

Licence Variation

Licence - 12385



GALES-KINGSCLIFF PTY LIMITED
ABN 75 093 540 080 ACN 093 540 080
20 GINAHGULLA ROAD
BELLEVUE HILL NSW 2023

Attention: Stephen Segal

Notice Number 1634987
File Number EF13/3463
Date 09-Feb-2024

NOTICE OF VARIATION OF LICENCE NO. 12385

BACKGROUND

- A. GALES-KINGSCLIFF PTY LIMITED ("the licensee") is the holder of Environment Protection Licence No. 12385 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of activities at 103 ALTONA DRIVE, CUDGEN, NSW, 2487 ("the premises").
- B. The EPA initiated this variation as part of the Licence Review process. The aim of this variation is to update the licence to accurately reflect current site operations.

VARIATION OF LICENCE NO. 12385

1. By this notice the EPA varies licence No. 12385. The attached licence document contains all variations that are made to the licence by this notice.
2. The following variations have been made to the licence:
 - The street address for the Premises was updated to 103 Altona Road, to reflect the address listed on the licensees' website.
 - The table in condition P1.2 has been updated to reference the current site map submitted to the EPA on 31 October 2023, the current Soil and Water Management Plan (SWMP) provided 11 December 2023, and include new spillway/discharge points EPL 7 and EPL 8.
 - Condition L1.2 has been updated to include Points 7 and 8, which reflect points 'EPL 7' and 'EPL 8' of the current site map.
 - Condition L2.4 has been updated to include Points 7 and 8, with discharge limits being consistent with existing Points 1 and 2.

Licence Variation



- In conditions L4.1 and L4.2 references to 'Lot 2 DP 216705' have been replaced with 'Lot 51 DP 1268405'. References to the 75J approval 05_0103 have been updated to include the current Mod.
- Condition L4.3 has been updated to refer to L4.1 instead of a Noise Limit table.
- Condition L5.1 the reference 'Lot 2 DP 216705' has been replaced with 'Lot 51 DP 1268405'.
- Condition O4.4 has been updated to refer to 'all relevant Australia Standards'
- Condition O5.1 has been updated so it refers to 'the current Acid Sulfate Soils Manual by the Acid Sulfate Soil Management Advisory Committee (ASSMAC)'.
- Condition M2.2 has been updated to include Points 7 and 8 into the first table. Monitoring of analytes TSS, and Oil and Grease for monitoring points 4, 5, and 6 have been removed from the second table.
- Condition M7.1 has been updated to refer to 'the current NSW Noise Policy for Industry by the NSW EPA'.
- Addition of a Special Condition that refers to the suitably qualified engineers letter for bunding and spillway construction. For maintenance of bunding and spillways, this condition refers to the current SWMP.

A handwritten signature in black ink, appearing to read 'LD', is positioned above a dotted line.

.....
Luke Davison

Acting Unit Head

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

Licence Variation



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



Environment Protection Licence

Licence - 12385

Licence Details	
Number:	12385
Anniversary Date:	01-July
Licensee	
GALES-KINGSCLIFF PTY LIMITED	
20 GINAHGULLA ROAD	
BELLEVUE HILL NSW 2023	
Premises	
CUDGEN LAKES	
103 ALTONA DRIVE	
CUDGEN NSW 2487	
Scheduled Activity	
Extractive activities	
Fee Based Activity	Scale
Extractive activities	> 100000-500000 T annually extracted or processed
Contact Us	
NSW EPA	
6 Parramatta Square	
10 Darcy Street	
PARRAMATTA NSW 2150	
Phone: 131 555	
Email: info@epa.nsw.gov.au	
Locked Bag 5022	
PARRAMATTA NSW 2124	



Environment Protection Licence

Licence - 12385

INFORMATION ABOUT THIS LICENCE	4
Dictionary	4
Responsibilities of licensee	4
Variation of licence conditions	4
Duration of licence	4
Licence review	4
Fees and annual return to be sent to the EPA	4
Transfer of licence	5
Public register and access to monitoring data	5
1 ADMINISTRATIVE CONDITIONS	6
A1 What the licence authorises and regulates	6
A2 Premises or plant to which this licence applies	6
A3 Other activities	6
A4 Information supplied to the EPA	7
2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND	7
P1 Location of monitoring/discharge points and areas	7
3 LIMIT CONDITIONS	8
L1 Pollution of waters	8
L2 Concentration limits	8
L3 Waste	9
L4 Noise limits	9
L5 Hours of operation	10
4 OPERATING CONDITIONS	10
O1 Activities must be carried out in a competent manner	10
O2 Maintenance of plant and equipment	10
O3 Dust	10
O4 Processes and management	10
O5 Other operating conditions	11
5 MONITORING AND RECORDING CONDITIONS	11
M1 Monitoring records	11
M2 Requirement to monitor concentration of pollutants discharged	11
M3 Testing methods - concentration limits	12
M4 Environmental monitoring	12
M5 Recording of pollution complaints	13
M6 Telephone complaints line	13



