

ALL ABOUT
PLANNING

PO BOX 2196
PORT MACQUARIE
NSW 2444
PH 02 6583 1305
FAX 02 6583 1368

our ref: 2012 - 008

30 October 2012

Mr Sam Haddad
Director General
Department of Planning and Infrastructure
Level 1, 23-33 Bridge Street
SYDNEY NSW 2000

Sent via email: Sam.haddad@planning.nsw.gov.au

Dear Mr Haddad,

RE: DIRECTOR GENERAL REQUIREMENTS FOR THE ENVIRONMENTAL ASSESSMENT OF INCREASED QUARRY EXTRACTION LIMIT - LOT 129 DP 754445, NO. 129 MILLIGANS ROAD, HERONS CREEK

In accordance with Schedule 2 of the Regulations I write to request the Director-General's environmental assessment requirements for an increase in the extraction limit for an existing quarry (from 30,000T to 250,000T per annum) at Lot 129, DP 754445, No. 129 Milligans Road, Herons Creek.

All About Planning has been requested by M. A. Roche Group PTY LTD – owner and operator of the Volcanic Resources Quarry to obtain the environmental assessment requirements for this project.

In accordance with Designated Development provisions it is understood that an Environmental Impact Statement (EIS) is required.

Please find below information relevant to this application.

Applicant	All About Planning Pty Ltd
Proponent	M. A. Roche Group PTY LTD
Project	A permanent increase to existing quarry extraction limits (from the existing license limit of 30,000T to 250,000 T per annum)
Proposed Development	<p>It is proposed to seek a permanent increase in extraction limits at the Volcanic Resources quarry off Milligans Rd, Herons Creek from 30,000 Tonne processed to 250,000 Tonne processed per annum.</p> <ul style="list-style-type: none">• No change in the existing quarry footprint is proposed.• No vegetation removal is proposed or required• No change is sought to approved quarry hours of operation.

	<ul style="list-style-type: none"> • No change is sought to current extraction methods. <p>M. A. Roche Group PTY LTD currently has significant contracts for the supply of extractive material for the ongoing construction of the Pacific Highway including the Kempsey Bypass. These current contracts cannot be fulfilled from the subject site within the existing 30,000 Tonne annual limit of their existing EPA License.</p> <p>Stormwater Management It is anticipated that no additional site stormwater detention basins will be required, (there is currently one top sediment pond that traps most sediment runoff and another 2 ponds which catch and retain finer particles) but it is understood that the adequacy of these detention basins will need to be verified by a stormwater engineer.</p> <p>Traffic The increased extraction limit will result in additional traffic being generated on Milligans Rd however details of anticipated additional traffic numbers are not yet known. It is understood that a traffic assessment from a suitably qualified traffic engineer is likely to be required.</p> <p>Ground Water Level Attached to this letter are details of a 1997 bore drilled on site by Country to Coast Drilling, together with their report.</p> <p>The team drilled down to depth of 51m and reported:</p> <ul style="list-style-type: none"> • Standing Water Level at 24m depth • Aquifers at 25m and 48m depth <p>The following soil strata was identified:</p> <ul style="list-style-type: none"> ○ 1m topsoil ○ 1-3m Grey Clay ○ 3-35m Bago Gravel ○ 35-42m Black Mudstone ○ 42-50m Grey Sandstone ○ 50-51m Black Basalt <p>A fee proposed from Coffey Geotechnics can be obtained to further analyse the depth of the water table on site, if required.</p>
Location	Lot 129, DP 754445, 129 Milligans Road, Herons Creek, Parcel/s 18760
Zone	RUI Primary Production, under the Port Macquarie-Hastings LEP 2011. Extractive Industries are permissible with consent.
Relevant Statutory Planning Framework	<p>The above mentioned project is considered by Port Macquarie - Hastings Council to be Designated Development in accordance with Schedule 3, Clause 19 of the Environmental Planning & Assessment Regulation 2000.</p> <p>It is understood that the proposed increase in annual extraction levels will trigger a designated development classification under the EPA Regulation</p>

