

# Environment Protection Licence

Licence - 12513

**Licence Details**

Number:	12513
Anniversary Date:	25-July
Review Due Date:	25-Jul-2011

**Licensee**

DIXON SAND (PENRITH) PTY LTD  
 PO BOX 148  
 PENRITH NSW 2751

**Licence Type**

Premises

**Premises**

Dixon Sand (Penrith) Pty Limited  
 Haerses Road and intersection of Wisemans Ferry Road  
 MAROOKA NSW 2756

**Scheduled Activity**

Extractive activities

**Fee Based Activity**

Land-based extractive activity

**Scale**

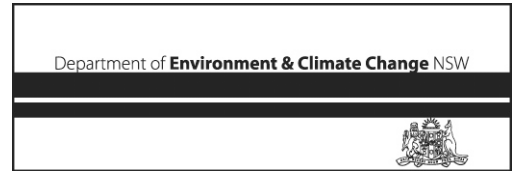
&gt; 100000 - 500000 T obtained

**Region**

Metropolitan  
 Level 3, NSW Govt Offices, 84 Crown Street  
 WOLLONGONG NSW 2500  
 Phone: 02 4224 4100  
 Fax: 02 4224 4110  
 PO Box 513 WOLLONGONG EAST  
 NSW 2520

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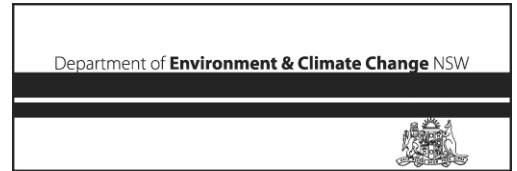
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## Information about this licence

### 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); and
- 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).

The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees.

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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>DIXON SAND (PENRITH) PTY LTD</b>
<b>PO BOX 148</b>
<b>PENRITH NSW 2751</b>

subject to the conditions which follow.

## 1 Administrative conditions

### A1 What the licence authorises and regulates

A1.1 Not applicable.

A1.2 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.

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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

Extractive activities

Fee Based Activity	Scale
Land-based extractive activity	> 100000 - 500000 T obtained

A1.3 Not applicable.

## A2 Premises to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
Dixon Sand (Penrith) Pty Limited
Haerses Road and intersection of Wisemans Ferry Road
MARROTA
NSW
2756
LOT 170 DP664767, A & B DP 407341, LOTS 176 & 177 DP 752039

## A3 Other activities

A3.1 Not applicable.

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## **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 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.

#### *Air*

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Description of Location
1	Ambient air monitoring		Ambient air monitoring site location near the Maroota Public School as marked in "Figure 1.3 - Existing and Proposed Development" provided to the DEC (by Fax) on 30 November 2004.
2	Meteorological station		Meteorological station near Maroota Public School as marked in "Figure 1.3 - Existing and Proposed Development" provided to the DEC (by Fax) on 30 November 2004.
3	Ambient air monitoring.		Dust deposition gauge located at a site to be determined in negotiation with the DEC <indicatively, on the site between Stage 4 works and the west most dam on the site near Stage 4 works>.

P1.2 Not applicable.

P1.3 Not applicable.

## 3 Limit conditions

### L1 Pollution of waters



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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 Load limits

L2.1 Not applicable.

L2.2 Not applicable.

## L3 Concentration limits

L3.1 Not applicable.

L3.2 Not applicable.

L3.3 Not applicable.

L3.4 For each monitoring/discharge or utilisation area specified below (**Point 1**), 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, averaging period and sample at the frequency, specified in the other columns:

### POINT 1

Pollutant	Units of Measure	Averaging period	Frequency	Sampling method
PM <sub>10</sub>	ug/m <sup>3</sup>	15 minute	continuous	AS3580.9.8-2001

## L4 Volume and mass limits

L4.1 Not applicable.

## L5 Waste

L5.1 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 a licence under the Protection of the Environment Operations Act 1997.

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- L5.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence under the Protection of the Environment Operations Act 1997.

## L6 Noise Limits

- L6.1 Noise generated at the premises must not exceed the noise limits presented in the table below. Note that the noise limits represent the noise contribution from the Haerses Road sand quarry site at Maroota.

