

Licence Variation



Licence - 20611

KARUAH EAST QUARRY PTY LIMITED
ABN 80 141 505 035 ACN 141 505 035
PO BOX 3284
THORNTON NSW 2322

By email: greg.dressler@hunterquarries.com.au

Attention: Greg Dressler

Notice Number 1578081
File Number DOC19/396248, EF15/9364
Date 25-Jun-2019

NOTICE OF VARIATION OF LICENCE NO. 20611

BACKGROUND

- A. KARUAH EAST QUARRY PTY LIMITED ("the licensee") is the holder of Environment Protection Licence No. 20611 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of activities at Pacific Highway, KARUAH, NSW, 2324 ("the premises").
- B. On 16 January 2019 the Environment Protection Authority (EPA) added Pollution Reduction Study (PRS) 1 to the licence. PRS 1 required the licensee to engage an acoustic engineer to investigate site specific noise mitigation measures necessary to meet the licence noise limits at all times. PRS 1 included a note that it was the EPA's intention to add a Pollution Reduction Program (PRP) to the licence requiring the installation of the necessary noise mitigation works.
- C. On 1 March 2019 the licensee wrote to the EPA advising of the completion of the PRS1 and providing the required Noise Mitigation Report (the report) outlining the measures necessary to achieve compliance with the noise limits.
- D. The report recommended enclosing the Dump Hopper, Jaw Crusher and Cone Crusher to achieve compliance with the noise limits. The report also recommended a number of controls for mobile plant.
- E. On 10 May 2019, the licensee submitted a report to the EPA documenting the installation of noise mitigation measures and their performance. The report demonstrated the successful installation of enclosures for the Jaw Crusher, Dump Hopper and Cone Crusher. The licensee advised that noise monitoring conducted on 4 and 12 April 2019 showed the licensee could achieve the noise limits during Primary Plant operation and Secondary Plant operation. However, combined operation of the Primary Plant and Secondary Plant showed noise monitoring results of 39 dBA at Residence G, which is slightly greater than the limit of 38 dBA at this location.

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- F. On 28 May 2019 the EPA carried out an inspection of the premises. During the inspection the enclosures of the Jaw Crusher, Dump Hopper and Cone Crusher were observed.
- G. The EPA considers that the submissions from the licensee, as detailed above, meet the requirements of PRS 1. This Notice therefore varies the licence by removing the completed PRS 1.
- H. The EPA has not included the proposed PRP - to install the necessary noise mitigation structures - as the structural works to enclose the crushers as detailed in the report have been completed.
- I. The EPA notes, however, that in lieu of noise ameliorative measures to mobile plant that the licensee has opted instead to restrict engine revolutions per minute (RPM) to achieve noise limits. The EPA has added a new operational condition requiring this action.
- J. Given the history of noise non-compliance at the premises the EPA considers that noise monitoring needs to be more frequent. The EPA has therefore varied condition M8.1 to require quarterly noise monitoring instead of annual monitoring. This condition has also been varied to ensure monitoring is only conducted during a period of normal quarry operations.
- K. A number of administrative changes have also been made to the licence.
- L. The EPA did not receive any submissions from the licensee regarding this Notice.
- M. This Notice does not authorise a significant increase in the environmental impact of the activities authorised or controlled by the licence.
- N. This variation has been undertaken with consideration of section 45 of the Act.

VARIATION OF LICENCE NO. 20611

- 1. By this notice the EPA varies licence No. 20611. 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:
 - Condition L6.1 - has been removed as it refers to construction work at the premises. The quarry is now in an operational phase and this condition is therefore no longer required.
 - Condition L6.2 - has also been removed as it refers to construction work at the premises. The quarry is now in an operational phase and this condition is therefore no longer required.
 - Condition O4.1 - has been removed and replaced with a Note containing the same text. The Pollution Incident Response Management Plan requirements are statutory obligations under Part 5.7A of the Act and hence do not require a condition in the licence.
 - Condition O7.2 - a new condition has been added which includes the requirement for procedural controls on mobile plant to limit engine RPM as per the licensee's Noise Mitigation Report and subsequent report dated 10 May 2019.
 - Condition M8.1 - has been varied to increase the frequency of noise monitoring from annually to quarterly to ensure the commissioned noise mitigation works achieve compliance with the noise limits.