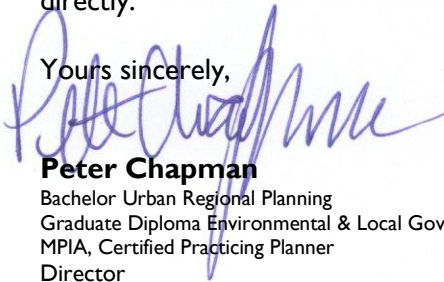
	2000. Consequently an Environmental Impact Statement will be required to be prepared.
Key Issues from Pre-lodgement Meeting with Council	<p>A pre-lodgment meeting was held with PMHC on 14 August 2012. The following advice from council was received.</p> <p>Planning <i>A detailed Statement of Environmental Effects addressing relevant Environmental Planning Instruments and merit-based issues; particular attention should be given, but not be limited to, the following:</i></p> <p>Obtain D-G's Requirements <i>The proposal is considered to be Designated Development in accordance with Schedule 3, Clause 19 of the Environmental Planning & Assessment Regulation 2000. Specific exhibition and notification requirements.</i> <i>In accordance with the Designated Development provisions an Environmental Impact Statement (EIS) will be required. In accordance with Schedule 2 of the Regulations written application shall be made to the Director General for the environmental assessment requirements of the EIS.</i></p> <p>Integrated and Advertised Development <i>Integrated and Advertised development - additional fees payable. Integrated development: (PoEO Act 1997 - Environment Protection License), Controlled Activity Approval – geotechnical investigation required to determine whether there will be an impact on the water table (Water Management Act 2000).</i> <i>In accordance with Clause 27 of the Regulations the following public authorities are likely to be notified of the proposal: Roads & Maritime Services, Former EPA, State Forest NSW, Office of Water</i></p> <ul style="list-style-type: none"> • <i>SEPP 33 – Hazardous & Offensive applies and should be addressed in the accompanying documentation.</i> • <i>SEPP 44 – Koala Habitat Protection will apply if any vegetation is proposed for removal.</i> • <i>SEPP (Infrastructure) 2007 may apply and referral to RMS may be necessary.</i> • <i>SEPP (Mining, Petroleum Production and Extractive Industries) 2007 applies and the matters for consideration should be addressed in the supporting documentation.</i> • <i>SEPP (Rural Lands) 2008 applies and the relevant matters for consideration should be addressed in the supporting documentation.</i> • <i>SEPP (State & Regional Development) 2011 applies and the Northern Joint Regional Planning Panel will be the determining authority. Refer to schedule 4A of the Act.</i> <p>Traffic Assessment <i>Traffic Impact Assessment report is to be provided by a suitably qualified and experienced person.</i></p> <p><i>Given the anticipated impact upon Council's road network it would be advisable to investigate the option of entering into a Voluntary Planning Agreement (VPA)</i></p>

	<p>as part of the application.</p> <p>Owners Consent Access traverses State Forest land & they will need to provide owners consent as part of the development application.</p> <p>Ecological Assessment if vegetation is to be removed Ecological impacts to be addressed if vegetation is proposed to be removed and/or if there are any caves on the site that may provide microbat habitat.</p> <p>Permissibility The site is zoned RUI Primary Production under the Port Macquarie-Hastings Local Environmental Plan 2011. Extractive Industries permissible with consent.</p> <p>Noise, Blasting and Dust Assessments Specialist noise, blasting and dust impact assessments required.</p> <p>Stormwater Management Stormwater management plan.</p> <p>Operational Management Plan Environmental/operational management plan to accompany application.</p>						
Relevant Background:	<ul style="list-style-type: none"> • DA 2003/0342 - Dwelling, Rural Workers Dwelling & Office Building, Determined: 14/03/2005. • DA 1995/252 – Authorisation of an existing quarry pursuant to SEPP 37 – Continued Mines and Extractive Industries. • Preparation of annual monitoring reports for site. 						
Environment Protection License	<p>The subject site currently benefits from Environment Protection License No. 12364 (ref copy attached). The license stipulates the following extraction and processing limits:</p> <p>Scheduled Activity Crushing, grinding or separating Extractive activities</p> <table> <thead> <tr> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Land-based extractive activity obtained</td> <td>0 – 30,000 T</td> </tr> <tr> <td>Crushing, grinding or separating processed</td> <td>0 – 30,000 T</td> </tr> </tbody> </table>	Fee Based Activity	Scale	Land-based extractive activity obtained	0 – 30,000 T	Crushing, grinding or separating processed	0 – 30,000 T
Fee Based Activity	Scale						
Land-based extractive activity obtained	0 – 30,000 T						
Crushing, grinding or separating processed	0 – 30,000 T						
Consultation	<p>Consultation has been initiated with Forests NSW in respect of obtaining an owners consent for the proposal due to the continued use of the non-crown road portion of Milligans Road which runs through a State Forest. A meeting with Judith Parr (Forests NSW) was held in Wauchope in May 2012.</p>						

Locality plans and an aerial photograph of the subject site are provided as attachments to this document along with a copy of the existing EPA license for the existing operations.

