

# Environment Protection Licence

Licence - 21264

## Licence Details

Number:	21264
Anniversary Date:	31-July

## Licensee

WILLIAMTOWN SAND SYNDICATE PTY LIMITED

PO BOX 186

WARATAH NSW 2298

## Premises

CABBAGE TREE ROAD SAND QUARRY

298 CABBAGE TREE ROAD

WILLIAMTOWN NSW 2318

## Scheduled Activity

Crushing, grinding or separating

Extractive activities

## Fee Based Activity

## Scale

Crushing, grinding or separating	> 100000-500000 T annual processing capacity
Extractive activities	> 100000-500000 T annual capacity to extract or process

## Region

North - Hunter

Ground Floor, NSW Govt Offices, 117 Bull Street

NEWCASTLE WEST NSW 2302

Phone: (02) 4908 6800

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PO Box 488G

NEWCASTLE NSW 2300

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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>WILLIAMTOWN SAND SYNDICATE PTY LIMITED</b>
<b>PO BOX 186</b>
<b>WARATAH NSW 2298</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
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity
Extractive activities	Extractive activities	> 100000 - 500000 T annual capacity to extract or process

### A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
<b>CABBAGE TREE ROAD SAND QUARRY</b>
<b>298 CABBAGE TREE ROAD</b>
<b>WILLIAMTOWN</b>
<b>NSW 2318</b>
<b>AS SHOWN ON PLAN TITLED "QUARRY OPERATIONS PLAN - FIGURE 1" WITHIN ALLOTMENTS: LOT 1012 DP 814078 LOT 11 DP 629503 LOT 121 DP 556403 LOT 1 DP 224587 THIS PLAN HAS BEEN FILED AS EPA DOCUMENT DOC19/442133.</b>

### 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:

a) the applications for any licences (including former pollution control approvals) which this licence

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replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and

b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

## 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
13	Ambient Air Monitoring		PM10 real time particulate monitoring station as described as "RT1" in the document titled "Particulate Matter Monitoring Locations , Figure 5," dated 22 July 2019, EPA file Doc19/629648.
14	Ambient Air Monitoring		PM10 real time particulate monitoring station as described as "RT2" in the document titled " Particulate Matter Monitoring Locations, Figure 5," dated 22 July 2019, EPA file Doc19/629648.
15	Ambient Air Monitoring		PM10 particulate monitoring station as described as "HVAS-1 PM10" in the document titled "Particulate Matter Monitoring Locations, Figure 5," dated 22 July 2019, EPA file DOC19/629648.
16	Ambient Air Monitoring		TSP particulate monitoring station as described as "HVAS-2 TSP" in the document titled "Particulate Matter Monitoring Locations, Figure 5," dated 22 July 2019, EPA file DOC19/629648.

P1.2 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

P1.3 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
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1	Groundwater Monitoring	Groundwater Monitoring Bore "BH2" as shown in Figure 7, in document titled "Cabbage Tree Road Sand Quarry" - EPL Supporting Documentation dated 19 March 2019, EPA Doc19/382742.
2	Groundwater Monitoring	Groundwater Monitoring Bore "BH4" as shown in Figure 7, in document titled "Cabbage Tree Road Sand Quarry - EPL Supporting Documentation" dated 19 March 2019, EPA Doc19/382742.
3	Groundwater Monitoring	Groundwater Monitoring Bore "BH6" as shown in Figure 7, in document titled "Cabbage Tree Road Sand Quarry - EPL Supporting Documentation" dated 19 March 2019, EPA Doc19/382742.
4	Groundwater Monitoring	Groundwater Monitoring Bore "BH7" as shown in Figure 7, in document titled "Cabbage Tree Road Sand Quarry - EPL Supporting Documentation: dated 19 March 2019, EPA Doc19/382742.
5	Groundwater Monitoring	Groundwater Monitoring Bore "BH9" as shown in Figure 7, in document titled "Cabbage Tree Road Sand Quarry - EPL Supporting Documentation" dated 19 March 2019, EPA Doc19/382742.
6	Groundwater Monitoring	Groundwater Monitoring Bore "BH11" as shown in Figure 7, in document titled "Cabbage Tree Road Sand Quarry - EPL Supporting Documentation" dated 19 March 2019, EPA Doc19/382742.
7	Groundwater Monitoring	Groundwater Monitoring Bore "MW239S" as shown in Figure 7, in document titled "Cabbage Tree Road Sand Quarry - EPL Supporting Documentation" dated 19 March 2019, EPA Doc19/382742.

P1.4 The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.



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## Noise/Weather

EPA identification no.	Type of monitoring point	Location description
17	Meteorological Station	Williamstown Bureau of Meteorology Station

## 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.

### L2 Waste

L2.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.