**Noise Limits (dB(A))**

Location	Day	Shoulder (6am to 7am)	
	$L_{Aeq(15\text{ minutes})}$	$L_{Aeq(15\text{ minutes})}$	$L_{A(max)}$
1. F&J Roberts & adjoining residence.	37	37	45
2. E. Ramm	40	40	45
3. M. Ramm	38	38	45
4. B . Ramm	37	37	45
All other residences on privately owned land.	35	35	45

- L6.2 For the purpose of condition L6.1
- Day is defined as the period from 7am to 6pm Sunday and Public Holidays.
  - Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.
- L6.3 Noise from the premises is to be measured at the most affected point or within the residential boundary or at the most affected point within 30m of the dwelling (rural situations) where the dwelling is more than 30m from the boundary to determine compliance with the  $L_{Aeq(15\text{ minute})}$  noise limit in condition L6.1.

Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternate means of determining compliance. See chapter 11 of the NSW Industrial Noise Policy.

The modification factors presented in Section 4 of the NSW Industrial Noise Policy must also be applied to the measured noise levels where applicable.

### Definition

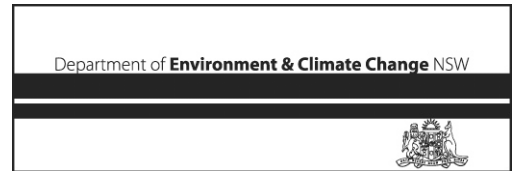
$L_{A10(15\text{ minute})}$  is the sound pressure level that is exceeded for 10% of the time when measured over a 15 minute period.

### Note: Noise measurement

*For the purpose of noise measures required for this condition, the  $L_{A10}$  noise level must be measured or computed at any point specified in the tables above over a period of 15 minutes using*

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*"FAST" response on the sound level meter.*

*For the purpose of the noise criteria for this condition, 5dBA must be added to the measured level if the noise is substantially tonal or impulsive in character. The location or point of impact can be different for each development, for example, at the closest residential receiver or at the closest boundary of the development. Measurement locations can be:*

*1 metre from the facade of the residence for night time assessment;*

*at the residential boundary;*

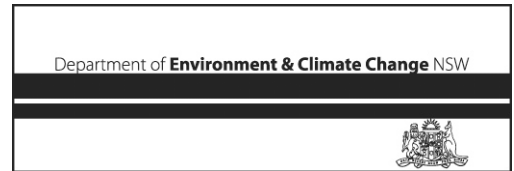
*30 metres from the residence (rural situations) where boundary is more than 30 metres from residence.*

- L6.4 Noise from the premises is to be measured at 1m from the dwelling façade to determine compliance with the  $L_{A(max)}$  noise level in condition L6.1 condition.
- L6.5 The noise emission limits identified in condition L6.1 apply under all meteorological conditions (wind speed up to 3m/sec at 10 metres above ground level), except under conditions of temperature inversions. Noise impacts that may be enhanced by temperature inversions must be addressed by:
- Documenting noise complaints received to identify any higher level of impacts or patterns of temperature inversions; and
  - Where levels of noise complaints indicate a higher level of impact then actions to quantify and ameliorate any enhanced impacts under temperature inversions conditions should be developed and implemented.
- L6.6 All construction work at the premises must only be conducted between 0700 hours and 1800 hours Monday to Saturday, and no time on Sundays and Public Holidays.
- L6.7 Activities at the premises, other than construction work, may only be carried out between 0600 hours and 1800 hours Monday to Saturday, and at no time on Sundays and Public Holidays.
- L6.8 A Construction Noise Management Protocol shall be prepared by the Applicant.  
The Protocol shall include but not necessarily be limited to:
- compliance standards;
  - community consultation;
  - complaints handling monitoring/system;
  - site contact person to follow up complaints;
  - mitigation measures;
  - the design/orientation of the proposed mitigation methods demonstrating best practice;
  - construction times;
  - contingency measures where noise complaints are received;
  - monitoring methods and program.

L6.9 This condition does not apply to the delivery of material outside the hours of operation permitted by

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condition **L6.6** or **L6.7**, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

L6.10 The hours of operation specified in conditions **L6.6** and **L6.7** may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

## **L7 Potentially offensive odour**

L7.1 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

## **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 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 operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.

O3.2 Trucks entering and leaving the premises that are carrying loads must be covered at all times,



except during loading and unloading.