Should you have any enquiries concerning this submission, please do not hesitate to contact me directly.

Yours sincerely,



Peter Chapman

Bachelor Urban Regional Planning
Graduate Diploma Environmental & Local Government Law
MPIA, Certified Practising Planner
Director

ALL ABOUT **PLANNING**



COUNTRY TO COAST DRILLING

281

15 CEDAR PARTY ROAD, TAREE 2430

PH: (065) 51 0744 - 018 658 940 - 015 457 154 - FAX: (065) 51 0742

MEMBER OF A.D.I.A. - D.L. No. 1406

DAY: WEDNESDAY DATE: 15/10/97 RIG No. B 40 BORE L/C No. _____
 CLIENT: BALO GRAVEL / MARK ROE LOCATION: BALO ROAD QUARRY (SITE)
 PH: 02 63 857139
 COUNTY: MACQUARIE PARISH: RALFE PORTION: 129 DP 76443
 NOTES: GOOD HOLE

CREW	DRILLING	CASING	W/CLENT	TRAVEL	SERVICE	BI/DOWN	OTHER	FROM Hrs	TO Hrs	TOTAL Hrs
STEVE	8.5			1.5				8.30	4.30	
K. HUGH	8.5			1				6.30	5.00	

STRATA DETAILS

FROM	TO	THICKNESS	STRATA	FROM	TO	THICKNESS	STRATA
0	1	1	TOPSOIL				
1	3		GREY CLAY				
3	35	32	BALO GRAVEL??				
35	42	7	BLACK MUDSTONE				
42	50	8	GREY SANDSTONE				
50	51	1	BLACK BASALT				

CASING, TYPE PVC SIZE: 100mm Mtrs _____ (foot _____) GRAVEL PAC _____
 125mm Mtrs 51.2 (foot 168.) CEMENT 3mt
 STEEL 150mm Mtrs _____ (foot _____) SIFOM _____

STANDING WATER LEVEL 824mtr AQUIFERS 35 + 48mtr T.D.S. READINGS 450ppm DEPTH 76 + 50
80 feet 115 + 158 feet 600ppm 50mtr

ESTIMATED FLOW GH 450 LIS 0.3 ± 0.3 PUMP DEPTH 158 FEET 49 MTI
= 0.6 L/sec

SITE CHOSEN BY: DIVINER GEOLOGIST DRILLER CLIENT OTHER

INVOICE/STATEMENT

TOTAL PRICE FOR THE CONSTRUCTION OF A WATER BORE AS PER SPECIFICATIONS:		
*Cost of surface casing at a rate of \$ _____ per metre	(\$ _____ foot)	\$ _____
*Total depth drilled at a rate of \$ _____ per metre	(\$ _____ foot)	\$ _____
*Other <u>DRILL CHARGE 160 feet at \$25.00 per foot</u>		\$ <u>4000</u>
<u>PAYMENT WITHIN 14 DAYS PLEASE.</u>		TOTAL \$ <u>4000</u>

