

# Licence Variation

---



Licence - 3384

LISMORE CITY COUNCIL  
ABN 60 080 932 837  
PO BOX 23A  
GOONELLABAH NSW 2480

Attention: Eleisha Went

Notice Number 1598877  
File Number EF13/3226  
Date 16-Sep-2020

## NOTICE OF VARIATION OF LICENCE NO. 3384

### BACKGROUND

- A. LISMORE CITY COUNCIL ("the licensee") is the holder of Environment Protection Licence No. 3384 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of activities at NIMBIN ROAD, BLAKEBROOK, NSW, 2480 ("the premises").
- B. The Environment Protection Authority (EPA) has instigated a variation of the licence.
- C. The variation is to implement amendments made to Schedule 1 of the Act relating to the definition of Extractive Activities.
- D. On 13 March 2020 the EPA wrote to extractive activity licensees in the North Coast Region advising Schedule 1 amendments were to be implemented.
- E. Other changes have been made to the licence to ensure industry sector consistency.

### VARIATION OF LICENCE NO. 3384

1. By this notice the EPA varies licence No. 3384. The attached licence document contains all variations that are made to the licence by this notice.
2. The following variations have been made to the licence:
  - The fee-based activity scale has been changed from Land-based Extractive Activities to Extractive Activities
  - Added condition A1.3 in regards to what the licence authorises and regulates in regards to extractive activity

# Licence Variation

---



- Added a notation under L6 Hours of operation in regards to outside hours blasting
- Added condition L2.5 in regards to concentration limits
- Added conditions L2.6, L2.7, L2.8 and L2.9 which set out a process for utilising a turbidity (NTU) correlation for conclusive sediment basin water quality.
- Added condition L2.10 which relates to controlled discharges
- Added condition O4.11 with regards to sediment basin management
- Added condition O4.12 which correlates to banded storage of liquid and chemical fuels and oils
- Added condition L5.4 which requires notification if blasting limits are exceeded
- Added condition L4.3 and a notation to define a noise sensitive location
- Condition M8.1 has been added to provide guidance for noise monitoring
- New condition R1.9 has been included to require annual reporting of extraction amounts. This was communicated in the letter to Lismore City Council date 13 March 2020

A handwritten signature in black ink, appearing to read 'S. Hunter'.

.....  
**Scott Hunter**  
**Unit Head**  
**Regional Waste Compliance**  
(by Delegation)

## **INFORMATION ABOUT THIS NOTICE**

- This notice is issued under section 58(5) of the Act.
- Details provided in this notice, along with an updated version of the licence, will be available on the EPA's Public Register (<http://www.epa.nsw.gov.au/prpoeo/index.htm>) in accordance with section 308 of the Act.

## **Appeals against this decision**

- You can appeal to the Land and Environment Court against this decision. The deadline for lodging the appeal is 21 days after you were given notice of this decision.

## **When this notice begins to operate**

# Licence Variation

---



- The variations to the licence specified in this notice begin to operate immediately from the date of this notice, unless another date is specified in this notice.
- If an appeal is made against this decision to vary the licence and the Land and Environment Court directs that the decision is stayed the decision does not operate until the stay ceases to have effect or the Land and Environment Court confirms the decision or the appeal is withdrawn (whichever occurs first).

# Environment Protection Licence

Licence - 3384

<b><u>Licence Details</u></b>	
Number:	3384
Anniversary Date:	17-January

<b><u>Licensee</u></b>
LISMORE CITY COUNCIL
PO BOX 23A
GOONELLABAH NSW 2480

<b><u>Premises</u></b>
LISMORE OR BLAKEBROOK QUARRY
NIMBIN ROAD
BLAKEBROOK NSW 2480

<b><u>Scheduled Activity</u></b>
Extractive activities

<b><u>Fee Based Activity</u></b>	<b><u>Scale</u></b>
Extractive activities	> 100000-500000 T annually extracted or processed

