

DECISION NOTIFICATION FORM

Section 126(1) of the *Planning, Development and Infrastructure Act 2016*

TO THE APPLICANT:

Name:	Cleanaway Waste Management Ltd
Postal address:	412 Hanson Road, Wingfield SA 5013 Australia
Email:	david.leaney@cleanaway.com.au

IN REGARD TO:

Development application no.: 373/P001/18	Lodged on: 2 July 2021
Nature of proposed development: Variation to a previously approved Major Development – Inkerman Landfill (Northward Fill Landfill Depot) – Resource Recovery Centre Masterplan	

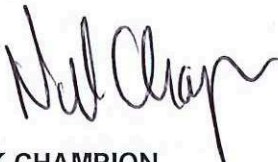
LOCATION OF PROPOSED DEVELOPMENT:

Street address: Prime Road, Inkerman			
A9 DP32395	Hundred Inkerman	Volume CT5974	Folio 868
S393 & S3993	Hundred Inkerman	Volume CT5974	Folio 869
A57 DP34319	Hundred Inkerman	Volume CT5417	Folio 367
A11 DP45788	Hundred Inkerman	Volume CT5401	Folio 336
A58 DP34319	Hundred Inkerman	Volume CT5417	Folio 364

DECISION:

Decision type	Decision	Decision date	No. of conditions	Entity responsible for decision
Development authorisation	GRANTED		23	Minister for Planning
Building Certification	N/A	N/A	N/A	N/A-

FROM THE RELEVANT AUTHORITY: Minister for Planning



**NICK CHAMPION
MINISTER FOR PLANNING**

26/10/22

PREAMBLE:

1. The decision of the Governor under Section 48 of the Development Act 1993, to approve the development of the solid waste landfill (Northward Fill Landfill Depot) at Inkerman, was published in the South Australian Government Gazette on 21 January 1999.
2. The proposal has been the subject of an Environmental Impact Statement and an Assessment Report under Section 46 and 46B of the Development Act 1993.
3. The development was the subject of further applications to amend the development authorisation, and associated amendments to the Environmental Impact Statement were made under Section 47 of the Development Act 1993.
4. Variations to the development authorisation were notified in the South Australian Government Gazette on 17 June 2004 at p 2191 (for an alteration to the method of waste transport and transfer to the disposal area, alteration of the maintenance workshop and removal of the long haul vehicle fuel storage area), 14 October 2004 at p 3847 (related to the landfill lining and leachate collection system), 13 April 2006 at p 1036 (related to the leachate collection system and a change to the operating hours), 20 September 2007 at p 3727 (for the receipt of additional waste materials), 5 June 2008 at p 1827 (related to the recycling of waste materials), 20 August 2009 at p 3676 (to allow the receipt of low level contaminated waste at the approved landfill and disposal of these wastes into cells that are separate from those used to dispose of solid wastes), 4 March 2010 at p 930 (for the receipt and disposal of nonmetropolitan construction and demolition waste that is not required to go through a waste recovery and waste transfer facility; and an updated design of the liner system for low level contaminated waste cells), 8 December 2011 at p 4802 (for a modification to the design of the existing maintenance shed), 20 December 2018 (for an increase of the final landfill height), and on 1 August 2019 p 2872 (for a variation to the development authorisation comprising a modification of the final landfill profile design).
5. The original major development approval was granted prior to the introduction of the *Planning and Design Code*, such that Regulation 11(3) of the *Planning, Development and Infrastructure (Transitional Provisions) Variation Regulations 2017* has the effect of recognising the previous declaration, EIS documentation, Assessment Report, and development authorisations as if they were made and/or approved under the impact assessed (not restricted) pathway of the *Planning, Development and Infrastructure Act, 2016*.
6. The proponent submitted an Amendment to the EIS and an associated Resource Recovery Centre masterplan in July 2021 with an associated report which was advertised for public comment on 26 January and 16 February 2022 for a period of 15 business days. The Amendment to the EIS was also circulated to the Wakefield Regional Council and to relevant Government agencies. An amendment to the Assessment Report has also been prepared for the Minister for Planning.
7. As the Minister for Planning, I have decided to grant a varied development authorisation to the proposed amendment pursuant to s.115(8) of the *Planning, Development and Infrastructure Act 2016* that includes a change to condition 1 to reference documents associated with the current amendment, and a new condition 23 requiring the proponent to submit detailed applications to the Minister for Planning (or delegate) for assessment and approval, prior to the establishment and/or construction of each stage of the Inkerman Resource Recovery Centre Masterplan.
8. For ease of reference I have reproduced the development authorisation in its entirety herein.