Steve Dalton
 NAME
 AND ON BEHALF OF COUNTRY TO COAST DRILLING
MARK ROE
 CLIENT

[Signature]
 SIGNATURE
[Signature]
 SIGNATURE
 DATE

Quarry Site Image

Source: Nearmap - 24 March 2012



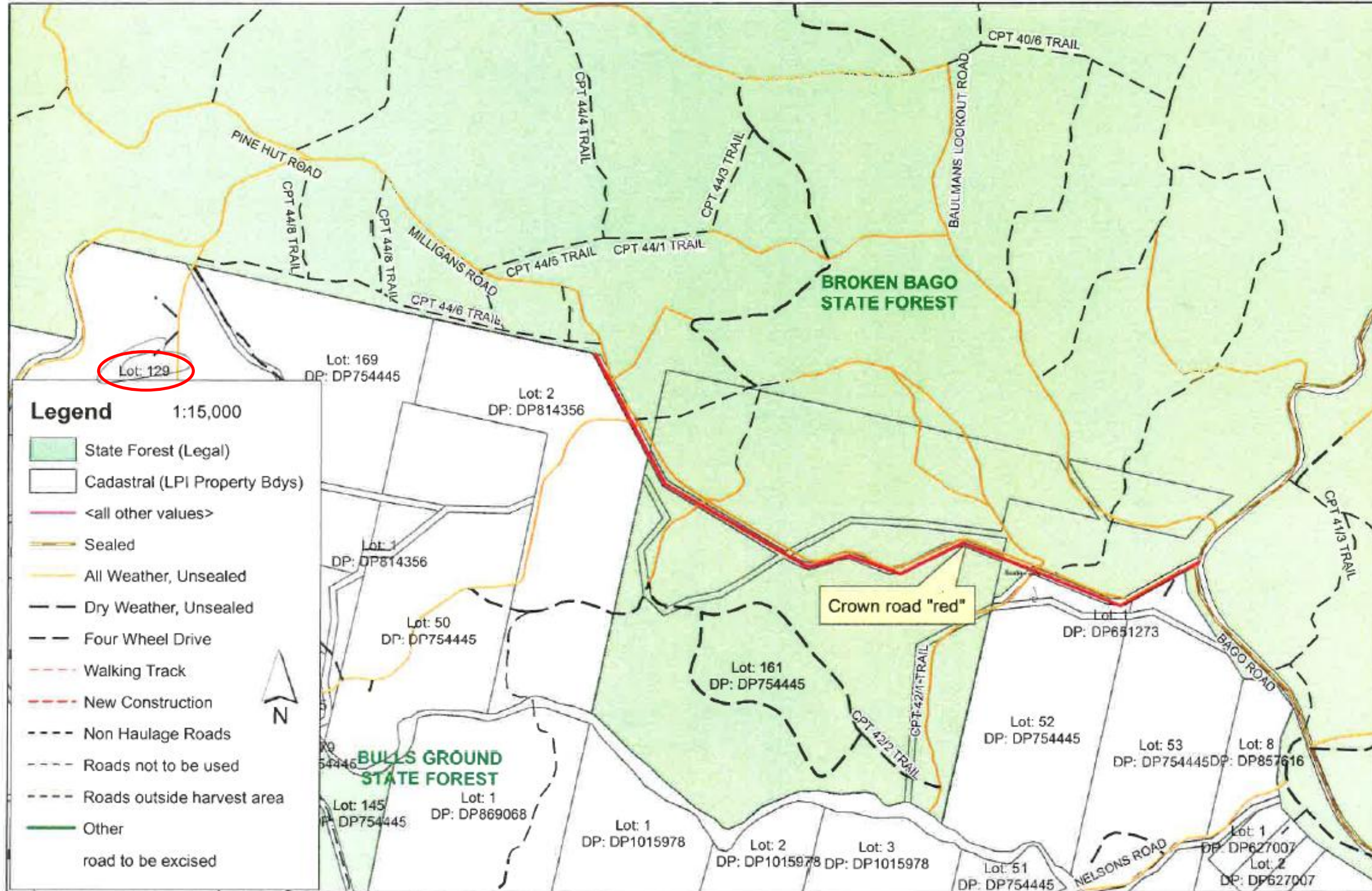
Locality Plan showing subject quarry site on PT129, DP 754445
Source: NSW Department of Lands Image



