3, including its sources;
- k. the quantity of water removed and/or discharged from ED3, including its destination;
- l. the total quantity of water contained in ED3;
- m. **the quantity of water transferred from ED3S into ED2;**
- n. **the quantity of water that reports to ED2, including its sources;**
- o. **the total quantity of water contained in ED2;**
- p. the parameters and substances that are proposed to be monitored, including sampling and analysis frequencies;
- q. reporting and assessment of results; and
- r. opportunities to integrate the monitoring program with other monitoring programs in the vicinity.

Notes: The EPA will require a broader range of elements and compounds to be monitored for a short period, prior to waste being received at the site. This comprehensive monitoring will then be required to be conducted on an annual basis.

The monitoring of ED3 will initially be at weekly intervals and will be reviewed 12 months after commencement of landfilling operations.

The Monitoring of ED2 will initially be at weekly intervals once the transfer of stormwater from ED3S to ED2 has commenced and will be reviewed 12 months after commencement of MOD 2.

- (m) Schedule 2 – is amended by the insertion of the following new Condition 159A, after Condition 159 as shown in **bold and underlined** as follows:

159A. Within six months of the approval lapse date of MOD 2, or within such further period as the Secretary may agree, the Applicant shall prepare and submit a revised Emergency Management Plan to the Secretary for approval. The plan shall include the site changes in MOD 2, in accordance with the requirements of Condition 159.

- (n) Schedule 2 – is amended by the insertion of the following new Condition 162, after Condition 161 as shown in **bold and underlined** as follows:

Complaints Handling Procedures

162. Within 2 months of the date of the approval of MOD 2, a complaints handling procedure must be submitted to the Secretary for approval. The procedure shall

be prepared in consultation with the Department, Goulburn-Mulwaree Council, the EPA and the Community Liaison Committee. The complaints handling procedure must include:

- a formal complaint/incident reporting procedure;
- an investigation procedure; and
- a complaint resolution procedure.

A report of the complaint and the response/action taken and timeframe required to resolve the complaint must be made publicly available on the Applicant's website within 7 days of a complaint being made. Note: The level of detail contained in the report of the complaint shall be determined in consultation with the Department, Goulburn- Mulwaree Council, the EPA and the Community Liaison Committee.

- (o) Schedule 2 – is amended by the insertion of the following new Condition 163, after Condition 162 as shown in **bold and underlined** as follows:

163. The Applicant shall provide a report to the Secretary of the complaints received, the response/action taken and timeframe in accordance with Condition 162, on an annual basis which is to be submitted within the AEMR. The report shall include all the matters required within subsections of Condition 162.

- (p) Schedule 2 – is amended by the insertion of the following new Condition 164, after Condition 163 as shown in **bold and underlined** as follows:

Access to Information

164. From the commencement of MOD 2, the Applicant shall make the following information publicly available on its website as is required by the consent:

- a) a copy of all current statutory approvals;
- b) a copy of the Environmental Management Plan required under this approval;
- c) a copy of any Annual Environmental Management Report including monitoring results (over the last 5 years);
- d) a copy of any Independent Environmental and Odour Audit, and the Applicant's response to the recommendations in any audit;
- e) report of the complaints and the response/action taken to resolve the complaint as required by Condition 162;
- f) a copy of the minutes of the Community Liaison Committee Meetings; and
- g) any other matter required by the Director-General.

- (q) Schedule 2 – is amended by the insertion of Appendix A – Figure 1 as shown in **bold and underlined** as follows:

Appendix A – Figure 1 Detail of Evaporation Dam 3 prepared by Veolia Environmental Services (Australia) Pty Ltd – Revision F dated 21 July 2016.

End of Modifications to DA 31-02-99