

# Licence Variation

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Licence - 2796



HOLCIM (AUSTRALIA) PTY LTD  
ABN 87 099 732 297 ACN 099 732 297  
LOCKED BAG 5007  
BAULKHAM HILLS NSW 1755

Attention: Matt Neil

Notice Number      1609049  
File Number        EF13/3895  
Date                 27-Aug-2021

## NOTICE OF VARIATION OF LICENCE NO. 2796

### BACKGROUND

- A. Holcim (Australia ) Pty Ltd (**Holcim**) holds Environment Protection Licence No. 2796 (**the Licence**) issued under the *Protection of the Environment Operations Act 1997 (the Act)*. The Licence authorises scheduled activities under the Act to be carried on at 15312 Pacific Highway, Possum Brush NSW.
- B. On 8 October 2020 the EPA wrote to the licensee inviting comment on a review of the Licence required by section 78 of the Act.
- C. On 19 November 2020 Holcim provided a submission for consideration in the review, requesting:
  - i) reduced noise monitoring frequency from quarterly to "annually and in response to complaints" based on nil formal noise complaints since 2016 and operations are unlikely to increase off-site noise (i.e. increasing work depth); and
  - ii) removal of the requirement to monitor PM10 based on nil formal dust complaints in the past five years, air quality monitoring results and operational measures to manage dust at the premises.
- D. In April 2021, the EPA completed a statutory review of the Licence and identified that it required amending to ensure it is up to date and fit for purpose. The changes identified as needing to be made are mostly administrative in nature.
- E. The review also identified the need to update noise conditions in line with contemporary noise guidance and licensing approaches. This includes varying an existing condition to establish relevant noise limits that apply under meteorological conditions currently not listed on the Licence.
- F. The EPA has considered Holcim's submission, monitoring data, complaints history and site operations and proposes to reduce the frequency of noise compliance monitoring.
- G. The EPA does not support the removal of PM10 monitoring as it provides a timely snapshot of air quality which can be used to effectively manage dust at the premises. PM10 monitoring has 24 hourly health based guideline criteria that is more relevant than monthly dust deposition data.

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- H. The EPA has considered Holcim's air quality monitoring data, complaints history and site operations and proposes the removal of dust deposition monitoring.
- I. On 1 June 2021 the EPA provided to Holcim a draft variation to the Licence.
- J. On 13 July 2021, Holcim accepted the draft variations but requested amending the PM10 sampling method at condition M2.2 to enable use of an aeroqual Dust Sentry Pro particle monitor.
- K. On 14 July 2021 the EPA accepted Holcim's request and the Licence has been amended accordingly.
- L. This Notice does not authorise a significant increase in the environmental impact of the activities authorised or controlled by the Licence.
- M. This variation has been undertaken with consideration of section 45 of the Act.

## VARIATION OF LICENCE NO. 2796

- 1. By this notice the EPA varies the Licence. 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:
  - Note under A1.1 - reworded to make the condition clearer.
  - A2.1 - Updated the premises address to include the street number.
  - P1.1 - Removed dust deposition monitoring points 18 to 21.
  - L4.5 - Update the condition in line with a contemporary licensing approach. The meteorological conditions currently on the Licence remain and an additional condition b) is added to cover meteorological conditions not listed and establish relevant noise limits that apply under these conditions.
  - L4.6, L4.7, L4.8 - updated to reflect current licence conditions for monitoring requirements and modifying factors, and consistency with contemporary noise guidance in the Noise Policy for Industry (NSW EPA, 2017) ("**NPfI**").
  - L4.9 and L4.10 - added to reflect the current approach to monitoring and applying modifying factors that is consistent with contemporary noise guidance in the NPfI.
  - M2.2 - Removed dust deposition monitoring requirements for points 18 to 21 and added "Special Method 1" sampling method that permits use of the aeroqual Dust Sentry Pro particle monitor for sampling PM10.
  - M8.1 c) - Amended the noise monitoring frequency from quarterly to annually.
  - R4.3 - Replaced "Regional office" with "EPA Environment Line".

