

Ass # 1088

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State # 462



MINISTER FOR THE ENVIRONMENT;
EMPLOYMENT AND TRAINING

**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(PURSUANT TO THE PROVISIONS OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

**CLASS IV WASTE DISPOSAL CELLS
RED HILL WASTE DISPOSAL FACILITY
TOODYAY ROAD, RED HILL, SHIRE OF SWAN (1088)**

EASTERN METROPOLITAN REGIONAL COUNCIL

This proposal may be implemented subject to the following conditions:

1 Proponent Commitments

The proponent has made a number of environmental management commitments in order to protect the environment.

- 1-1 In implementing the proposal, the proponent shall fulfil the commitments made in the Consultative Environmental Review and subsequently during the environmental assessment process conducted by the Environmental Protection Authority; provided that the commitments are not inconsistent with the conditions or procedures contained in this statement.

In the event of any inconsistency, the conditions and procedures shall prevail to the extent of the inconsistency.

The attached Consolidated Environmental Management Commitments (31 October 1997) form the basis for consideration by the Chief Executive Officer of the Department of Environmental Protection for auditing of this proposal in conjunction with the conditions and procedures contained in this statement.

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2 Implementation

Changes to the proposal which are not substantial may be carried out with the approval of the Minister for the Environment.

- 2-1 Subject to these conditions, the manner of detailed implementation of the proposal shall conform in substance with that set out in any designs, specifications, plans or other technical material submitted by the proponent to the Environmental Protection Authority with the proposal.
- 2-2 Where, in the course of the detailed implementation referred to in condition 2-1, the proponent seeks to change the designs, specifications, plans or other technical material submitted to the Environmental Protection Authority in any way that the Minister for the Environment determines, on the advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

3 Proponent

These conditions legally apply to the nominated proponent.

- 3-1 No transfer of ownership, control or management of the project which would give rise to a need for the replacement of the proponent shall take place until the Minister for the Environment has advised the proponent that approval has been given for the nomination of a replacement proponent. Any request for the exercise of that power of the Minister shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the project in accordance with the conditions and procedures set out in the statement.

4 Environmental Management System

The proponent should exercise care and diligence in accordance with best practice environmental management principles.

- 4-1 In order to manage the environmental impacts of the project, and to fulfil the requirements of the conditions and procedures in this statement, prior to construction, the proponent shall prepare environmental management system documentation with components such as those adopted in Australian Standards AS/NZS ISO 14000 series, in consultation with the Department of Environmental Protection.
- 4-2 The proponent shall implement the environmental management system referred to in condition 4-1.

5 Decommissioning

- 5-1 The proponent shall carry out the decommissioning of the project, removal of the plant and installations and rehabilitation of the site and its environs.
- 5-2 At least six months prior to decommissioning, the proponent shall prepare a decommissioning and rehabilitation plan to achieve the objectives of condition 5-1.
- 5-3 The proponent shall implement the plan required by condition 5-2.

6 Commencement

The environmental approval for the substantial commencement of the proposal is limited.

- 6-1 If the proponent has not substantially commenced the project within five years of the date of this statement, then the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment shall determine any question as to whether the project has been substantially commenced.

Any application to extend the period of five years referred to in this condition shall be made before the expiration of that period to the Minister for the Environment.

Where the proponent demonstrates to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority that the environmental parameters of the proposal have not changed significantly, then the Minister may grant an extension not exceeding five years for the substantial commencement of the proposal.

7 Performance Review

The proponent should review the environmental performance of the proposal to ensure that the environmental management meets the environmental objectives and allows for continuous improvement.

- 7-1 Each six years following the commencement of construction, the proponent shall prepare and submit a performance review to evaluate the environmental performance, which shall include, but not be limited to:

- 1 environmental objectives reported on in Environmental Protection Authority Bulletin 867;
- 2 proponent environmental management commitments made in the Consultative Environmental Review, those made in response to issues raised following public submissions, and those published in Environmental Protection Authority Bulletin 867 (Appendix 4), as amended on 31 October 1997;
- 3 Environmental Management System environmental management targets;
- 4 environmental management plans; and
- 5 environmental performance indicators,

to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection.

Note: The Environmental Protection Authority may recommend changes and where significant, recommend actions, to the Minister for the Environment following consideration of the performance review.

8 Compliance Auditing

To help determine environmental performance and compliance with the conditions, periodic reports on the implementation of the proposal are required.

- 8-1 The proponent shall submit periodic Performance and Compliance Reports, in accordance with an audit programme prepared by the Department of Environmental Protection in consultation with the proponent.

Procedure

- 1 Unless otherwise specified, the Department of Environmental Protection is responsible for assessing compliance with the conditions contained in this statement and for issuing formal clearance of conditions.
- 2 Where compliance with any condition is in dispute, the matter will be determined by the Minister for the Environment.

Note

- 1 The Environmental Protection Authority reported on the proposal in Environmental Protection Authority Bulletin 867 (October 1997).
- 2 The proponent is required to apply for a Works Approval and Licence for this project under the provisions of Part V of the Environmental Protection Act.