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- Condition R4.3 - has been varied to reflect quarterly noise monitoring reporting, required in line with the increased monitoring frequency in condition M8.1. The variation also requires the licensee to stipulate what plant and activities were occurring at the time of the monitoring.
- Section U1 - removed following the completion of Pollution Reduction Study 1.
- Condition G2.1 - a new condition detailing completed Pollution Reduction Programs and Studies.

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Peter Jamieson
Head Regional Operations Unit
North - Hunter
(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

- 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

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Licence Details	
Number:	20611
Anniversary Date:	26-August

Licensee
KARUAH EAST QUARRY PTY LIMITED
PO BOX 3284
THORNTON NSW 2322

Premises
KARUAH EAST QUARRY
PACIFIC HIGHWAY
KARUAH NSW 2324

Scheduled Activity
Crushing, grinding or separating
Extractive activities

Fee Based Activity	Scale
Crushing, grinding or separating	> 500000-2000000 T annual processing capacity
Land-based extractive activity	> 500000-2000000 T annual capacity to extract, process or store

Region
North - Hunter
Ground Floor, NSW Govt Offices, 117 Bull Street
NEWCASTLE WEST NSW 2302
Phone: (02) 4908 6800
Fax: (02) 4908 6810
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:

KARUAH EAST QUARRY PTY LIMITED
PO BOX 3284
THORNTON NSW 2322

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 development work listed below at the premises listed in A2:

Works necessary to commence quarry operations (eg stormwater controls, development of roads).

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.

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	> 500000 - 2000000 T annual processing capacity
Extractive activities	Land-based extractive activity	> 500000 - 2000000 T annual capacity to extract, process or store

A1.3 Notwithstanding the condition above, the scale of the land-based extractive activity and / or scale of crushing, grinding and separating authorised under this licence must not exceed 1.5 million tonnes of quarry products per annum, being the amount equivalent to the extraction limit approved by the project approval MP09_0175 granted under the *Environmental Planning and Assessment Act 1979* for the premises specified in A2.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
KARUAH EAST QUARRY
PACIFIC HIGHWAY
KARUAH
NSW 2324
LOT 26 DP 1024341, LOT 27 DP 1024341, LOT 12 DP 1024564, LOT 13 DP 1024564, LOT 16 DP 1024564, LOT 17 DP 1024564, LOT 202 DP 1042537

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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 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.

Any other document and/or management plan is not to be taken as part of the documentation in condition A4.1, other than those documents and/or management plans specifically referenced in 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
4	Air emissions monitoring		Adjacent to Residence C at 5760 Pacific Highway, Karuah, referred to as DDG1 on Figure 2 "Sensitive Receivers & Air Quality Monitoring Locations" in draft Karuah East Quarry Project Air Quality Plan", July 2015. Located within EPA document DOC15/281558.
5	Air emissions monitoring		Adjacent to Residence B at 5770 Pacific Hwy, Karuah, referred to as DDG2 on Figure 2 titled "Sensitive Receivers & Air Quality Monitoring Locations" in draft Karuah East Quarry Project Air Quality Plan", July 2015. Located within EPA document DOC15/281558
6	Air emissions monitoring		Located Lot 24 DP 1024341 Pacific Karuah, referred to as DDG3 on Figure 2 titled "Sensitive Receivers and Air Quality Monitoring Locations" in draft Karuah East Quarry Project Air Quality Plan", July 2015. Located within EPA document DOC15/281558.

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7	Air emissions monitoring	Located at 21 Halloran Road, North Arm Cove, referred to as DDG4 on Figure 2 titled "Sensitive Receivers and Air Quality Monitoring Locations" in draft Karuah East Quarry Project Air Quality Plan", July 2015. Located within EPA document DOC15/281558.
8	Air emission monitoring	Located on Lot21 DP1024341 Pacific Hwy, Karuah, referred to as DDG5 on Fig 2 "Karuah East Quarry - Sensitive Receivers & Air Quality Monitoring Locations" attached to licence variation application received 16/12/16. Located within EPA document DOC16/58114
9	Air emission monitoring	Residence B located at Lot 3 DP 785172, Karuah, referred to as "B" HVAS on Fig 2 "Karuah East Quarry - Sensitive Receivers & Air Quality Monitoring Locations" in licence variation application received 16/12/16. Located within EPA document DOC16/581149