Plan showing location of Crown Road quarry access

Source: NSW Forests

**Crown Road section Milligans Road
Broken Bago State Forest**



Licence Variation

Licence - 12364



Environment,
Climate Change
& Water

M. A. ROCHE GROUP PTY. LTD. ,
Trading as VOLCANIC RESOURCES,
ABN 33 060 536 441,
P O BOX 612,
WAUCHOPE NSW 2446

Attention: Mr. Mark Roche

Notice Number 1122797
File Number 273318
Date 29-Dec-2010

NOTICE OF VARIATION OF LICENCE NO. 12364

BACKGROUND

- A. M. A. ROCHE GROUP PTY. LTD. t/as VOLCANIC RESOURCES (“the licensee”) is the holder of Environment Protection Licence No. 12364 (“the licence”) issued under the *Protection of the Environment Operations Act 1997* (“the Act”). The licence authorises the carrying out of Scheduled Activity - Premises Based at 129 Milligans Road, WAUCHOPE, NSW.
- B. In 2010 the Department of Environment, Climate Change and Water (DECCW) investigated the licensee for breaching the fee based activity scale as set out in the licence. As a result of that investigation M A Roche Group Pty Ltd were issued with two infringement notices.
- C. During the investigation the licensee attempted to claim that he was not required to inform DECCW how much material was extracted from the premises as the licence fee based activity described only crushing, grinding or separating works not extractive works.
- D. The development consent allows the extraction of not more than 20,000 cubic metres of material from the premises. DECCW equates 20,000 cubic metres as 30,000 tonnes for the purpose of fee based activity scales.
- E. To ensure the licence is consistent with the development consent this notice adds “extractive industries” as a scheduled activity and adds a fee based activity scale limit consistent with the development consent. For completeness, this notice also adds a condition to the licence, that the licensee not extract more than 30,000 tonnes of material from the premises in any one year. For licensing purposes the year is from 5 January to 4 January in the following year.
- F. The extraction of materials from the premises has the same definition of extractive materials as set out in Schedule One Clause 19(2) that being, clay, sand, soil, stone, gravel, rock, sandstone or similar substances that are not minerals within the meaning of the *Mining Act 1992*.

VARIATION OF LICENCE NO. 12364

Licence Variation

Licence - 12364

1. By this notice the EPA varies licence No. 12364 as set out in the attached document. This document contains a copy of the provisions of the licence marked with the variations that are made to it by this notice.
2. The variations to the licence are indicated in the following way:
 - if a strike through mark appears through any word or other text (eg. ~~Solids of~~) this indicates that the word or other text is deleted from the licence by this notice; and
 - if a underline appears under any word or other text (eg. must be treated) this indicates that the word or other text is added to the licence by this notice.

.....
Mr Peter Jamieson
Acting Manager
North East - 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.environment.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

Licence - 12364

**Licence Details**

Number:	12364
Anniversary Date:	05-January
Review Due Date:	15-Apr-2014

Licensee

M. A. ROCHE GROUP PTY. LTD.
 129 MILLIGAN ROAD PO BOX 612
 WAUCHOPE NSW 2446

Licence Type

Premises

Premises

Volcanic Resources
 129 Milligans Road
 WAUCHOPE NSW 2446

Scheduled Activity

Crushing, grinding or separating
 Extractive activities

Fee Based Activity

Land-based extractive activity
 Crushing, grinding or separating

Scale

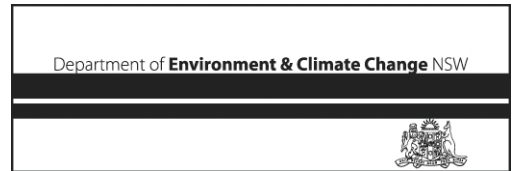
0 - 30000 T obtained
 0 - 30000 T processed

Region

North East - Hunter
 Ground Floor, NSW Govt Offices, 117 Bull Street
 NEWCASTLE WEST NSW 2302
 Phone: 02 49086800
 Fax: 02 49086810
 PO Box 488G NEWCASTLE
 NSW 2300

Environment Protection Licence

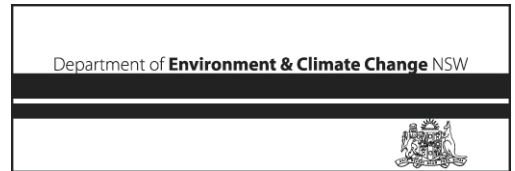
Licence - 12364



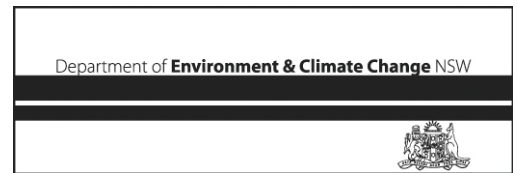
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Information about this licence

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

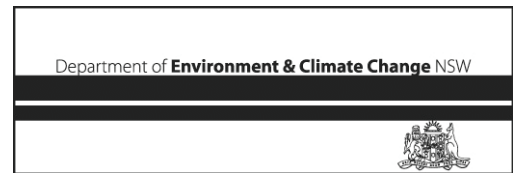
For each licence fee period you must pay:

- 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.

Environment Protection Licence

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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:

M. A. ROCHE GROUP PTY. LTD.
129 MILLIGAN ROAD P O BOX 612
WAUCHOPE NSW 2446

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
Crushing, grinding or separating
<u>Extractive activities</u>

Fee Based Activity	Scale
<u>Land-based extractive activity</u>	<u>0 - 30000 T obtained</u>
Crushing, grinding or separating	0 - 30000 T processed

A1.3 Not applicable.