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**Jenny Lange**

# Licence Variation

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**Operations Officer**  
**Environment Protection Authority**  
(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:	2796
Anniversary Date:	01-May

Licensee
HOLCIM (AUSTRALIA) PTY LTD
LOCKED BAG 5007
BAULKHAM HILLS NSW 1755

Premises
JANDRA QUARRY
15312 PACIFIC HIGHWAY
POSSUM BRUSH NSW 2430

Scheduled Activity
Crushing, grinding or separating
Extractive activities
Resource recovery
Waste storage

Fee Based Activity	Scale
Crushing, grinding or separating	> 100000-500000 T annual processing capacity
Extractive activities	> 100000-500000 T annually extracted or processed
Recovery of general waste	Any general waste recovered
Waste storage - other types of waste	Any other types of waste stored

Contact Us
NSW EPA
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150
Phone: 131 555
Email: <a href="mailto:info@epa.nsw.gov.au">info@epa.nsw.gov.au</a>
Locked Bag 5022
PARRAMATTA NSW 2124



# Environment Protection Licence

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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:

HOLCIM (AUSTRALIA) PTY LTD
LOCKED BAG 5007
BAULKHAM HILLS NSW 1755

subject to the conditions which follow.





# Environment Protection Licence

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## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity
Extractive activities	Extractive activities	> 100000 - 500000 T annually extracted or processed
Resource recovery	Recovery of general waste	Any general waste recovered
Waste storage	Waste storage - other types of waste	Any other types of waste stored

Note: Waste conditions L3.1, L3.2 and L3.3 of this licence restrict the types of waste that may be received at the Premises.

A1.2 Notwithstanding the fee scales noted above, the licensee must not:

- (a) extract more than 490,000 tonnes of quarry products from the premises per calendar year; and
- (b) transport more than 475,000 tonnes of quarry products from the premises per calendar year

Note: This condition has been added to be consistent with development consent DA231-10-99 MOD 5.

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

A2.1 The licence applies to the following premises:

Premises Details
JANDRA QUARRY
15312 PACIFIC HIGHWAY
POSSUM BRUSH
NSW 2430
LOT 2 DP 255621, LOT 11 DP 790056, LOT 12 DP 790056, LOT 13 DP 790056, LOT 14 DP 790056, LOT 15 DP 790056

### 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,

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except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

## 2 Discharges to Air and Water and Applications to Land

### P1 Location of monitoring/discharge points and areas

- P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
11	Ambient PM10 monitoring		Receiver location R1 identified on map titled "Jandra Environmental Monitoring Locations" within the Holcim Environmental Management Strategy - Jandra Quarry. See EPA document DOC16/387391, EF13/3895.

- 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.

<i>Water and land</i>			
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Discharge quality monitoring	Discharge quality monitoring	Discharge from final sediment dam as shown in the CSR Readymix Site Photo - Jandra Quarry Water Monitoring Location Figure 1 provided to the EPA 13 May 2002

- 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
2	Air blast overpressure & ground vibration peak particle velocity monitoring	Receiver location R4 in accordance with development consent 231-10-99 MOD 5 and identified on "Figure 1 Surrounding land use, residence and environmental monitoring locations" within the Holcim Noise and Blast Management Plan, Jandra Quarry 31/08/2015. See EPA document DOC16/387391, EF13/3895.
3	Air blast overpressure & ground vibration peak particle velocity monitoring	Receiver location R2 in accordance with development consent 231-10-99 MOD 5 and identified on "Figure 1 Surrounding land use, residence and environmental monitoring locations" within the Holcim Noise and Blast Management Plan, Jandra Quarry 31/08/2015. See EPA document DOC16/387391, EF13/3895.
4	Meteorological Station – to determine meteorological conditions for noise monitoring	Meteorological station adjacent to the "Main Dam" and identified on "Figure 1 Surrounding land use, residences and environmental monitoring locations" within the Holcim Air Quality Management Plan, Jandra Quarry 31/08/2015. See EPA document DOC16/387391, EF13/3895.
13	Noise monitoring	Monitoring location R2 in accordance with development consent 231-10-99 MOD 5 and identified on "Figure 1 Surrounding land use, residences and environmental monitoring locations" within the Holcim Noise and Blast Management Plan, Jandra Quarry 31/08/2015. See EPA document DOC16/387391, EF13/3895.
14	Noise monitoring	Monitoring location R4 in accordance with development consent 231-10-99 MOD 5 and identified on "Figure 1 Surrounding land use, residences and environmental monitoring locations" within the Holcim Noise and Blast Management Plan, Jandra Quarry 31/08/2015. See EPA document DOC16/387391, EF13/3895.
15	Noise monitoring	Monitoring location R5 in accordance with development consent 231-10-99 MOD 5 and identified on "Figure 1 Surrounding land use, residences and environmental monitoring locations" within the Holcim Noise and Blast Management Plan, Jandra Quarry 31/08/2015. See EPA document DOC16/387391, EF13/3895.