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CHERYL EDWARDES (Mrs) MLA
MINISTER FOR THE ENVIRONMENT

20 NOV 1997

Consolidated Environmental Management Commitments

31 October 1997

**CLASS IV WASTE DISPOSAL CELLS
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EASTERN METROPOLITAN REGIONAL COUNCIL

CONSOLIDATED ENVIRONMENTAL COMMITMENTS (1088)

The environmental commitments proposed for the Class IV project acknowledges the EMRC's responsibilities to undertake required actions to ensure the project is environmentally acceptable. These environmental commitments are usually translated into legally binding actions upon ministerial approval. The environmental commitments have been structured around the key environmental factors identified in the environmental impact and management phase. An addendum to this list of consolidated environmental commitments incorporates EMRC's environmental management procedures, objectives and strategies which address issues raised during the CER public submission period.

1. VEGETATION/ FLORA REHABILITATION

The EMRC has prepared a Rehabilitation Program (EMRC, 1995b) outlining short, moderate and long term rehabilitation objectives for completed landfill areas. This document focuses upon enhancing the re-establishment of native vegetation species using a staged approach which maximises revegetation success whilst recognising the landfill cell decomposition process.

Advice from	Environmental Management Specification	Proposed Action	Time Frame	Governing Body
Waste Management Division	The objectives in the Rehabilitation Program (EMRC, 1995b). maintain species diversity in rehabilitated landfill cells and establish a sustainable vegetation cover	Upgrade the current Rehabilitation Program to include the Class IV cells to ensure the satisfactory rehabilitation of the cells to a stable non-polluting landform.	Prior to operations and once approved, to be progressively implemented.	DEP/EPA

2. SURFACE WATER

The construction of silt traps and siltation ponds and the proposed extension of the surface water monitoring program to include the proposed siltation pond servicing the Class IV cells will ensure water quality impacts are minimised.

The proposed environmental management objective for surface water is to ensure water allowed to discharge off-site will maintain downstream water quality to a level which protects freshwater ecosystems (EPA, 1993).

Advice from	Environmental Management Specification	Proposed Action Objective	Time Frame	Governing Body
Water and Rivers Commission	Sampling criteria for surface water monitoring will be developed in conjunction with the DEP (Waste Management Division).	Prepare an extension to the current surface water monitoring program to ensure downstream water quality maintains standards aimed at protecting freshwater ecosystems.	Prior to operations	DEP

3. GROUNDWATER

Groundwater monitoring will be undertaken through bores located immediately down gradient of the leachate pond and will be compared to baseline groundwater data gathered from other areas of the site.

Groundwater monitoring parameters will be similar to those imposed on the surface water runoff with the environmental management objectives focused on maintaining acceptable groundwater standards aimed at protecting freshwater ecosystems and groundwater users (EPA, 1993).

Advice from	Environmental Management Specification	Proposed Action Objective	Time Frame	Governing Body
Water and Rivers Commission	Groundwater quality standard to be determined from monitoring data. Variations greater than ten percent would trigger investigations and remedial actions if necessary.	Prepare a groundwater monitoring program to maintain acceptable groundwater quality standards aimed at protecting freshwater ecosystems and groundwater users. In the event that monitoring detects possible failure of leachate containment system, follow-up monitoring will be undertaken to determine the source(s) and significance, prior to any remedial action. The remedial action will be determined in consultation with the DEP (Waste Management Division) and Water and Rivers Commission. A contingency plan for the management of groundwater pollution will be prepared.	Prior to operations	DEP

4. CONTINGENCY PLAN FOR GROUNDWATER POLLUTION

Groundwater monitoring will be undertaken through bores located immediately down gradient of the leachate pond and will be compared to baseline groundwater data gathered from other areas of the site. A contingency plan will be developed in case the monitoring data shows unacceptable groundwater quality.

Advice from	Environmental Management Specification	Proposed Action Objective	Time Frame	Governing Body
Water and Rivers Commission	Following possible failure of the leachate containment system, monitoring will be undertaken to determine the source(s) and significance, prior to any remedial action. The remedial action will be determined in consultation with the DEP (Waste Management Division) and Water and Rivers Commission.	Prepare a contingency plan to manage groundwater such that freshwater ecosystems and groundwater users are protected.	Prior to operations	DEP

5. COMMUNITY INVOLVEMENT

The EMRC's community consultation approach will ensure that community concerns are addressed on an ongoing basis. Provisions for community access to EMRC meeting minutes are currently in place. The EMRC also conducts annual "Open Days" and is intending to actively involve the community in the development of their Environmental Management System (EMS) for the site.

Advice from	Environmental Management Specification	Proposed Action objective	Time Frame	Governing Body
Shire of Swan	Public access to EMRC meeting minutes, invitations to "Open Days" and community involvement in EMS.	The EMRC will address any concerns raised by the community and maintain a public record of these concerns.	Prior to operations and to be maintained on an ongoing basis.	DEP/EPA

6. POST CLOSURE MANAGEMENT

The EMRC continually reviews rehabilitation plans and proposes to prepare a Post Closure Management Plan for the site. The EMRC also allocates funding each year to its Environmental Monitoring Reserve Fund to allow for the future funding of post closure monitoring to be conducted.

Advice from	Environmental Management Specification	Proposed Action objective	Time Frame	Governing Body
Shire of Swan, CALM	The EMRC 5 Year Development Plan and Post Closure Management Plan (EMRC, 1995a). Low impact developments such as picnic areas, nature trails and lookouts.	Prepare and implement a Post Closure Management Plan to restore the site to an end land use of passive recreation.	To be developed during the 1997/98 financial year.	DEP