<b><u>Region</u></b>
Regional North - Grafton
NSW Govt Offices, 49 Victoria Street
GRAFTON NSW 2460
Phone: (02) 6640 2500
Fax: (02) 6642 7743
PO Box 498
GRAFTON NSW 2460



# Environment Protection Licence

Licence - 3384

<b>INFORMATION ABOUT THIS LICENCE</b>	4
Dictionary	4
Responsibilities of licensee	4
Variation of licence conditions	4
Duration of licence	4
Licence review	4
Fees and annual return to be sent to the EPA	4
Transfer of licence	5
Public register and access to monitoring data	5
<b>1 ADMINISTRATIVE CONDITIONS</b>	6
A1 What the licence authorises and regulates	6
A2 Premises or plant to which this licence applies	6
A3 Other activities	6
A4 Information supplied to the EPA	7
<b>2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND</b>	7
P1 Location of monitoring/discharge points and areas	7
<b>3 LIMIT CONDITIONS</b>	7
L1 Pollution of waters	7
L2 Concentration limits	8
L3 Waste	9
L4 Noise limits	9
L5 Blasting	9
L6 Hours of operation	10
<b>4 OPERATING CONDITIONS</b>	10
O1 Activities must be carried out in a competent manner	10
O2 Maintenance of plant and equipment	11
O3 Dust	11
O4 Processes and management	11
<b>5 MONITORING AND RECORDING CONDITIONS</b>	12
M1 Monitoring records	12
M2 Requirement to monitor concentration of pollutants discharged	12
M3 Testing methods - concentration limits	13
M4 Environmental monitoring	13
M5 Recording of pollution complaints	13

# Environment Protection Licence



Licence - 3384

M6	Telephone complaints line .....	14
M7	Blasting .....	14
M8	Other monitoring and recording conditions .....	14
<b>6</b>	<b>REPORTING CONDITIONS .....</b>	<b>14</b>
R1	Annual return documents .....	14
R2	Notification of environmental harm .....	16
R3	Written report .....	16
<b>7</b>	<b>GENERAL CONDITIONS .....</b>	<b>17</b>
G1	Copy of licence kept at the premises or plant .....	17
<b>DICTIONARY</b>	<b>.....</b>	<b>18</b>
	General Dictionary .....	18

# Environment Protection Licence

---

Licence - 3384



## 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).

# Environment Protection Licence

Licence - 3384



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>LISMORE CITY COUNCIL</b>
<b>PO BOX 23A</b>
<b>GOONELLABAH NSW 2480</b>

subject to the conditions which follow.



# Environment Protection Licence

Licence - 3384

## 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
Extractive activities	Extractive activities	> 100000 - 500000 T annually extracted or processed

A1.2 This licence regulates water pollution resulting from the activity/ies carried out at the premises specified in A2.

A1.3 Notwithstanding the maximum scale at condition A1.1, the maximum scale of extractive activity authorised under this licence must not exceed the extraction limit approved by the current development consent granted under the *Environmental Planning and Assessment Act 1979* for the premises specified in condition A2.

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

A2.1 The licence applies to the following premises:

Premises Details
LISMORE OR BLAKEBROOK QUARRY
NIMBIN ROAD
BLAKEBROOK
NSW 2480
LOT 201 DP 1227138

### A3 Other activities

A3.1 This licence applies to all other activities carried on at the premises, including:

Ancillary Activity
Bitumen Pre-mix or Hot-mix Industries

# Environment Protection Licence

Licence - 3384



## A4 Information supplied to the EPA

A4.1 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 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 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.

P1.2 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
1	Wet weather overflow	Wet weather overflow	Spillway of the settlement dam at the southern end of the site nearest the weighbridge as identified on site map entitled Blake Brook Quarry Water Management dated 21 July 2005

## 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.

L1.2 Discharge of TSS to waters from Point 1 is permitted when the discharge occurs solely as a result of rainfall at the premises exceeding a total of 60.2 millimetres over any consecutive five day period.