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16	Noise monitoring	Monitoring location R6 in accordance with development consent 231-10-99 MOD 5 and identified on "Figure 1 Surrounding land use, residences and environmental monitoring locations" within the Holcim Noise and Blast Management Plan, Jandra Quarry 31/08/2015. See EPA document DOC16/387391, EF13/3895.
17	Noise monitoring	Monitoring location R7 in accordance with development consent 231-10-99 MOD 5 and identified on "Figure 1 Surrounding land use, residences and environmental monitoring locations" within the Holcim Noise and Blast Management Plan, Jandra Quarry 31/08/2015. See EPA document DOC16/387391, EF13/3895.

## 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\ 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\.

L2.4 Water and/or Land Concentration Limits

#### POINT 1

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5-8.5

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Total suspended solids	milligrams per litre	50
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## L3 Waste

- L3.1 The licensee must not cause, permit or allow any waste to be received at the premises, except concrete "wash-out" waste from concrete batch plants. All other wastes are not permitted on the premises, except as expressly permitted by this licence.
- L3.2 The licensee must not:
- Process more than 3000 tonnes of concrete "wash-out" per annum;
  - Store more than 1000 tonnes of concrete "wash-out" on the premises at any one time.
- L3.3 Concrete 'wash-out' must be stockpiled on site in bunded areas and can be processed and blended with quarry raw product to produce quarry product(s).

## L4 Noise limits

- L4.1 Noise generated at the premises must not exceed the noise limits in the tables below. The locations referred to in the tables below are indicated in the document titled: "Jandra Quarry Intensification of Production Environmental Assessment (DA 231-10-99 MOD 5)" Dated July 2014
- L4.2 Noise from the premises during quarrying operations only must not exceed the limits specified in the following table:

EPA identification no.	Limit dB(A) LAeq(15 min) Shoulder, Day & Evening
15	40
13, 14, 16	36
17	35

- L4.3 Noise from the premises during operations including asphalt plant must not exceed the limits specified in the following table:

EPA identification no.	Limit dB(A) LAeq(15 min) Shoulder, Day & Evening	Limit dB(A) LAeq(15 minute) Night	Limit dB(A) LA1(1 minute) Night
15	41	39	51
14	40	39	51
13,16	40	35	48
17	36	35	48

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## Note:

1. *Condition 10 of Schedule 2 of development consent DA 213 -10-99 MOD 5 prohibits quarrying operations during the hours of 10 pm-6 am;*
2. *Receiver locations are shown on the figure in Appendix 2 of development consent DA 213-10-99 a copy of which has been filed as EPA document DOC15/85830;*
3. *Noise limits are in accordance with development consent DA 231-10-99 MOD 5;*
4. *A negotiated agreement is in place for Residence R1 as referred to in development consent DA 231-10-99 MOD 5 & any noise issues from this premises will be addressed by the Department of Planning and Environment.*

## L4.4 For the purpose of the conditions above:

- Shoulder, Day and Evening is defined as the period from 6am - 10pm
- Night is defined as the period from 10pm - 6am

## L4.5 Noise enhancing meteorological conditions

- a) The noise limits set out in condition L4.1. L4.2 and L4.3 apply under the following meteorological conditions specified in the table below.
- b) For those meteorological conditions not referred to in condition L4.5 a), the noise limits that apply are the noise limits in condition L4.1, L4.2 and L4.3 plus 5dB.

Assessment Period	Meteorological Conditions
Day	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.
Evening	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.
Night	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level; or Stability category E and F with wind speeds up to and including 2m/s at 10m above ground level.

## L4.6 For the purposes of condition L4.5:

- a) The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as EPA monitoring point 4 (Condition P1.4).
- b) Stability category shall be determined using the following method from Fact Sheet D of the *Noise Policy for Industry* (NSW EPA, 2017);
  - i. Direct measurement of temperature lapse rate (section D1.2); or
  - ii. Use of sigma-theta data (section D1.4).

## L4.7 To assess compliance:

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a) with the LAeq(15 minute) or the LA1(1 minute) noise limits in condition L4.1, L4.2, L4.3 and L4.5, the noise measurement equipment must be located:

- (i) approximately on the property boundary, where any residence is situated 30 metres or less from the property boundary closest to the premises; or where applicable,
- (ii) in an area within 30 metres of a residence façade, but not closer than 3 metres where any residence on the property is situated more than 30 metres from the property boundary closest to the premises, or, where applicable,
- (iii) in an area within 50 metres of the boundary of a National Park or Nature Reserve,
- (iv) at any other location identified in condition L4.

b) with the LAeq(15 minute) or the LA1 (1 minute) noise limits in condition L4.1, L4.2, L4.3 and L4.5, the noise measurement equipment must be located:

- (i) at the reasonably most affected point at a location where there is no residence at the location; or,
- (ii) at the reasonably most affected point within an area at a location prescribed by condition L4.7(a).

