

**Liberty International Underwriters**

**Environmental**

**LIU Landfill Proposal**





## Important Notice

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### Your Duty of Disclosure

Before you enter into a contract of general insurance with an insurer, you have a duty, under Section 21 of the Insurance Contracts Act 1984 (Cth), to disclose to the insurer every matter that you know, or could reasonably be expected to know, is relevant to the insurer's decision whether to accept the risk of the insurance and, if so, on what terms.

You have the same duty to disclose those matters to the insurer before you renew, extend, vary or reinstate a contract of general insurance.

Your duty however does not require disclosure of matter:

- that diminishes the risk to be undertaken by the insurer;
- that is of common knowledge;
- that your insurer knows or, in the ordinary course of its business, ought to know;
- as to which compliance with your duty is waived by the insurer.

### Non Disclosure

If you fail to comply with your duty of disclosure, the insurer may be entitled to reduce their liability under the contract in respect of a claim or may cancel the contract. If your non-disclosure is fraudulent, the insurer may also have the option of avoiding the contract from its beginning.

### Claims Made Cover

This is a proposal for a 'Claims Made' policy of insurance. This means that the policy covers you for any claims made against you and notified to the insurer during the policy period. The policy does not provide cover in relation to:

- pollution conditions that occurred prior to the retroactive date (if one is specified) in the policy;
- any claim made, threatened or intimated against you prior to the commencement of the policy period;
- any claim or fact that might give rise to a claim, reported or which can be reported to an insurer under any insurance policy entered into before the commencement of the policy period;
- any claim or fact that might give rise to a claim, noted in this proposal or any previous proposal;
- any claim arising out of any fact you are aware of before the commencement of the policy period;
- any claim made against you after the expiry of the policy period.

If you are uncertain about whether or not a particular matter should be disclosed to the insurer, please contact our office.

However, the effect of Section 40(3) of the Insurance Contracts Act 1984 (Cth) is that where you become aware, and notify us in writing as soon as is reasonably practicable after first becoming aware but within the period of insurance, of any facts which might give rise to a claim against you, any claim which does arise out of such facts shall be deemed to have been made during the period of insurance, notwithstanding that the claim was made against you after the expiry of the period of insurance.

### Privacy Policy

Liberty International Underwriters (LIU) is a trading name of Liberty Mutual Insurance Company, which is a company incorporated in the U.S. It is a member of Boston-based Liberty Mutual Group (LMG). LIU Australia's head office contact details are:

Address: Locked Bag 18, Royal Exchange NSW 1225  
Phone: +61 2 8298 5800

LIU is bound by the Privacy Act 1988 (Cth) and its associated Privacy Principles when it collects and handles your personal information.



LIU collects personal information, including from insurance brokers, in order to provide its services and products and for purposes ancillary to its business. LIU passes it to third parties involved in this process such as LIU's related companies, reinsurers, agents, loss adjusters and other service providers. They may include overseas organisations including LIU and LMG entities in the United States, Canada, UK, Singapore, Hong Kong and Malaysia. Your information may be transferred to countries without comparable privacy laws if it is reasonably necessary to provide you with the products or services you seek from LIU. If you do not provide the personal information LIU or other relevant third parties require to offer you specific products or services, LIU may not be able to provide the appropriate type or level of service.

If you wish to gain access to or correct your personal information, make a privacy complaint, or if you have any query about how LIU collects or handles your personal information please write to LIU's Privacy Officer at the address above or by emailing: [privacy.officer.ap@libertyiu.com](mailto:privacy.officer.ap@libertyiu.com). To obtain a copy of LIU's Privacy Policy go to LIU's website ([www.liuaustralia.com.au](http://www.liuaustralia.com.au)) or request a copy from LIU's Privacy Officer.

When you give LIU personal or sensitive information about other individuals, LIU relies on you to provide its Privacy Notice to them. If you have not done this, you must tell LIU before you provide the relevant data.



## Landfill Proposal Form

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**Important:** Please answer all questions fully. All questions will be deemed to be answered in respect of all entities & persons to be insured under this policy. If the space provided is insufficient please include attachments on your company letterhead.

Member Name:

Date:

1. Name of Landfill:

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2. Address:

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3. Please provide the name and phone number of the appropriate person to contact for landfill information:

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4. Is the landfill open or closed?

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5. What year did the landfill open?

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6. What year did the landfill close or is anticipated to close?

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7. Please identify whether the landfill has been constructed using clay (C), HDPE (H) liners or no liners:

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8. Please identify whether the landfill currently has gas (G), leachate (L), groundwater (GW) monitoring / control or no monitoring / control (N) measures in place:

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9. If no monitoring / control measures, are there plans to install / implement any gas, leachate or groundwater monitoring / control measures?

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10. Please list any external environmental reports by name and date:

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11. What is the size of the landfill (in hectares)?

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12. Please identify the types of wastes at the landfill – Inert / Construction (I), Asbestos (A), Putrescible / Municipal (M), Hazardous / Industrial or unknown (U):

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13. Please identify the surrounding land use – residential (R), commercial (C), industrial (I), or undeveloped / rural (U):

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14. Have any environmental assessments identified pollution issues from the landfill, including methane gas migration or contamination of groundwater at or from the landfill?

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15. Are you required to lodge financial assurance with EPA Victoria?

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16. Please attach a diagram showing the layout of the landfill including any groundwater monitoring wells.



17. Have there been any pollution incidents, complaints, prosecutions, claims or pollution issues? Yes  No

If Yes, please provide a brief summary

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18. At the time of this application does the company know of any facts or circumstances which may reasonably be expected to result in a claim or claims being asserted against your company for environmental clean-up or response or for bodily injury or property damage arising from the release of pollutants into the environment? Yes  No

If Yes, please describe in detail:

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## Declaration

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I declare that to the best of my knowledge and belief the answers given above or documents submitted represent the true position and that I have not withheld any material information from this proposal. I agree that this proposal and any accompanying documents shall form or partly form the basis of the contract proposed.

Signed \_\_\_\_\_

Print Name \_\_\_\_\_

Title \_\_\_\_\_

Dated \_\_\_\_\_