RESERVED MATTERS:

NIL

CONDITIONS OF PLANNING CONSENT:

1. Except where minor amendments may be required by other legislation, or by conditions imposed herein, the approved Major Development shall be undertaken in strict accordance with the following documents:

Current Amendment

- o Inkerman Resource Recovery Centre Environmental Impact Assessment Amendment prepared by DBP Environmental, dated July 2021.
- o Inkerman Resource Recovery Centre Masterplan prepared by DBP Environmental, dated July 2021.
- o Proponent's response to submission – Letter from Cleanaway Waste Management to the Attorney-General's Department, dated 24 May 2022.

Previously Approved Documentation

- o Application and letter from Transpacific Industries Group Inc. to the Development Assessment Commission dated 30 November 2009 (except to the extent that it may be varied by a subsequent document in this paragraph).

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- Application and letter (including accompanying plans) from Transpacific Industries Group Inc. to the Development Assessment Commission dated 20 January 2010 (except to the extent that it may be varied by a subsequent document in this paragraph).
 - Transpacific Waste Management, Northward Fill—EIS Amendment to Accommodate Additional Waste Types (dated 19 September 2008). Prepared by QED Pty Ltd (except to the extent that it may be varied by a subsequent document in this paragraph).
 - Proponent's response to submissions—Letter from QED Pty Ltd (on behalf of Transpacific Waste Management Pty Ltd) to the Department of Planning and Local Government dated 1 April 2009 (Ref: 10786) (except to the extent that it may be varied by a subsequent document in this paragraph).
 - Letter from MSP Constructions, on behalf of the Transpacific Industries Group Inc., to the Department of Planning dated 26 August 2011 (except to the extent that it may be varied by a subsequent document in this paragraph).
 - Application letter from Cleanaway Waste Management Ltd to the Department of Planning, Transport and Infrastructure dated 8 June 2018 (except to the extent that it may be varied by a subsequent document in this paragraph).
 - Northward Fill Landfill, Increase in Finished Landform Height – Amendment Environmental Impact Statement, Cleanaway Waste Management Ltd (dated June 2018). Prepared by Tonkin Consulting (except to the extent that it may be varied by a subsequent document in this paragraph).
 - Proponent's response to submissions—Letter from Cleanaway Waste Management Ltd to the Department of Planning, Transport and Infrastructure dated 29 August 2018 (except to the extent that it may be varied by a subsequent document in this paragraph).
 - Application letter from Cleanaway Waste Management Ltd to the Department of Planning, Transport and Infrastructure titled 'Northward Fill – Landform Design Variation Application for Minor Variation to Development Authorisation', dated 15 February 2019.
2. Before any building work is undertaken on the site, the building work is to be certified by a private certifier, or by some person determined by the Minister for Planning, as complying with the provisions of the Building Rules (or the Building Rules as modified according to criteria prescribed by the Regulations).

Low Level Contaminated Waste/Treatment Plant Residues Cells

3. Prior to the construction of the Low Level Contaminated Waste/Treatment Plant Residues Cell (LLCW/TPRC), the Licensee shall submit to the Environment Protection Authority for assessment and approval a revised Landfill Environmental Management Plan (LEMP) incorporating the design, construction, technical specifications, environmental and post-closure management of the LLCW/TPRC.
4. The Licensee shall, no less than three months prior to construction of any LLCW/TPRC at the Premises:
- (a) provide to the Environment Protection Authority a specification document that provides a detailed design for the relevant cell; and
 - (b) not construct any cell unless written approval has been received from the Environment Protection Authority.
5. The Licensee shall prior to receiving, storing, treating or disposing of any waste within the LLCW/TPRC, provide to the Environment Protection Authority:
- (a) an 'As Constructed Report' certifying compliance with the approved design for the lining system, including a Construction Quality Assurance (CQA) for the liner and the Level 1 Supervision Report; and
 - (b) not receive any LLCW/TPR without written approval from the Environment Protection Authority.

Groundwater

6. Monitoring shall be undertaken over two successive winter seasons to determine the maximum seasonal watertable level for that period starting prior to the landfill operations starting.
7. An internal leachate-level monitoring bore network within each stage of the landfill shall be established to allow early identification of any problem with the leachate collection system before excessive leachate heads develop.
8. Groundwater monitoring bores shall be established down gradient of the leachate collection ponds to the satisfaction of the Environment Protection Authority.

Leachate Management

9. The 'As Constructed Report' shall include a certification from a geotechnical consultant that the liner and drainage system has been constructed in accordance with the design principles together with in-situ testing to demonstrate that the required permeability has been achieved prior to operations commencing, except as varied by Conditions (a), (b), (c) and (d).