- O3.3 The licensee must maintain and operate a continuous dust monitoring device at **Point 1** identified in condition **P1.1** of this licence.

The continuous dust monitoring device must be fitted with an automatic alarm system alerting the quarry staff once the trigger value for PM<sub>10</sub> (42 µg/m<sup>3</sup>) is reached.

- O3.4 All dust deposition gauges installed at the site must be operated and maintained in accordance with Australian Standard 2724.1 (1984) for deposition gauges.

- O3.5 The licensee must maintain and operate a continuous automatic meteorological station at monitoring **Point 2**, identified in condition **P1.1** of this licence, as per requirements of AS 2923 - 1987.

This wind monitoring components of the meteorological station must be interfaced with the continuous dust monitoring device, identified in the above condition **O3.3**

- O3.6 The licensee must ensure that the dust generated by the development does not cause any additional exceedences of the air quality impact assessment criteria listed in tables 1,2 & 3 at any residence on any privately owned land, listed in condition L6.1

Table 1. Long term impact assessment criteria for particulate matter.

Pollutant	Averaging period	Criterion
Total suspended particulate (TSP)	Annual	90ug/m <sup>3</sup>
Particulate matter < 10 um (PM <sub>10</sub> )	Annual	30 ug/m <sup>3</sup>

Table 2. Short term impact assessment criterion for particulate matter.

Pollutant	Averaging period	Criterion
Particulate matter < 10 um (PM <sub>10</sub> )	24 hour	50 ug/m <sup>3</sup>

Table 3. Long term impact criteria for deposited dust.

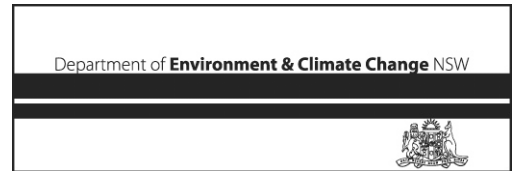
Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
Deposited dust	Annual	2g/ m <sup>2</sup> / month	4 g/m <sup>2</sup> / month

Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: Methods for sampling and Analysis of Ambient Air - Determination of Particulates – Deposition Matter – Gravimetric Methods.

## O4 Stormwater Management

- O4.1 A Site Water Management Plan (SWMP) must be implemented for the development, in consultation with DEC and DNR. The plan must include:-

1. a Soil and Water Management Plan; and
2. a Groundwater Monitoring Program



## The Soil and Water Management Plan must:

1. describe what measures would be implemented to minimise soil erosion, and the discharge of sediment and other pollutants, during each stage of the development including:
  - road and intersection works;
  - initial clearing and topsoil stripping;
  - extraction; and
  - noise bund construction.
2. include control measures that have the capacity to contain the rainfall and runoff generated by the "design event" specified in condition **O4.7**

## The Groundwater Monitoring Program must:

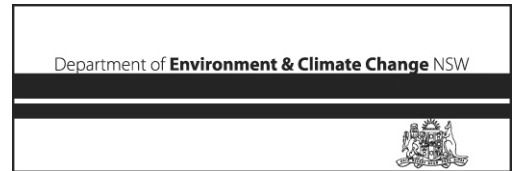
1. describe what measures would be put in place to establish the site's wet weather groundwater levels;
2. monitor any potential adverse impacts of the development on groundwater levels and quality;
3. detail the contingency measures that would be put in place in the event that groundwaters are breached and/or contaminated.

The SWMP should be prepared in accordance with the requirements of Landcom's Manual titled "*Managing Urban Stormwater Soil and Construction Volume 1, 4<sup>th</sup> Edition, March 2004*".

- O4.2 A Stormwater Management Scheme must be prepared for the development and must be implemented. Implementation of the Scheme must mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities. The Scheme should be consistent with the Stormwater Management Plan for the catchment. Where a Stormwater Management Plan has not yet been prepared the Scheme should be consistent with the guidance contained in Landcom's Manual titled "*Managing Urban Stormwater Soil and Construction Volume 1, 4<sup>th</sup> Edition, March 2004*".
- O4.3 If mud, sediment or other raw materials are found to be tracked off the premises the Company must install, operate and maintain on the premises an automatic wheel wash or similar facility that will be capable of washing the underside of vehicles, wheels, wheel arches and axles of all vehicles leaving the premises. In addition to this, appropriate measures must be put in place that ensures that all vehicles leaving premises must go through the wheel wash facility.
- O4.4 The entrance to the premises must be maintained in a sealed state.
- O4.5 The sealed access road to the premises must be kept free of dust, sediment and other raw materials at all times.
- O4.6 A sediment basin must be installed and maintained in extraction area called stage 1 prior to any extraction activities being undertaken. The dam must have a storage capacity of no less than 222

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cubic metres as specified in the additional information supplied by the proponent's consultant Environmental Resources Management Australia via letter date 11 August 2005.