### L3 Noise limits

L3.1 Noise Limits

Receiver	Day LAeq(15 Min)	Shoulder LAeq(15 Min)	Shoulder LA Max(1 Min)
Any residential receiver	43	39	45

L3.2 Operational noise generated at the premises must not exceed the noise limits shown in the table above.

Note: The noise limits detailed above do not apply at a particular residence if the licensee has a written agreement with that particular residence to exceed those limits.

Note: This condition does not apply to construction activities of the intersection of the quarry access road and Cabbage Tree Road or vegetation clearing in the Southern Resource Area.

L3.3 The following noise limits apply to vegetation clearing in the Southern Resource Area.

The licensee must only undertake vegetation clearing activities in the Southern Resource Area in the following circumstances:

a) noise generated by the development does not exceed 47dB(A)LAeq (15min);

b) bulldozer(s) or equipment with sound power levels greater than 104 dB(A) are not permitted to be used

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in sectors 9B, 10A, 10B, and 10C as shown in Figure 2 of Appendix 1 of Project Approval SSD-6125;

c) clearing operations are limited to:

- the day period, Monday to Friday only;
- campaigns not exceeding 5 consecutive working days; and
- no more than 4 campaigns in a calendar year.

L3.4 For the purpose of the Noise limits above:

Day is the period from 7am to 6pm Monday to Friday and 7am to 4pm Saturdays.  
The morning shoulder period is from 6am to 7am Monday to Friday.

L3.5 The noise limits set out in this licence apply under all meteorological conditions except for the following:

- a) Wind Speeds greater than 3 metres/second at 10 metres above ground level; or
- b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- c) Stability class G temperature inversions.

L3.6 For the purpose of the condition above:

- a) Data recorded by the meteorological station identified as EPA monitoring point 17 must be used to determine meteorological conditions; and
- b) Temperature inversion conditions (stability category) are to be determined by the sigma theta method referred to in the NSW Noise Policy for Industry.

L3.7 **Determining Compliance**

To determine compliance:

- a) with the Leq (15 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located:
  - i) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
  - ii) within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
  - iii) within approximately 50 metres of the boundary of a National Park or a Nature Reserve.
- b) with the LA1(1 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located within 1 metre of a dwelling façade.
- c) with the noise limits in the Noise Limits table, the noise measurement equipment must be located:
  - i) at the most affected point at a location where there is no dwelling at the location; or
  - ii) at the most affected point within an area at a location prescribed by part (a) or part (b) of this condition.

Note: A non-compliance of the Noise Limits table will still occur where noise generated from the premises in excess of the appropriate limit is measured:

- i) at a location other than an area prescribed in part (a) and part (b); and/or
- ii) at a point other than the most affected point at a location.

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- L3.8 For the purposes of determining the noise generated at the premises the modification factors in Fact Sheet C of the NSW Noise Policy for Industry must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

## L4 Hours of operation

### L4.1 Quarrying operations

7am to 5pm Monday to Friday  
7am to 4pm Saturday  
At no time on Sundays or public holidays.

Loading and dispatch of laden trucks

6am to 6pm Monday to Friday  
7am to 4pm Saturday  
At no time on Sundays or Public holidays.

Note: The licensee may undertake maintenance activities outside these hours provided it is not audible at any residential receiver.

## L5 Potentially offensive odour

- L5.1 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

## L6 Other limit conditions

### Extraction and Rehabilitation Depth Limits

- L6.1 The Licensee must not undertake any sand extraction within 0.7 metres of the predicted maximum groundwater level at the premises at any time.
- L6.2 The Licensee must ensure that rehabilitation final landform levels remain 1 metre above the maximum predicted groundwater height.

## 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:  
a) the processing, handling, movement and storage of materials and substances used to carry out the

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activity; and

b) 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:

a) must be maintained in a proper and efficient condition; and

b) must be operated in a proper and efficient manner.

## O3 Dust

O3.1 All areas in or on the premises must be maintained in a condition that prevents or minimises the emission of dust to the air.

O3.2 Any activity carried out in or on the premises must be carried out by such practical means as to prevent dust or minimise the emission of dust to the air.

O3.3 Any plant operated in or on the premises must be operated by such practical means to prevent or minimise dust or other air pollutants.

O3.4 All trafficable areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the emission of dust to the air, or emission from the premises of wind-blown or traffic generated dust.

O3.5 Trucks entering and leaving the premises that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading.

O3.6 The licensee must ensure that it has sufficient water for all stages of the development, and if necessary, adjust the scale of operations to match its available water supply for dust suppression purposes.

O3.7 The licensee must review operations and ensure that water dust suppression is active on haul roads and stockpile areas during the following conditions:

a) Where wind conditions are directed towards surrounding residences, that is, the weather station indicates winds are blowing from the quadrants west (270 degrees) through North (0 degrees) to East (90 degrees).

b) When the continuous PM10 monitor shows the rolling PM10 24 hr average exceeds the background average concentration of 22 micrograms per cubic metre.