# Environment Protection Licence



Licence - 3384

L1.3 The licensee must take all practical measures to avoid or minimise generation of total suspended solids

## L2 Concentration limits

L2.1 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\.

L2.2 Water and/or Land Concentration Limits

### POINT 1

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	Visible				Nil
pH	pH				6.5 -8.5
Total suspended solids	milligrams per litre				50

L2.3 For each monitoring/discharge point or utilisation area specified in the table\ below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

L2.4 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L2.5 The concentration limits in the table above do not apply to any discharge from the sediment pond(s) solely arising from a rainfall event exceeding 60.2 mm (the 90 percentile 5 day rain event) in total falling over any consecutive five day period.

L2.6 If the licensee uses turbidity (NTU) in place of TSS to determine compliance with Condition L2.2, the licensee must develop a statistical correlation which identifies the relationship between NTU and TSS for water quality in the sediment basin/s in order to determine the NTU equivalent of 50 mg/L TSS before its use.

L2.7 The licensee must provide the EPA with a copy of the statistical correlation assessment methodology and results before using NTU in place of TSS.

L2.8 The licensee must develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS.

# Environment Protection Licence



Licence - 3384

- L2.9 The licensee must provide the EPA with any amendments the licensee makes to the statistical correlation as a result of the ongoing verification required by Condition L2.8 before using the revised statistical correlation.
- L2.10 Controlled discharges from any sediment basins must not exceed a 100th percentile limit for Total Suspended Solids concentration of 50mg/L. All discharges are to fall within the pH range of between 6.5 and 8.5. There is to be no visible oils and greases in any controlled discharges from sediment basins.

## L3 Waste

- L3.1 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, excluding the following:
- a) Glass sand recovered from the Lismore Recycling and Recovery Centre.

## L4 Noise limits

- L4.1 Noise from the licenced premise must not exceed an LAeq (15 minute) noise emission criterion of 36db(A) at Location 2 and 35db(A) at all other sensitive receivers, except as expressly provided by this licence.
- L4.2 Noise from the premises is to be measured at the most affected noise sensitive receiver who has not given written permission for an exceedance of condition L4.1 to determine compliance with this condition.
- Note: Noise sensitive locations means buildings used as a residence, hospital, school, childcare centre, places of public worship and nursing homes. A noise sensitive location includes the land within 30m of the building.
- L4.3 The noise limits set out in the Noise Limits table 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) Temperature inversion conditions up to 3°C/100m and wind speeds greater than 2 metres/second at 10 metres above ground level; or
  - c) Temperature inversion conditions greater than 3°C/100m.

## L5 Blasting

- L5.1 The airblast overpressure level from blasting operations in or on the premises must not exceed:
- a) 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; and
  - b) 120 dB (Lin Peak) at any time.
- as measured at the nearest sensitive receiver
- L5.2 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed:
- a) 5mm/s for more than 5% of the total number of blasts carried out on the premises during each

# Environment Protection Licence

Licence - 3384



reporting period; and  
b) 10 mm/s at any time.

At the most affected residence or noise sensitive location that is not owned by the licensee or subject to a private agreement between the owner of the residence or noise sensitive location and the licensee as to an alternative ground vibration level .

L5.3 All sensitive receivers are to be given at least 24 hours notice when blasting is to be undertaken.

L5.4 The licensee must report any exceedance of the licence blasting limits to the EPA within 24 hours of the exceedance becoming known to the licensee or to one of the licensee's employees or agents.