O4.7 Appropriate sediment dams must be installed and maintained for every stage of the extraction area for the life of the sand quarry. The dams must be in place prior to any extraction taking place in the respective strip of each stage and must be designed and constructed in accordance with Landcom's Manual titled "*Managing Urban Stormwater Soil and Construction Volume 1, 4<sup>th</sup> Edition, March 2004*".

Notwithstanding the above, the capacity of the dams must have a sufficient capacity to contain the rainfall and runoff generated from a 90 percentile, 5 day rainfall event ("the design event") for the life of the development.

## 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.

M1.4 The following records for monitoring **Point 1** identified in licence condition **P1.1**, must be kept electronically:

- (a) each 15 minute PM<sub>10</sub> result;
- (b) each rolling 24-hour average PM<sub>10</sub> results (each 15 minutes);
- (c) each daily 24-hour average PM<sub>10</sub> result (midnight to midnight); and
- (d) the rolling annual average PM<sub>10</sub> result (each day, midnight to midnight, and over the total number of days of monitoring since monitoring began for first year of monitoring only).

M1.5 The following records for **Point 2** identified in licence condition **P1**, must be kept electronically:

- each 15 minute, 1 hour and 24 hour result as indicated in the table at condition **M2.3**.

**M2 Requirement to monitor concentration of pollutants discharged**

M2.1 Not applicable.

M2.2 For each monitoring/discharge 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, averaging period and sample at the frequency, specified in the other columns:

## Air

**POINT 1**

Pollutant	Units of measure	Averaging period	Frequency	Sampling method
PM <sub>10</sub>	µg/m <sup>3</sup>	15 minute	Continuous	AS3580.9.8-2001

M2.3 For each monitoring point specified in the table below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.

## Weather

**POINT 2**

Parameter	Units of measure	Frequency	Averaging Period	Sampling Method
Air temperature	°C	Continuous	1 hour	AM-4
Wind direction	-	Continuous	15 minute	AM-2 & AM-4
Wind speed	m/s	Continuous	15 minute	AM-2 & AM-4
Sigma theta	-	Continuous	15 minute	AM-2 & AM-4
Rainfall	Mm	Continuous	24 hour	AM-4

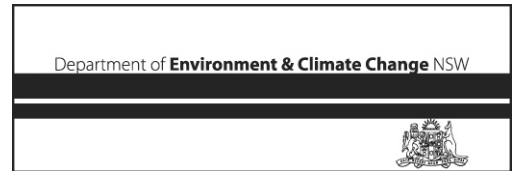
M2.4 If any rolling 24-hour average PM<sub>10</sub> result measured at **Point 1** in licence condition **M2.2** is found to be greater than 42 µg/m<sup>3</sup> and the prevailing wind at the site is between 180° and 240° as measured at **Point 2**:-

- i) the licensee must take immediate action to reduce its PM<sub>10</sub> emissions;
- ii) the licensee must immediately notify the EPA Manager Sydney Industry;
- iii) if the dust level does not return to below 42 µg/m<sup>3</sup> within 1 hour then all dust generating activity on site must stop; and,
- iv) dust generating activity may only recommence when the rolling 24-hour average PM<sub>10</sub> result measured at **Point 1** is less than 42 µg/m<sup>3</sup> for 4 consecutive 15 minute period.



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M2.5 A comprehensive written action plan must be developed to ensure compliance with condition **M2.4**.

## M3 Testing methods - concentration limits

M3.1 Not applicable.

M3.2 Not applicable.