O3.8 The Licensee must cease all topsoil stripping and dozer operations when the following occurs:

a) Wind is directed towards surrounding residences, and

b) Rolling PM10 24 hr average exceeds 35 micrograms per cubic metre.

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O3.9 The Licensee must suspend all sand processing activities when:

- a) Wind is directed towards surrounding residences, and
- b) Rolling PM10 24 hr average exceeds 40 micrograms per cubic metre.

O3.10 The Licensee must suspend all sand extraction from the face when dust levels increase after two hours when:

- a) Wind is directed towards surrounding residences, and
- b) Rolling PM10 24 hr average exceeds 42.2 micrograms per cubic metre.

O3.11 If dust levels continue to increase after two hours, the Licensee must cease loading and shut down all machinery at the premises when:

- a) Wind is directed towards surrounding residences, and
- b) Rolling PM10 24 hr average exceeds 45 micrograms per cubic metre.

O3.12 The Licensee must progressively rehabilitate mined/quarried areas as each section is completed.

## O4 Emergency response

Note: The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The licensee must keep the incident response plan on the premises at all times. The incident response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment.

The PIRMP must be tested at least annually or following a pollution incident.

The licensee must develop the Pollution Incident Response Management Plan in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO regulations.

## O5 Processes and management

### Preventing Pollution from Fuels and Chemicals

O5.1 All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.

O5.2 Bunds must:

- a) have walls and floors constructed of impervious materials;
- b) be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed);
- c) have floors graded to a collection sump; and
- d) not have a drain valve incorporated in the bund structure,

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or be constructed and operated in a manner that achieves the same environmental outcome.

- O5.3 All fuel storage and refuelling areas at the premises must be constructed to comply with the relevant Australian Standards.
- O5.4 Except as detailed in the condition below, refuelling and all storage of fuels and chemicals must be within an appropriately roofed and concrete bunded area within the workshop compound, located outside of the Tomago Sandbeds Special Area.
- O5.5 Tracked plant may be refuelled on a fully bunded and lined hardstand located within the Tomago Sandbeds Special Area. This bunded and lined area must be capable of holding both the tracked equipment and the fuel tank.
- O5.6 No fuel storage or refuelling activities may occur at the premises outside of the areas constructed to the relevant Australian Standards.
- O5.7 The Licensee must ensure that, outside of the operating hours during which quarrying operations are permitted, all fuel powered equipment is removed from the "Tomago Sandbeds Special Area" to a secure storage, except for equipment being used in vegetation clearing operations, which may be stored within a fully bunded and lined hardstand area outside of operating hours.

## Preventing Pollution from Trucks

- O5.8 The Licensee must;
  - a) ensure that all laden trucks entering or exiting the site have their loads covered;
  - b) ensure that all laden trucks exiting the site are cleaned before leaving the site of material that may fall from vehicles; and
  - c) use its best endeavours to ensure that appropriate signage is displayed on all trucks used to transport product from the development so that they can be easily identified by road users.

## Waste Classification

- O5.9 The licensee must ensure that any liquid and/or non liquid waste generated and/or stored at the premises is assessed and classified in accordance with the DECC Waste Classification Guidelines as in force from time to time.

## O6 Other operating conditions

### Minimising Noise

- O6.1 All dozers operating within the Southern Resource Area must be restricted to operating in first gear in reverse to minimise associated track noise.
- O6.2 All mobile equipment used onsite must be fitted with a BBS-Tec "back alarm" broadband reversing alarm or similar such device.

### Managing Contamination from Past Activities

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- O6.3 No groundwater on the premises is to be extracted or used on the premises without the prior approval of the EPA.
- O6.4 Within the premises boundary the Licensee must accurately determine the location of areas impacted by the former mineral sand extraction operations including the settling ponds, sand tailings disposal areas, monazite trenches and the "equipment graveyard" areas and prior to works commencing on site install suitable fencing to prohibit any activities in these areas.

## Stormwater Management

- O6.5 The drainage from all areas at the premises which will liberate suspended solids when stormwater runs over these areas must be diverted to adequately sized sediment basins.
- O6.6 The sediment basins must be maintained to ensure that their design capacity is available for the storage of all runoff from cleared areas.
- O6.7 Stormwater management measures must be prepared and implemented to mitigate the impacts of stormwater run-off from and within the premises in a manner that is consistent with the Stormwater Management Plan for the catchment. Where a Stormwater Management Plan has not yet been prepared the measures should be consistent with the guidance contained in Managing Urban Stormwater: Soils and Construction: Volume 2C Unsealed Roads and Volume 2E Mines and Quarries (DECCW 2008).

## Sewage Management

- O6.8 The Licensee must establish and use an on-site sewage pump out system, incorporating an adequately sized holding tank located outside of the "Tomago Sandbeds Special Area".