Environment Protection Licence

Licence - 12385

M7	Other monitoring and recording conditions	13
6	REPORTING CONDITIONS	13
R1	Annual return documents	13
R2	Notification of environmental harm	15
R3	Written report	15
7	GENERAL CONDITIONS	15
G1	Copy of licence kept at the premises or plant	15
8	SPECIAL CONDITIONS	16
E1	Engineer Report - Bunding	16
DICTIONARY		17
	General Dictionary	17

Environment Protection Licence

Licence - 12385

Information about this licence

Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).



Environment Protection Licence

Licence - 12385

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:

GALES-KINGSCLIFF PTY LIMITED
20 GINAHGULLA ROAD
BELLEVUE HILL NSW 2023

subject to the conditions which follow.



Environment Protection Licence

Licence - 12385

1 Administrative Conditions

A1 What the licence authorises and regulates

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

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

Scheduled Activity	Fee Based Activity	Scale
Extractive activities	Extractive activities	> 100000 - 500000 T annually extracted or processed

- A1.2 The licensee must not carry on any scheduled activities until the scheduled development works are completed, except as elsewhere provided in this licence.
- A1.3 Notwithstanding the maximum scale at condition A1.1, the maximum scale of extractive activity authorised under this licence must not exceed the extraction limit approved by the development consent granted under the *Environmental Planning and Assessment Act 1979* for the premises specified in condition A2.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
CUDGEN LAKES
103 ALTONA DRIVE
CUDGEN
NSW 2487
LOT 21 DP 1082482, LOT 51 DP 1268405
ALSO INCLUDES ROAD EASEMENTS FOR CRESCENT STREET AND ALTONA ROAD.

A3 Other activities

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

Ancillary Activity
Crushing, grinding or separating
Water-based extractive activity



Environment Protection Licence

Licence - 12385

A4 Information supplied to the EPA

A4.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

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

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

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

- P1.1 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.
- P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Water Quality Monitoring Point	Water Quality Monitoring Point	Dredge Pond South Spillway West - Identified as EPL 1 in the site map submitted to the EPA on 31 October 2023 (DOC23/1005480)
2	Water Quality Monitoring Point	Water Quality Monitoring Point	Dredge Pond South Spillway East - Identified as EPL 2 in the site map submitted to the EPA on 31 October 2023 (DOC23/1005480)
4	Groundwater Monitoring - MB15		Groundwater monitoring bore. Defined as MB15 in Gales-Kingscliff Pty Ltd, Soil and Water Management Plan for the Cudgen Lakes Sand Quarry, December 2023 (GKSWMP). Location described in Section 6.4.2 and Figure 6.3.

Environment Protection Licence

Licence - 12385

5	Groundwater Monitoring - MB10		Groundwater monitoring bore. Defined as MB10 in Gales-Kingscliff Pty Ltd, Soil and Water Management Plan for the Cudgen Lakes Sand Quarry, December 2023 (GKSWMP). Location described in Section 6.4.2 and Figure 6.3.
6	Groundwater Monitoring - MB11		Groundwater monitoring bore. Defined as MB11 in Gales-Kingscliff Pty Ltd, Soil and Water Management Plan for the Cudgen Lakes Sand Quarry, December 2023 (GKSWMP). Location described in Section 6.4.2 and Figure 6.3.
7	Water Quality Monitoring Point	Water Quality Monitoring Point	Dredge Pond North Spillway West - Identified as EPL 7 in the site map submitted to the EPA on 31 October 2023 (DOC23/1005480)
8	Water Quality Monitoring Point	Water Quality Monitoring Point	Dredge Pond North Spillway East - Identified as EPL 8 in the site map submitted to the EPA on 31 October 2023 (DOC23/1005480)

3 Limit Conditions

L1 Pollution of waters

- L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.
- L1.2 Exceedence of the quality limits specified in this licence for the discharge of TSS, pH and Oil and Grease from Points 1, 2, 7, or 8, or exceedance of a volume limit for discharges from Points 1, 2, 7, or 8, are permitted if the discharge occurs solely as a result of rainfall at the premises exceeding a total of 82.5 millimetres over any consecutive five day period.
- L1.3 The licensee must take all practical measures to avoid or minimise TSS, pH etc. contained in wet weather discharges.