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- (a) the high-density polyethylene (HDPE) membrane and geotextile portion of the liner shall extend a minimum of 5 m laterally from the sump (measured from the toe of the sump side slope to the outer edge of the lining system) and the underlying clay outside the sump area must have a minimum thickness of 1 m;
- (b) the drainage slopes towards drainage lines and along drainage lines shall be a minimum of 2% and 1% respectively;
- (c) construction of the landfill liner and polylock system shall be undertaken and certified in accordance with Level 1 supervision and Construction Quality Assurance (CQA) procedures. A report documenting the results of the Level 1 supervision and construction quality control tests for the compacted clay liner, HDPE membrane and polylock system shall be prepared to the reasonable satisfaction of the Environment Protection Authority;
- (d) appropriate procedures and controls shall be implemented on site to address potential risks or damage which may compromise the integrity of the leachate extraction system, including from vehicle traffic, Ultraviolet Radiation, and any movements of the overland pipework including interim flexible pipework used while cells are operational;
- (e) contingency procedures shall be developed to address the potential for and response to any pipe rupture and leachate emission from the leachate pipes and extraction system; and
- (f) the LEMP shall be updated to incorporate Conditions (d) and (e).

Landfill Gas

10. Landfill gas extraction wells shall be installed progressively as filling of the cell proceeds, to the satisfaction of the Environment Protection Authority.
11. All fire control measures proposed at the site shall be approved by the Country Fire Service prior to operations commencing.

Buffers and Landscaping

12. The maximum height of the landfill including rehabilitation shall be restricted to 32 m AHD (generally 12 m above the existing natural surface) to be consistent with the existing maximum topographic levels in the region.
13. All perimeter plantings shall be started as early as practicable after the date of this approval to achieve maximum amelioration of visual impacts.
14. Screening by suitable plantings where adequate natural screening is not provided, shall be provided for the perimeter fence, all built structures, stockpiles and internal roads (where practicable) using suitable species in accordance with the Vegetation Management and Revegetation Plan proposed as part of the Landfill Environmental Management Plan (LEMP).

Noise and Dust

15. The proponent shall comply with the provisions of the Environment Protection (Industrial Noise) Policy (1994, SA Government).
- 16.—
 - (a) the maximum hours of operation shall be 6 a.m. to 7.30 p.m. seven days per week and waste shall only be received between 6 a.m. and 7 p.m.
 - (b) the Applicant shall ensure that close proximity and low impact directional reverse beepers are installed and utilised on all mobile plant associated with waste disposal operations; and
 - (c) noise levels shall not exceed 40 dB(A) in accordance with EPA Fact Sheet 424/04 between the hours of 10 p.m. and 7 a.m.

Infrastructure

17. The proponent shall pay all reasonable costs of the detailed design and construction of any public road works made necessary by this development and to the satisfaction of the Department of Infrastructure and Transport and the Wakefield Regional Council.

Building Rules

18. Work constituting building work under the Planning, Development and Infrastructure Act 2016, shall be certified by a private certifier, as complying with the Building Rules. Copies of the relevant certification documentation shall then be provided to the Minister for Planning. No building works shall commence until a favourable decision has been notified in writing to the applicant by the Minister for Planning (or their delegate).

Heritage

19. The party with the benefit of this approval shall ensure that operators and construction personnel are made aware of the requirements under the Aboriginal Heritage Act 1988 that any burial site skeletal material or significant artefact discovery is reported to the Department of Premier and Cabinet (Aboriginal Affairs and Reconciliation).

Wastes

20. No Listed Waste as prescribed in Schedule 1, Part B of the Environment Protection Act 1993, or contaminated soil and material or asbestos containing material, shall be permitted to be disposed of without further development authorisation except as varied by the conditions listed below.

21. The proponent may receive and dispose of wastes from different regions as follows:

- (a) waste from the Adelaide Metropolitan Area that has gone through a Resource Recovery and Waste Transfer Facility; or
- (b) waste from regional areas outside the Metropolitan area that:
 - o has been through a kerbside recycling service comprising at least 2 mobile garbage bins with a maximum 140 litre weekly waste collection and a minimum 240 litre fortnightly recycling collection;
 - o has been through a mobile garbage bin kerbside recycling system that yields at least 4 kg per household per week for recycling, excluding contamination;
 - o has been processed through a resource recovery facility/transfer station for the purposes of removing recyclable material prior to being transported for disposal; or
 - o comprises construction and demolition waste that does not contain recyclable materials.