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
1	Discharge to waters	Discharge to waters	The discharge point from Dam 1 as shown on the plan titled "Proposed Surface Water Management Plan - Figure 3", which is filed as part of EPA document DOC15/253402.
2	Discharge to waters	Discharge to waters	The discharge point from Dam 2 as shown on the plan titled "Proposed Surface Water Management Plan - Figure 3", which is filed as part of EPA document DOC15/253402.
3	Discharge to waters	Discharge to waters	The discharge from Dam 3 as shown on the plan titled "Proposed Surface Water Management Plan - Figure 3", which is filed as part of EPA document DOC15/253402.

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
11	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor located adjacent to Residence B as identified in 'Figure 1 - Appendix 2 - Noise Receiver Locations' located in EPA document DOC15/253402.

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 Concentration limits

L2.1 For each monitoring/discharge point or utilisation area specified in the table\&s 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.

L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\&s.

L2.4 Water and/or Land Concentration Limits

POINT 1,2,3

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	milligrams per litre				5 &/or none visible
pH	pH				6.5 - 8.5
Total suspended solids	milligrams per litre				40

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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 or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.

L4 Noise limits

- L4.1 Noise generated at the premises must not exceed the noise limits in the table below. The locations referred to in the table below are indicated in Table 3 and Figure 10 of the document entitled Environmental Assessment Report - Proposed Karuah East Quarry (ADW Johnson Pty Limited 2013) which has been filed on EPA file LIC08/1088-03.

Location	Noise Limit dB(A)
	Day LAeq (15 minute)
Residence A on Lot 100 DP 785172	40
Residence B on Lot 3 DP 785172	37
Residence G on Lot 1 DP 1032636	38
Any other residence or sensitive receiver not subject to a private negotiated agreement	35
Any approved residence on Lot 11 DP 1024564	43

- L4.2 For the purpose of the table above, Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holidays.

- L4.3 The noise limits set out in this licence apply under all meteorological conditions except for the following:
- Wind speed greater than 3 metres/second at 10 metres above ground level; or
 - Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
 - Stability category G temperature inversion conditions.

L4.4 Determining Compliance

To determine compliance with the noise limits set out in the table above, the licensee must locate monitoring equipment:

- within 30 metres of a dwelling façade (but not closer than 3 metres) where any dwelling on the property is situated more than 30 metres from the property boundary that is closest to the premises;
- approximately on the boundary where any dwelling is situated 30 metres or less from the property boundary that is closest to the premises;
- at the most affected point at a location where there is no dwelling at the location; and
- within approximately 50 metres of the boundary of a national park or nature reserve.

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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.

L4.5 For the purposes of determining the noise generated at the premises the modification factors in Fact Sheet C of the EPA's "Noise Policy for Industry" must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

L5 Blasting

L5.1 Blasting in or on the premises must only be carried out between the hours of 9:00 am and 4:00 pm Monday to Friday. No blasting is permitted on Saturdays, Sundays or public holidays. Blasting outside of the hours specified in this condition can only take place with the written approval of the EPA.

L5.2 Blasting is not permitted simultaneously with adjacent quarry(s).

L5.3 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,
at monitoring point 11 detailed in Condition P1.4.

L5.4 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed:
a) 5 mm/second for more than 5% of the total number of blasts during each reporting period; and
b) 10 mm/second at any time,
at monitoring point 11 detailed in Condition P1.4.

L5.5 Error margins associated with any monitoring equipment used to measure airblast overpressure or peak particle velocity are not to be taken into account in determining whether or not the limit has been exceeded.

L5.6 The airblast overpressure and ground vibration levels in the conditions above do not apply at noise sensitive locations that are owned by the licensee or subject to a private agreement, relating to airblast overpressure and ground vibration levels, between the licensee and land owner.

L5.7 Offensive blast fume must not be emitted from the premises.