L2 Concentration limits

- L2.1 For each monitoring/discharge point or utilisation area specified in the table/s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.
- L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.
- L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those



Environment Protection Licence

Licence - 12385

specified in the table\.

L2.4 Water and/or Land Concentration Limits

POINT 1,2,7,8

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

L3 Waste

- L3.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.
- L3.2 Virgin Excavated Natural Material (VENM) may be received at the premises for the purpose of land application.

L4 Noise limits

- L4.1 Noise from the premises where extraction is occurring (being Lot 51 DP 1268405 and Lot 21 DP 1082482) must not exceed an LAeq (15 minute) noise emission criterion of 47 dB(A) between the hours of 7am to 10pm, and 44dB(A) between the hours of 630am to 7am, except as expressly provided by this licence.
- L4.2 Noise from the premises where extraction is occurring (being Lot 51 DP 1268405 and Lot 21 DP 1082482) is to be measured at: residences on privately owned land; and, locations specified in Section 7 (b) of Schedule 3 of Project Approval 75J Project Application 05_0103, or the current modification, to determine compliance with this condition.

Note: Noise sensitive locations means buildings used as a residence, hospital, school, childcare centre, places of public worship and nursing homes. A noise sensitive location includes the land within 30m of the building.

- L4.3 The noise limits set out in L4.1 apply under all meteorological conditions except for the following:

a) Wind speeds greater than 3 metres/second at 10 metres above ground level; or

b) Temperature inversion conditions up to 3°C/100m and wind speeds greater than 2 metres/second at 10 metres above ground level; or

c) Temperature inversion conditions greater than 3°C/100m.

Environment Protection Licence

Licence - 12385

L5 Hours of operation

- L5.1 This licence only allows activities to be carried out from the premises where extraction is occurring (being Lot 51 DP1268405 and Lot 21 DP 1082482) within the following times as follows:
- site establishment, sand or soil extraction by excavator, dry processing, product transport by road, other quarry related activities, maintenance (if audible at neighbouring residences)[Monday to Friday - 7am to 6pm, Saturday - 7am to 1pm, Sunday and Public Holidays - nil];
 - sand extraction by dredging and pumping to the processing plant, wet processing [Monday to Friday - 7am to 10pm, Saturday - 7am to 4pm, Sunday and Public Holidays - nil];
 - Sand extraction by dredging and pumping to fill sites [Monday to Friday - 7am to 6.30pm, Saturday - 7am to 1pm, Sunday and Public Holidays - nil];
 - operation of dredge to fill pipeline with water or pipeline flushing [Monday to Friday - 6.30am to 7pm, Saturday - 6.30am to 1.30pm, Sunday and Public Holidays - nil];
 - maintenance (if inaudible at neighbouring residences)[any day, any time].

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 Processes and management

- O4.1 Any pond subject to dredging, or containing turbid water due to recent dredging must be maintained and operated to prevent discharges of any water from these ponds. A vegetated barrier must be used at all times to ensure that the active dredge and fines placement area / pond are isolated from stormwater drainage channels.

Environment Protection Licence

Licence - 12385

- O4.2 The licensee must maximise the diversion of run-on waters from lands upslope and around the site whilst land disturbance activities are being undertaken.
- O4.3 The licensee must ensure that sampling point(s) for water discharged from the Dredge Pond(s) and Sediment Dam are provided and maintained in an appropriate condition to permit:
- a) the clear identification of each Dredge Pond and Sediment Dam and discharge point(s);
 - b) the collection of representative samples of the water discharged from the Dredge Pond(s) and Sediment Dam; and
 - c) access to the sampling point(s) at all times by an authorised officer of the EPA.
- O4.4 All liquid chemicals, fuels and oils must be stored in tanks or containers inside suitable bund(s). Bunds are to be designed, constructed and maintained in accordance with all relevant Australian Standards.