## L6 Hours of operation

L6.1 Activities covered by this licence must be in accordance with the operating hours set out in the table below

Activity	Permissible Hours
Quarrying activities including loading and dispatch of trucks	07:00 to 18:00 Monday to Friday; 07:00 to 15:00 on Saturday and at no time on Sundays and Public Holidays
Blasting	10:00 to 15:00 Monday to Friday and at no time on Saturday, Sunday and Public Holidays
Asphalt plant	06:00 to 17:30 Monday to Saturday and at no time on Sundays and Public Holidays
Maintenance	May be conducted at any time provided that these activities are not audible at any privately-owned residence

L6.2 The following activities may be carried out outside the hours specified in Condition L6.1 above:

- delivery or despatch of material outside the hours of as requested by police or other public authorities
- emergency work to avoid the loss of lives, property or to prevent environmental harm
- operation of the asphalt plant with the permission of Lismore City Council for emergency or specific works where a traffic management problem is involved.

In such circumstances, prior notification must be provided to the EPA and affected residents as prior to undertaking the activity or as soon as possible thereafter.

Note: Where a blast failure has occurred or there are compelling safety reasons, the EPA may permit a blast to occur outside the above hours. The licensee must provide prior notice of any such blast to the EPA by contacting 131 555.

## 4 Operating Conditions

### 01 Activities must be carried out in a competent manner

# Environment Protection Licence



Licence - 3384

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 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 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

## O4 Processes and management

O4.1 Sediment Basins shall be treated, if required, to reduce the Total Suspended Solids level to the licenced concentration limit of 50mg/L before being released to the environment. Treatment can be with gypsum or any other material that has been approved by the EPA.

O4.2 The licensee must maximise the diversion of run-on waters from lands upslope and around the site whilst land disturbance activities are being undertaken.

O4.3 The licensee must maximise the diversion of stormwater runoff containing suspended solids to sediment basins installed on the premises.

O4.4 Where sediment basins are necessary, all sediment basins and associated drainage must be installed and commissioned prior to the commencement of any clearing or grubbing works within the catchment area of the sediment basin that may cause sediment to leave the site.

O4.5 The licensee must ensure the design storage capacity of the sediment basins installed on the premises is reinstated within 5 days of the cessation of a rainfall event that causes runoff to occur on or from the premises.

O4.6 The licensee must ensure that sampling point(s) for water discharged from the sediment basin(s) are provided and maintained in an appropriate condition to permit:

- a) the clear identification of each sediment basin and discharge point;
- b) the collection of representative samples of the water discharged from the sediment basin(s); and
- c) access to the sampling point(s) at all times by an authorised officer of the EPA.

O4.7 The licensee must endeavour to maximise the reuse of captured stormwater on the premises.

# Environment Protection Licence



Licence - 3384

- O4.8 Each sedimentation basin must have a marker (the “sedimentation basin marker”) that identifies the upper level of the sediment storage zone.
- O4.9 Whenever the level of liquid and other material in any sedimentation basin exceeds the level indicated by the sedimentation basin marker, the licensee must take all practical measures as soon as possible to reduce the level of liquid and other material in the sedimentation basin.
- O4.10 The sediment basins must meet the design and operational standards of Managing Urban Stormwater Soils and Construction: Volume 1 and Volume 2 E. Mines and quarries. The sediment basin sizes have been calculated to total 20.05 ML as outlined in the Blakebrook Quarry Expansion - Soil and Water Management Sub-Plan - April 2011, prepared by Environmental Resources Management Australia on behalf of Lismore City Council
- O4.11 The sites sediment basin(s) must be maintained and operated to ensure that:
- All 5-day rainfall events up to 60.2 mm (the 90th percentile 5 day rain event) are captured.
  - Any discharge from the sediment basin that occurs as a result of rainfall below the 5-day total of 60.2 mm must meet the limit conditions specified in condition L2.2.
- O4.12 All liquid chemicals, fuels and oils must be stored in tanks or containers inside suitable bund(s). Bund(s) are to be designed, constructed and maintained in accordance with the relevant Australian Standard for the Storage and Handling of Flammable and Combustible Liquids.