L4.8 A non-compliance of conditions L4.1, L4.2, L4.3 and L4.5 will still occur where noise generated from the premises is measured in excess of the noise limit at a point other than the reasonably most affected point at the locations referred to in condition L4.7(a) or L4.7(b).

Note: to L4.7 and L4.8: The reasonably most affected point is a point at a location or within an area at a location experiencing or expected to experience the highest sound pressure level from the premises.

L4.9 For the purpose of determining the noise generated from the premises, the modifying factor corrections in Table C1 on Fact Sheet C of the *Noise Policy for Industry* (NSW EPA, 2017) may be applied, if appropriate, to the noise measurements by the noise monitoring equipment.

L4.10 Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.

## L5 Blasting

L5.1 Blasting in or on the premises must only be carried out between 9am and 5pm, Monday to Friday and 9am and 3pm, Saturday. Blasting in or on the premises must not take place on Sundays or Public Holidays without the prior approval of the EPA.

L5.2 The airblast overpressure level from blasting operations in or on the premises must not exceed: 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; at either monitoring point 2 or 3 of this licence.

L5.3 The airblast overpressure level from blasting operations in or on the premises must not exceed: 120 dB (Lin Peak) at any time; at either monitoring point 2 or 3 of this licence.

L5.4 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed:



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5 mm/second for more than 5% of the total number of blasts during each reporting period;  
at either monitoring point 2 or 3 of this licence.

- L5.5 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed:  
10 mm/second at any time;  
at either monitoring point 2 or 3 of this licence.
- L5.6 Error margins associated with any monitoring equipment used to measure blasts must not be taken into account when determining whether or not the limit has been exceeded.
- 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.*

## L6 Hours of operation

- L6.1 In accordance with development consent DA 231-10-99 MOD 5, hours of operation for the premises are specified in the table below:

Day	Extraction and processing operations	Transportation operations	Asphalt Plant & associated transport (campaigns)
Monday - Friday	6am to 10pm	6am to 10pm	24 hours a day
Saturday	6am to 6pm	6am to 10 pm	24 hours a day
Sunday and Public Holidays	None	None	24 hours a day

- L6.2 In accordance with development consent DA 231-10-99 MOD 5, the following activities may be conducted at the premises outside the hours specified in the table above:
  - (a) return of trucks to the premises prior to midnight Monday to Saturday;
  - (b) delivery or dispatch of materials as requested by Police, Fire Brigade or other similar authorities;
  - (c) emergency work to avoid the loss of lives, property and/or prevent environmental harm; and
  - (d) maintenance activities provided it is inaudible at residential premises.In circumstances outlines in (b) and (c), the Licensee shall notify affected residents prior to undertaking the activities, or as soon as practical thereafter



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## **L7 Potentially offensive odour**

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

## **4 Operating Conditions**

### **O1 Activities must be carried out in a competent manner**

- O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

### **O2 Maintenance of plant and equipment**

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

### **O3 Dust**

- O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

### **O4 Emergency response**

Note: The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The PIRMP must be developed in accordance with the requirements in Part 5.7A of the POEO Act and Regulations.

The licensee must keep the PIRMP on the premises at all times. The PIRMP 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 the 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.

### **O5 Processes and management**

- O5.1 The licensee must take all reasonable measures to prevent the tracking of mud and debris onto the Pacific Highway including, but not limited to, ensuring all vehicles leaving the premises pass through the vehicular wheel wash.



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## O6 Waste management

- O6.1 The licensee must comply with the conditions as specified in this licence or where no specific conditions outlined in this licence, this licensee must comply with the *Protection of the Environment Operations (Waste) Regulation 2014*.

## 5 Monitoring and Recording Conditions

### M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- a) in a legible form, or in a form that can readily be reduced to a legible form;
  - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
  - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- a) the date(s) on which the sample was taken;
  - b) the time(s) at which the sample was collected;
  - c) the point at which the sample was taken; and
  - d) the name of the person who collected the sample.

### M2 Requirement to monitor concentration of pollutants discharged

- M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee 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 11

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Continuous	Special Method 1

Note: Special Method 1 means sampling and analysis using the aeroqual Dust Sentry Pro particle monitor.