22. The proponent may receive and dispose of the following additional wastes:

- (a) shredded tyres with other approved waste for a period of three years after which the proponent must apply for additional development approval;
- (b) non-friable asbestos subject to handling and disposal procedures for non-friable asbestos, including the Environmental Management procedures as discussed in detail in Appendix F of the variation proposal; and
- (c) quarantine waste subject to approval from AQIS to receive and dispose of quarantine waste. In addition, the proponent shall:
 - (i) receive quarantine waste that is accompanied by a completed Quarantine Waste Form developed by the Licensee;
 - (ii) dispose of quarantine waste immediately upon receipt;
 - (iii) ensure a minimum of 2 m of cover is placed over the waste immediately after disposal;
 - (iv) dispose of waste in accordance with requirements of AQIS (including supervision, deep burial and tracking);
 - (v) maintain records that describe details for each load of quarantine waste received and disposed including the following items:
 - Location of disposal;
 - Date and time of receipt and disposal;
 - Volume of waste;
 - Type of waste;
 - Producer of the waste;
 - Transporter of the waste and driver name; and
 - Name of person supervising disposal of waste.
 - (vi) maintain procedures for the notification, handling, supervision, records management and disposal of quarantine waste and tracking systems to prevent the re-excavation of quarantine wastes.
- (d) foundry sands—the proponent shall:
 - (i) assess the Used Foundry Sand in accordance with EPA Guidelines for Used Foundry Sand (UFS)—classification and disposal (EPA 329/03—September 2003);
 - (ii) ensure that the Used Foundry Sands have been classified prior to disposal according to the maximum concentrations in mg/kg (dry weight), and the maximum leachate concentration in mg/L, of the contaminants listed in the above referenced Guideline; and
 - (iii) ensure that only Used Foundry Sand classified and certified as Class 1 (or with lower contaminant levels) is received and disposed at the Premises,
- (e) Low Level Contaminated Waste that meet the relevant Environment Protection Authority Low Level Contaminated Waste Criteria;
- (f) construction and demolition waste from non-metropolitan areas—the proponent shall:
 - (i) maintain procedures and records, to the reasonable satisfaction of the Environment Protection Authority, that describe details for each load of waste received and disposed to ensure it does not contain recyclable materials.

Implementation of the Inkerman Resource Recovery Centre Masterplan

23. Detailed applications shall be submitted to the Minister for Planning (or delegate) for assessment and approval, prior to the establishment and/or construction of each stage of the Inkerman Resource Recovery Centre Masterplan.

PART B: NOTES TO PROPONENT

BUILDING RULES

- The proponent must obtain a Building Rules assessment and certification for any building work from a private certifier (at the proponent's option) and forward to the Minister for Planning all relevant certification documents as outlined by current legislative requirements.

EPA LICENSING AND GENERAL ENVIRONMENTAL DUTY OF CARE

- The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during both construction and operation, do not pollute the environment in a way which causes or may cause environmental harm.
- Environmental authorisation in the form of an amended licence may be required for the construction and/or operation of this development. The applicant is advised to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements.
- The Environment Protection Authority will require the proponent to review and amend where necessary the current Landfill Environmental Management Plan (LEMP) to satisfy the Authority's licensing requirements. Such a plan will be required to include provisions for the review, from time to time, of waste treatment and disposal methods to facilitate implementation of continuous improvement programs. The LEMP will be required to incorporate specific plans in relation to groundwater, leachate and, surface water management. It will also be required to include provisions for implementation of corrective actions in the event of any failure of the leachate and groundwater management system.
- Control over the types of waste to be received at the site will be exercised by the Environment Protection Authority. This will be done through conditions of environmental authorisation or requirements under a relevant Environment Protection Policy rather than through conditions of development authorisation.
- It is likely that as a condition of such a license the Environment Protection Authority will require the licensee to carry out specified environmental monitoring of air and water quality and to make reports of the results of such monitoring to it. A financial assurance in accordance with the provisions of Section 51 of the Environment Protection Act 1993 will be required by the Environment Protection Authority as a condition of license.
- In regard to Conditions of Development Authorisation 3-5, a Geosynthetic Clay Liner may be used in the construction of a liner for a low level contaminated waste cell (such as in place of an upper 600 mm compacted clay liner) provided it has a specification equivalent to ELCOSEAL X3000 made by Geofabrics Australia or its equivalent.

IMPLEMENTATION OF THE INKERMAN RESOURCE RECOVERY CENTRE MASTERPLAN

- In accordance with Condition 23, prior to the preparation and submission of documentation seeking approval for each stage of the Inkerman Resource Recovery Centre Masterplan, the applicant / operator shall consult with Planning and Land Use Services (DTI) and the Environment Protection Authority (EPA) to confirm required information requirements and technical investigations to support the consideration and assessment of each stage.
- The applicant is advised that future assessment for each stage of the Inkerman Resource Recovery Centre Masterplan may be subject to public notification, agency and Council referral processes.

CONTACT DETAILS OF CONSENT AUTHORITIES:

Name: Minister for Planning	Type of consent: Development authorisation
Postal Address: c/- DTI-PLUS, GPO 1815, ADELAIDE SA 5001	
Telephone: 1800 752 664	Email: spcapplications@sa.gov.au