## 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:
  - a) in a legible form, or in a form that can readily be reduced to a legible form;
  - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
  - c) 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:
  - a) the date(s) on which the sample was taken;
  - b) the time(s) at which the sample was collected;
  - c) the point at which the sample was taken; and
  - d) the name of the person who collected the sample.

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## 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 13,14

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Continuous	Australian Standard 3580.9.8 - 2001

#### POINT 15

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Every 6 days	AM-18

#### POINT 16

Pollutant	Units of measure	Frequency	Sampling Method
Total suspended particles	micrograms per cubic metre	Every 6 days	AM-15

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

#### POINT 1,2,3,4,5,6,7

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	micrograms per litre	Monthly	Grab sample
Conductivity	microsiemens per centimetre	Monthly	Grab sample
Depth	metres	Monthly	Probe
Iron	milligrams per litre	Monthly	Grab sample
Manganese	milligrams per litre	Monthly	Grab sample
pH	pH	Monthly	Grab sample
Turbidity	nephelometric turbidity units	Monthly	Grab sample



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## M3 Testing methods - concentration limits

M3.1 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.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2010* 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 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.

## M4 Weather monitoring

M4.1 At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.

### POINT 17

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Temperature at 2 metres	AM-4	degrees Celsius	1 hour	Continuous
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous
Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous
Sigma Theta	AM-2 & AM-4	Degrees	15 minutes	Continuous
Rainfall	AM-4	millimetres	15 minutes	Continuous
Relative humidity	AM-4	percent	1 hour	Continuous

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## **M5 Recording of pollution complaints**

- M5.1 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.
- M5.2 The record must include details of the following:
- a) the date and time of the complaint;
  - b) the method by which the complaint was made;
  - c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
  - d) the nature of the complaint;
  - e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
  - f) if no action was taken by the licensee, the reasons why no action was taken.
- M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## **M6 Telephone complaints line**

- M6.1 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.
- M6.2 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.
- M6.3 The preceding two conditions do not apply until 60 days after the date of the issue of this licence.

## **M7 Other monitoring and recording conditions**

### **Extraction Height Survey**

- M7.1 The licensee must ensure quarry operators are aware excavation RL heights to allow continual compliance with extraction depth limits. Such provisions may include GPS capability on quarry machinery, relevant network of survey pegs and frequent surveys of operations.

## **M8 Noise monitoring**

- M8.1 To assess compliance with the noise limits section of this licence, attended noise monitoring must be undertaken in accordance with the noise conditions and:
- a) at a location representative of the most affected residences in the noise limit conditions and;

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b) occur quarterly in a reporting period;

c) occur each day and shoulder period as defined in the NSW Industrial Noise Policy for a minimum of:

- 1.5 hours during the day; and
- 30 minutes during the shoulder period.

d) occur for three consecutive operating days.

Note: It is the intention of the EPA to review the noise monitoring results required under this condition after a period of (3) years to assess the suitability of the required monitoring.

## 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 a copy of the form that must be completed and returned to the EPA.

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.

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:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is

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given; or

b) 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:

a) the licence holder; or

b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

## Groundwater Monitoring Report

R1.8 The licensee must supply with each Annual Return a monitoring report that includes:

a) all groundwater monitoring results obtained over the reporting period;

b) a graphical presentation of all groundwater monitoring results (one parameter per graph) extending back to when monitoring began; and

c) a commentary on results that have been obtained, highlighting any changes or trends observed over time and make recommendations where adverse effects are identified.

## Annual Extraction Height Survey

R1.9 The licensee must submit to the EPA with each Annual Return an annual independent survey report to demonstrate compliance with the extraction depth limit on this licence. The report must show all RL's of quarry operations and compare these against the RL's for the maximum predicted groundwater levels.

## 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 the incident occurred.

## R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

a) where this licence applies to premises, an event has occurred at the premises; or

b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the

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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:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) 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;
- d) 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;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) 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

### Noise Monitoring Report

R4.1 A noise compliance assessment report must be submitted to the EPA within 30 days of the completion of the quarterly monitoring. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:

- a) an assessment of compliance with the noise limits as detailed in this licence; and
- b) an outline of any management actions taken within the monitoring period to address any exceedances of the limits detailed in this licence.

## 7 General Conditions

### 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.

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- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.
- G1.4 The Licensee must nominate to the EPA a representative of the proponent that is available at all times and is capable of providing immediate assistance or response during emergencies or any other incidents at the premises. The name of the nominated representative and their contact details, including their telephone number, must be current at all times. The nomination and contact details must be provided to the EPA's Director - Hunter at PO BOX 488G, Newcastle NSW 2300.

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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

Mr Peter Jamieson

Environment Protection Authority

(By Delegation)

Date of this edition: 31-July-2019

## End Notes