A 1.4 The Licensee must not:

- (a) Produce by extractive activities more than 30,000 tonnes of material within any 12 month period.
- (b) Undertake activities handling more than 30,000 tonnes of material within any 12 months period.

Note: Material for the purposes of this condition means any clay, sand, soil, stone, gravel, rock, sandstone or similar substances that are not minerals within the meaning of the *Mining Act 1992*.

Note: These limits on the extraction activity are based on the original consent granted by Hastings Council dated 23 September 1996.

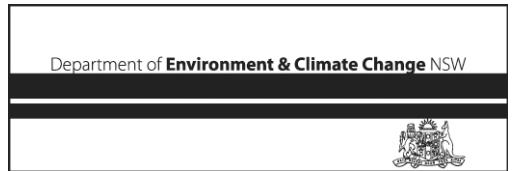
A2 Premises to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
Volcanic Resources
129 Milligans Road
WAUCHOPE
NSW
2446

Environment Protection Licence

Licence - 12364



Premises Details
129 DP754445 PARISH RALFE

A3 Other activities

A3.1 Not applicable.

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 Not applicable.

P1.2 Not applicable.

P1.3 Not applicable.

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.

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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.

L4 Volume and mass limits

L4.1 Not applicable.

L5 Waste

L6 Noise Limits

L7 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 nearest affected noise sensitive receiver or at any residential premises

L8 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed:

- (a) 5mm/s for more than 5% of the total number of blasts carried out on the premises during each reporting period; and
- (b) 10 mm/s at any time.

At At the nearest affected noise sensitive receiver or at any residential premises

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L9 Hours of **Operationoperation**

L9.1 Activities covered by this licence must only be carried out between the hours of 0600 and 1700 Monday to Friday, and 0600 and 1300 Saturday, and at no time on Sundays and Public Holidays.

L10 The hours of operation permitted by this licence may be varied where there is no significant impact on the ambient levels outside the premises or at any noise sensitive location. The licensee must provide evidence that no significant impact occurs prior to a variation being granted for the hours of operation.

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

5 Monitoring and recording conditions

M1 Monitoring records

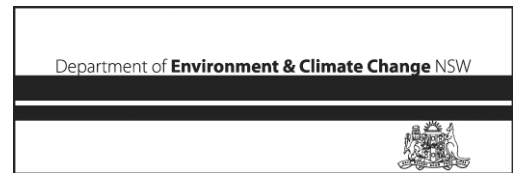
M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.

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.

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- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- (a) the date(s) on which the sample was taken;
 - (b) the time(s) at which the sample was collected;
 - (c) the point at which the sample was taken; and
 - (d) the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

- M2.1 Not applicable.

M3 Testing methods - concentration limits

- M3.1 Not applicable.

- M3.2 Not applicable.

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.

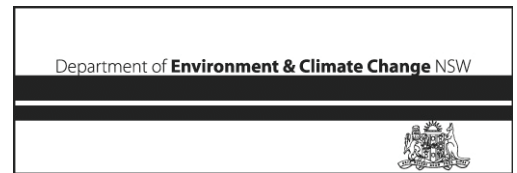
- M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

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.

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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:
(a) the date of the issue of this licence or
(b) 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) a Statement of Compliance; and
(b) 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.

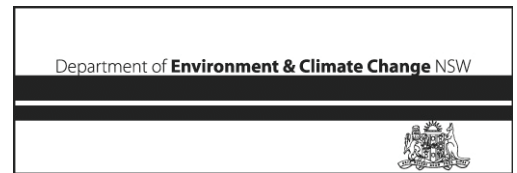
Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

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.

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- 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.

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:
- (a) the licence holder; or
 - (b) 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.

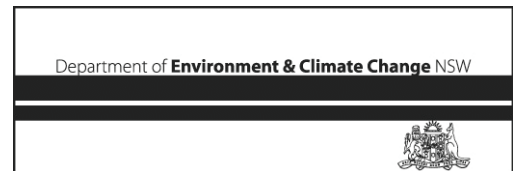
- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

- 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

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- 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.

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:

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 1998
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 1998
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
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	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations

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classification	(General) Regulation 1998.
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 (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
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 1998
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

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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> .
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 David Darvall

Environment Protection Authority

(By Delegation)

05-Jan-2006

End Notes

- 1 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>