O5 Other operating conditions

- O5.1 The licensee must assess and manage any acid sulfate soil (ASS) and potential acid sulfate soil (PASS) in accordance with the current *Acid Sulfate Soils Manual* published by the NSW Acid Sulfate Soil Management Advisory Committee (ASSMAC).

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:



Environment Protection Licence

Licence - 12385

M2.2 Water and/ or Land Monitoring Requirements

POINT 1,2,7,8

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

POINT 4,5,6

Pollutant	Units of measure	Frequency	Sampling Method
Ammonia	milligrams per litre	Yearly	Grab sample
Chloride	milligrams per litre	Yearly	Grab sample
Electrical conductivity	microsiemens per centimetre	Yearly	Grab sample
pH	pH	Yearly	Grab sample
Standing Water Level	metres (Australian Height Datum)	Yearly	No method specified
Sulfate	milligrams per litre	Yearly	Grab sample

M2.3 Special Frequency 1 means: sampling once <24 hours prior to; and, sampling the discharge daily during, each discharge event arising from rainfall of less than 82.5mm falling in total over a period of up to five days duration.

M3 Testing methods - concentration limits

M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 Environmental monitoring

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

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

Note: The rainfall monitoring data collected in compliance with Condition M4.2 can be used to determine compliance with L1.2.

Environment Protection Licence

Licence - 12385

M5 Recording of pollution complaints

- M5.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M5.2 The record must include details of the following:
- a) the date and time of the complaint;
 - b) the method by which the complaint was made;
 - c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - d) the nature of the complaint;
 - e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - f) if no action was taken by the licensee, the reasons why no action was taken.
- M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M6 Telephone complaints line

- M6.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M6.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M6.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

M7 Other monitoring and recording conditions

- M7.1 For the purposes of monitoring for compliance with the noise limit conditions of this licence (condition L4) noise emitted from the premises must be measured or computed at 30 metres from the nearest residential dwelling/s over a period of 15 minutes using the “FAST” response on the sound level meter. A modifying factor correction must be applied for tonal, impulsive, or intermittent noise in accordance with the current NSW Noise Policy for Industry by NSW EPA.

6 Reporting Conditions

R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
- 1. a Statement of Compliance,

Environment Protection Licence

Licence - 12385

2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

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

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- R1.3 Where this licence is transferred from the licensee to a new licensee:
- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
 - b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.
- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
 - b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.
- R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').
- R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.
- R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- a) the licence holder; or
 - b) by a person approved in writing by the EPA to sign on behalf of the licence holder.
- Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.
- Note: An application to transfer a licence must be made in the approved form for this purpose.
- R1.8 The licensee must also include the following information with the Annual Return:
- A statement detailing the total volume of material extracted from the quarry for the reporting period; and
 - The total volume of extracted material transported from the premises for the reporting period.

Environment Protection Licence

Licence - 12385

R2 Notification of environmental harm

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

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- a) where this licence applies to premises, an event has occurred at the premises; or
 - b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

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.



Environment Protection Licence

Licence - 12385

- 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.

8 Special Conditions

E1 Engineer Report - Bunding

- E1.1 Bunding and spillways must be constructed in accordance with Mortons Urban Solutions Engineering Response submitted to the EPA on 11 December 2023, and maintained in accordance with the current Soil and Water Management Plan for the site.



Environment Protection Licence

Licence - 12385

Dictionary

General Dictionary

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

Environment Protection Licence

Licence - 12385

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



Environment Protection Licence

Licence - 12385

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
Wellhead	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Mr Alex Purvis

Environment Protection Authority

(By Delegation)

Date of this edition: 18-November-2005

End Notes	
1	Licence varied by notice 1096630, issued on 12-Jan-2009, which came into effect on 12-Jan-2009.
2	Licence varied by legislative change to Sched. Act. name, issued on 28-Apr-2008, which came into effect on 28-Apr-2008.
3	Licence varied by notice 1509651 issued on 11-Dec-2012
4	Licence varied by notice 1542582 issued on 06-Sep-2016
5	Licence varied by notice 1550869 issued on 20-Jul-2017
6	Licence varied by notice 1574914 issued on 18-Jan-2019
7	Licence varied by notice 1596074 issued on 16-Sep-2020
8	Licence fee period changed by notice 1601006 on 21-Dec-2020
9	Licence varied by notice 1609588 issued on 11-Jun-2021