## 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.

### 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

# Environment Protection Licence

Licence - 3384

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 Water and/ or Land Monitoring Requirements

### POINT 1

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	Visible	Special Frequency 1	Visual Inspection
pH	pH	Special Frequency 1	Grab sample
Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample

M2.3 For the purposes of the table(s) above Special Frequency 1 means the collection of samples once during each discharge event arising from rainfall not exceeding the 90 percentile five day rainevent of 60.2mm falling in total over a period of up to five days..

## M3 Testing methods - concentration limits

M3.1 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 Environmental monitoring

M4.1 The licensee is required to install and maintain a rainfall depth measuring device.

M4.2 Rainfall at the premises must be measured and recorded in millimetres per 24 hour period, at the same time each day.

## 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:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;



# Environment Protection Licence

---



Licence - 3384

- 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 3 months after: the date of the issue of this licence.

## **M7 Blasting**

M7.1 To determine compliance with condition(s) L5.2 and L5.3:

- a) Airblast overpressure and ground vibration levels must be measured at the most affected residence or noise sensitive location that is not owned by the licensee or subject to a private agreement between the owner of the residence or noise sensitive location and the licensee as to an alternative level - for all blasts carried out in or on the premises; and
- b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.

## **M8 Other monitoring and recording conditions**

M8.1 Noise monitoring must be carried out in accordance with Australian Standard AS 2659.1 – 1998: Guide to the use of sound measuring equipment – Portable sound level meters, and the compliance monitoring guidance provided in the NSW Industrial Noise Policy.

## **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,

# Environment Protection Licence



Licence - 3384

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 notification that the Annual Return is due.

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- 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.
- 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 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.
- R1.8 The licensee must report any exceedence of the licence blasting limits to the regional office of the EPA as soon as practicable after the exceedence becomes known to the licensee or to one of the licensee's employees or agents.

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.

Note: An application to transfer a licence must be made in the approved form for this purpose.

- R1.9 The licensee must also include the following information with the Annual Return:

# Environment Protection Licence



Licence - 3384

- A statement detailing the total volume of material extracted from the quarry for the reporting period; and
- The total volume of extracted material transported from the premises for the reporting period.

## R2 Notification of environmental harm

R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

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.

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.

## 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 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.

# Environment Protection Licence

---

Licence - 3384



## 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.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

# Environment Protection Licence

Licence - 3384

## 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

# Environment Protection Licence

Licence - 3384

<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> .

# Environment Protection Licence



Licence - 3384

<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 Nigel Sargent

Environment Protection Authority

(By Delegation)

Date of this edition: 28-August-2000

# Environment Protection Licence

Licence - 3384



## End Notes

- 1 Licence varied by notice 1012134, issued on 02-Apr-2002, which came into effect on 27-Apr-2002.
- 2 Licence varied by notice 1017834, issued on 03-Jun-2002, which came into effect on 28-Jun-2002.
- 3 Licence varied by notice 1020616, issued on 12-Sep-2002, which came into effect on 07-Oct-2002.
- 4 Licence varied by notice 1026159, issued on 31-Mar-2003, which came into effect on 25-Apr-2003.
- 5 Licence varied by notice 1031250, issued on 03-Oct-2003, which came into effect on 28-Oct-2003.
- 6 Licence varied by notice 1045315, issued on 11-Mar-2005, which came into effect on 05-Apr-2005.
- 7 Licence varied by notice 1049382, issued on 25-Aug-2005, which came into effect on 19-Sep-2005.
- 8 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 9 Licence varied by notice 1508293 issued on 22-Aug-2012
- 10 Licence varied by notice 1525659 issued on 30-Nov-2015
- 11 Licence varied by notice 1558031 issued on 27-Nov-2017
- 12 Licence varied by notice 1568156 issued on 06-Aug-2018
- 13 Licence format updated on 13-Feb-2019
- 14 Licence varied by notice 1577148 issued on 11-Mar-2019