Definition:

Offensive blast fume means post-blast gases from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:

- 1. are harmful to (or likely to be harmful to) a person that is outside the premises from which it is emitted, or*
- 2. interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.*

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L6 Hours of operation

- L6.1 All quarrying operations, including extraction, processing and loadings / transport must be conducted between 7am to 6pm Monday to Friday and 7am to 1pm Saturdays and at no time on Sundays and public holidays.

Maintenance activities may occur 24 hours per day, 7 days per week, provided these activities are inaudible at any privately owned residence.

L7 Potentially offensive odour

- L7.1 No condition of this licence identifies a potentially offensive odour for the purposes of Section 129 of the Protection of the Environment Operations Act 1997.

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

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- 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 The licensee must ensure it has sufficient water during all stages of the quarry, and if necessary adjust the scale of quarrying operations on the premises to match its available supply.
- O3.6 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.

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 PIRMP 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

- O5.1 All tanks and storage areas for drums containing material that has potential to cause environmental harm must be bunded or have an alternative spill containment system in-place.

The bunding and/or spill containment systems must be properly designed, engineered, and constructed to be suitable for the material types and quantities stored therein in accordance with all appropriate standards, including Australian Standards (AS)1940 and AS1596.

- 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;
 - 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 refuelling must be undertaken in a dedicated refuelling area. The refuelling area must be a hardstand and suitably bunded in accordance with EPA bunding guidance.
- O5.4 The licensee must, before undertaking any earthmoving or vegetation removal works, implement erosion and sediment control measures to prevent pollution of waters in accordance with Soils and Construction: Managing Urban Stormwater 2004 (Landcom, 2004).
- O5.5 Stormwater from all areas of the premises which has the potential to mobilise sediments and other material must be controlled and diverted through the appropriate erosion and sediment control and/or pollution control measures/structures, so as not to cause, permit or allow water pollution to occur.
- O5.6 The in-pit sump must be sized at all times to prevent a discharge to waters in the event of pump failure.

O6 Waste management

- O6.1 The licensee must not irrigate, discharge or dispose of sewage effluent, on the premises.
- O6.2 The licensee must operate and maintain a wastewater collection and storage tank/s to enable the pump out and offsite disposal of any sewage effluent.
- O6.3 The licensee must ensure that sewage effluent collected at the premises is pumped out and disposed of in a lawful manner.

O7 Other operating conditions

Noise and Blast Management

- O7.1 All acoustic bunds necessary to achieve compliance with the noise limits specified in this licence must be constructed prior to the commencement of quarrying activities and be maintained throughout the operational life of the premises to the height and location described in the Noise Management Plan.
- O7.2 The licensee must implement all necessary procedural controls to all mobile plant to limit engine RPM (revolutions per minute) so as to reduce noise in order to achieve compliance with the noise limits specified in this licence.

Bitumin Pre-coat Plant

- O7.3 The licensee must not have a bitumin pre-coat plant on the site. Project Approval MP09_0175 did not assess or approve such a plant.

5 Monitoring and Recording Conditions

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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:

- in a legible form, or in a form that can readily be reduced to a legible form;
- kept for at least 4 years after the monitoring or event to which they relate took place; and
- 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:

- the date(s) on which the sample was taken;
- the time(s) at which the sample was collected;
- the point at which the sample was taken; and
- 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 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 4,5,6,7,8

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Monthly	AM-19

POINT 9

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Every 6 days	AM-18
Total suspended particles	micrograms per cubic metre	Every 6 days	AM-15

M2.3 Water and/ or Land Monitoring Requirements

POINT 1,2,3

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

Note: For the purposes of the table above 'Special Frequency 1' means:

- (a) within 12 hours prior to any controlled discharge; and
- (b) daily during a controlled discharge; or
- (c) daily during any uncontrolled discharge.