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

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## POINT 1

Pollutant	Units of measure	Frequency	Sampling Method
pH	pH	Each overflow event	Grab sample
Total suspended solids	milligrams per litre	2 times daily during discharge	Grab sample
Turbidity	nephelometric turbidity units	2 times daily during discharge	Grab sample

### M3 Testing methods - concentration limits

- M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:
- any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
  - if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
  - if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

- 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.

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".

### M4 Weather monitoring

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

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## POINT 4

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

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

Note: The rainfall monitoring data collected in compliance with the above condition will assist in interpreting the effectiveness of stormwater management at the quarry.

## M5 Recording of pollution complaints

M5.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M5.2 The record must include details of the following:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- the nature of the complaint;
- the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- if no action was taken by the licensee, the reasons why no action was taken.

M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M6 Telephone complaints line

M6.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M6.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

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M6.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

## M7 Blasting

M7.1 To determine compliance with the blasting limits of this licence:

- a) Airblast overpressure and ground vibration levels must be measured and electronically recorded for monitoring points 2 and 3 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.

Parameters	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 of this licence, attend noise monitoring must be undertaken in accordance with the conditions of this licence and:

- a) during a period of normal quarry operations;
- b) at each one of the noise monitoring locations listed in the noise limits table of this licence;
- c) occur once annually in the reporting period; and
- d) occur during the night period as defined in the NSW Noise Policy for Industry, and in conjunction with an asphalt campaign if any such campaign occurs within the quarterly monitoring period.

Note: The extent and frequency of noise monitoring required by this licence will be reviewed upon request after eight quarterly monitoring campaigns.

M8.2 Noise monitoring must be carried out in accordance with Australian Standard AS 2659.1 - 1998: Guide to the use of sound measuring equipment - Portable sound level metres and in accordance with any relevant factors provided in the NSW Noise Policy for Industry.

## 6 Reporting Conditions

### R1 Annual return documents

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

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,



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- 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
- 7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

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.

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

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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

### R4.1 Noise Compliance Assessment Report

A noise compliance assessment report(s) must be submitted to the EPA with each Annual Return. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:

- a) an assessment of compliance with noise limits detailed in the limit conditions of this licence;
- b) details of all quarrying activities that were occurring during each of the periods of monitoring, and
- c) an outline of any management actions taken within the monitoring period to address any exceedences of the limits detailed in the limit conditions of this licence.

### R4.2 Blast Monitoring Report

The licensee must supply, with each Annual Return, a Blast Monitoring Report which must include the following information relating to each blast carried out within the premises during the reporting period covered by the Annual Return:

- 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; and



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d) an explanation for any missing blast monitoring results.

R4.3 The licensee must report any exceedence of the licence blasting limits to the EPA's Environment Line as soon as practicable after the exceedence becomes known to the licensee or to one of the licensee's employees or agents.

## 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
PRP 1: Installation and Use of a Wheel Wash at the Premises	Contruction and Utilisation of a vehicular wheel wash for all vehicles exiting the premises.	28-October-2011



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## Dictionary

### General Dictionary

<b>3DGM [in relation to a concentration limit]</b>	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>AM</b>	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>BOD</b>	Means biochemical oxygen demand
<b>CEM</b>	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
<b>general solid waste (non-putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>general solid waste (putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>grab sample</b>	Means a single sample taken at a point at a single time
<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>restricted solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>special waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TM</b>	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .



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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 Nigel Sargent

Environment Protection Authority

(By Delegation)

Date of this edition: 10-March-2000



# Environment Protection Licence

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End Notes	
1	Licence varied by notice 1006152, issued on 21-Feb-2002, which came into effect on 18-Mar-2002.
2	Licence varied by notice 1016675, issued on 20-Jun-2002, which came into effect on 15-Jul-2002.
3	Licence transferred through application 141653, approved on 19-Dec-2002, which came into effect on 01-Oct-2002.
4	Licence varied by notice 1042128, issued on 14-Jan-2005, which came into effect on 08-Feb-2005.
5	Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
6	Licence varied by notice 1106247, issued on 08-Sep-2009, which came into effect on 08-Sep-2009.
7	Licence varied by notice 1503538 issued on 04-Jan-2012
8	Licence varied by notice 1507470 issued on 26-Sep-2012
9	Licence varied by notice 1535107 issued on 17-Oct-2016
10	Licence varied by notice 1577456 issued on 12-Jun-2019
11	Licence format updated on 18-Jul-2019
12	Licence varied by notice 1585343 issued on 06-Nov-2019