M3.3 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with a relevant local calculation protocol must be done in accordance with:

- any methodology which is required by or under the POEO Act 1997 to be used for the testing of the concentration of the pollutant; or
- if no such requirement is imposed by or under the POEO Act 1997, any methodology which the general terms of approval or a condition of the licence or the protocol (as the case may be) requires to be used for that testing; or
- if no such requirement is imposed by or under the POEO Act 1997 or by the general terms of approval or a condition of the licence or the protocol (as the case may be), any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

Note: The POEO (Clean Air) Regulation 2002 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".

## M4 Recording of pollution complaints

M4.1 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.

M4.2 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.

M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

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M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M5 Telephone complaints line

M5.1 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.

M5.2 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.

M5.3 Conditions M5.1 and M5.2 do not apply until 3 months after:

- the date of the issue of this licence or
- if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.

## M6 Requirement to monitor volume or mass

M6.1 Not applicable.

# 6 Reporting conditions

## R1 Annual return documents

### What documents must an Annual Return contain?

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

- a Statement of Compliance; and
- a Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before 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.

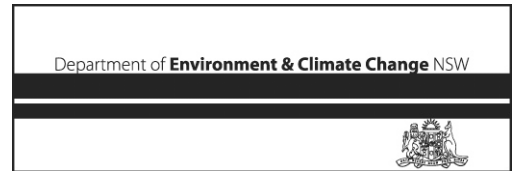
### Period covered by Annual Return

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.

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- R1.3 Where this licence is transferred from the licensee to a new licensee:
- 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
  - 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:
- in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
  - in relation to the revocation of the licence - the date from which notice revoking the licence operates.

## Deadline for Annual Return

- R1.5 The Annual Return for the reporting period must be supplied to the EPA 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').

## Notification where actual load can not be calculated

- R1.6 Not applicable.

## Licensee must retain copy of Annual Return

- R1.7 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.

## Certifying of Statement of Compliance and signing of Monitoring and Complaints Summary

- R1.8 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- the licence holder; or
  - by a person approved in writing by the EPA to sign on behalf of the licence holder.

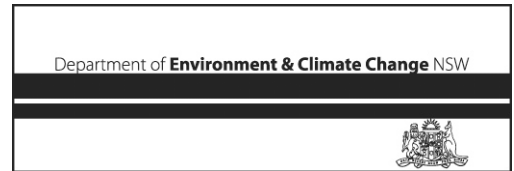
- R1.9 A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.

## R2 Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

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- R2.1 Notifications must be made by telephoning the EPA's Pollution 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.

## 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.

## General conditions

### G1 Copy of licence kept at the premises

- 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.

## ***G2. Community liaison***

- G2.1 The licensee must establish a community environment liaison committee, comprising representatives of the community and the applicant, that will meet at least every 6 months (if not already established). Discussion at the meetings must include implementation of the development consent and other statutory approvals, and provide adequate time for the community to raise matters of concern associated with the environmental impact of the development, with a view to achieving mutually satisfactory solutions.

## **Pollution studies and reduction programs**

## **Special conditions**

## **Dictionary**

### **General Dictionary**

In this licence, unless the contrary is indicated, the terms below have the following meanings:

<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 1998
<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

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<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<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 1998.
<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>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>industrial waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>inert 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 1998
<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</b>	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit

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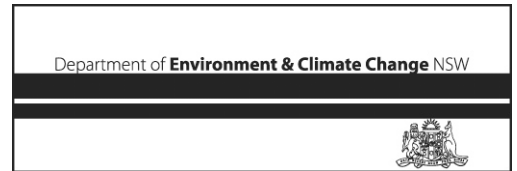
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<b>relation to a concentration limit of a sample]</b>	specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
<b>plant</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>reprocessing of 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>solid 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> .
<b>treatment of waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<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 code</b>	Means the waste codes listed in Appendix 5 of the EPA document A Guide to Licensing Part B.
<b>waste type</b>	Means Group A, Group B, Group C, inert, solid, industrial or hazardous waste

Mr Kieran Horkan

# Environment Protection Licence

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Environment Protection Authority

(By Delegation)

Date of this edition - 07-May-2008

## End Notes

- 1 Licence varied by updating references to the Clean Air Reg, issued on 12-Sep-2006, which came into effect on 12-Sep-2006.
- 2 Licence varied by Change to schedule 1, issued on 07-May-2008, which came into effect on 07-May-2008.