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:

- a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
- b) 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
- c) 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 Prior to the commencement of operation of the development, the Proponent must establish a permanent meteorological station complying with the Approved Methods for Sampling and Analysis and the Australian Standard AS2923 - 1987, at the facility. The meteorological station must monitor the following parameters:

Parameter	Units of measure	Averaging period	Frequency	Sampling Method
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Rainfall	mm/hr	1 hour	Continuous	AM-4
Sigma Theta @ 10m	degrees	1 hour	Continuous	AM-2
Siting	-	-	-	AM-1
Temperature @ 10m	Kelvin	1 hour	Continuous	AM-4
Temperature @ 2m	Kelvin	1 hour	Continuous	Am-4
Total Solar Radiation @ 10m	W/m2	1 hour	Continuous	AM-4
Wind direction @ 10m	degrees	1 hour	Continuous	AM-2
Wind speed @ 10m	m/s	1 hour	Continuous	AM-2

Note: Sampling methods as identified in the table above refer to those outlined in NSW EPA, 2001, Approved Methods for the Sampling and Analysis of Air Pollutants in NSW.

M4.2 The location of the site chosen for the station and details of equipment, measurement and maintenance / service procedures and schedules to be installed and maintained must be submitted to the EPA and approved in writing by the EPA before any sampling or analysis is carried out.

M4.3 The meteorological monitoring station must be calibrated at least once every 12 months. The EPA is to be provided with data on request in a Microsoft Office software compatible format.

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

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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 1 month after the date of the issue of this licence.

M7 Blasting

M7.1 To determine compliance with Blast Limit conditions of this licence:

- a) Airblast overpressure and ground vibration levels must be measured and electronically recorded for monitoring point 11 for the parameters specified in Column 1 of the table below; and
- b) The licensee must use the units of measure, sampling method, and sample at the frequency specified opposite in the other columns.

Parameter	Units of Measure	Frequency	Sampling Method
Airblast Overpressure	Decibels (Linear Peak	All blasts	Australian Standard AS 2187.2-2006
Ground Vibration Peak Particle Velocity	millimetres/second	All blasts	Australian Standard AS 2187.2-2006

M8 Noise monitoring

M8.1 To assess compliance with the noise limits for this premises attended noise monitoring must be undertaken in accordance with all noise conditions and:

- a) during a period of normal quarry operations;
- b) at each one of the locations listed in the noise limits table of this licence;
- c) occur quarterly in the reporting period;
- d) occur during each day period as defined in the NSW Noise Policy for Industry.

Note: The frequency of noise monitoring will be reviewed, upon request, after two years of quarterly monitoring (approximately June 2021).

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,

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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 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.

R2 Notification of environmental harm

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.

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- 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.

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.

R4 Other reporting conditions

Reporting blasting limit exceedance

- R4.1 The licensee must report any exceedance of the licence blasting limits to the regional office of the EPA as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.

Annual Blast Monitoring Report

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- R4.2 The licensee must supply a Blast Monitoring Report with the EPA licence Annual Return, which must include the following information relating to each blast carried out within the premises during the respective reporting period:
- a) the date and time of the blast;
 - b) the location of the blast on the premises;
 - c) the blast monitoring results at each blast monitoring station;
 - d) an explanation for any missing blast monitoring results.

Noise Monitoring Report

- R4.3 A quarterly noise monitoring report must be submitted to the EPA within 30 days of completion of each round of quarterly noise monitoring. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:
- a) a description of the plant in operation and activities being undertaken on the premises during each noise monitoring assessment;
 - b) an assessment of compliance with noise limits presented in this licence; and
 - c) an outline of any management actions taken within the monitoring period to address any exceedances of the limits contained 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.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

G2 Other general conditions

G2.1 Completed Programs

Program	Description	Completed Date
Pollution Reduction Study 1 - Design the Necessary Noise Mitigation Measures	Engage an acoustic engineer to investigate the site-specific noise mitigation measure/s that are necessary to meet the noise limits of this licence at all times.	01-March-2019

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Dictionary

General Dictionary

3DGM [in relation to a concentration limit]	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
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
AM	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> .
AMG	Australian Map Grid
anniversary date	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.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
BOD	Means biochemical oxygen demand
CEM	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> .
COD	Means chemical oxygen demand
composite sample	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.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	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.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	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.
restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	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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TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	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: 26-August-2015

End Notes

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|---|--------------------------|-------------------------------|
| 2 | Licence varied by notice | 1533596 issued on 21-Sep-2015 |
| 3 | Licence varied by notice | 1547416 issued on 06-Dec-2016 |
| 4 | Licence varied by notice | 1571215 issued on 16-Jan-2019 |