

Environment Protection Licence



Licence - 3751

Licence Details

Number:	3751
Anniversary Date:	15-June

Licensee

HANSON CONSTRUCTION MATERIALS PTY LTD

LOCKED BAG 5260

PARRAMATTA NSW 2124

Premises

HANSON CONSTRUCTION MATERIALS PTY LTD

RESERVOIR ROAD

SOMERSBY NSW 2250

Scheduled Activity

Crushing, grinding or separating

Extractive activities

Fee Based Activity

Scale

Crushing, grinding or separating	> 100000-500000 T annual processing capacity
Land-based extractive activity	> 100000-500000 T annual capacity to extract, process or store

Region

North - Hunter

Ground Floor, NSW Govt Offices, 117 Bull Street
NEWCASTLE WEST NSW 2302

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NSW 2300

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Information about this licence

Dictionary

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

Responsibilities of licensee

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

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

Variation of licence conditions

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

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

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

Duration of licence

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

Licence review

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

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

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

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The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

This licence is issued to:

HANSON CONSTRUCTION MATERIALS PTY LTD
--

LOCKED BAG 5260

PARRAMATTA NSW 2124

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled 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	Land-based extractive activity	> 100000 - 500000 T annual capacity to extract, process or store

A1.2 Notwithstanding A1.1, the scale of the land-based extractive activity authorised under this licence must not exceed 310,000 tonnes per annum, being the amount equivalent to the extraction limit approved by the project Approval (MP 08_0173) granted by the Minister for Planning on 1 August 2014.

Note: In relation to this licence, the licensee must comply with:

- The fee based activity scale limits imposed by this licence.
- The fee based activity scale limits which apply for the reporting period specified in this licence.
- The activity scale limits imposed by other legal instruments, such as approvals currently in force under the Environmental Planning and Assessment Act 1979.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
HANSON CONSTRUCTION MATERIALS PTY LTD
RESERVOIR ROAD
SOMERSBY
NSW 2250
LOT 2 DP 1208119
AS DETAILED ON FIGURE ES2. (PAGE 4) OF THE ENVIRONMENTAL ASSESSMENT - CENTRAL COAST SANDS PROJECT 08_0173, PREPARED BY INSITE PLANNING SERVICES PTY LTD, DATED FEBRUARY 2013, TRIM DOC 16/511953

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A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

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

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

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	Discharge and Water Quality Monitoring Point	Discharge and Water Quality Monitoring Point	Overflow spillway from 'Pump Dam' to Unnamed tributary of Mooney Mooney Creek as shown as "LDP1" on Figure A2 (page 33) of the Surface Water Management Plan, prepared by SLR consulting Australia Pty Ltd, dated 23 May 2016, TRIM DOC16/511953
13	Discharge and Water Quality Monitoring	Discharge and Water Quality Monitoring	Overflow spillway from 'Make Up Dam' to Unnamed tributary of Mooney Mooney Creek as shown as "LDP2" on Figure A2 (page 33) of the Surface Water Management Plan, prepared by SLR consulting Australia Pty Ltd, dated 23 May 2016, TRIM DOC16/511953

P1.3 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

Air

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EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
3	Ambient Air Monitoring		Continuous PM10 and & Dust Deposition gauge located at - TBC by Licensee - Map & GPS co-ordinates to be provided - at a location representative of the most affected off site sensitive receiver (ie. SE Boundary in location representative of Receptor Q)
4	Ambient Air Monitoring		TBC by Licensee - Map & GPS co-ordinates to be provided - at a location representative of the second most affected off site sensitive receiver (ie. NE Boundary in location representative of Receptor 4).
5	Ambient Air Monitoring		TBC by Licensee - map & GPS coordinates to be provided by Licensee. NB - The licensee has committed to installing a third Dust deposition gauge in the 'Revised Statement of Commitments' dated October 2013. Licensee to seek advice regarding best location.

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.

Noise

EPA identification no.	Type of monitoring point	Location description
6	Meteorological Station – to determine meteorological conditions for noise monitoring	Licensee to Confirm exact location of Meteorological Station with a Map and GPS coordinates.
7	Noise monitoring	Receiver B - Keighley Road Somersby, as identified in Figure 2 (page 9) of the 'Noise Impact Assessment - Somersby Quarry Extension' prepared by SLR Consulting Australia Pty Ltd. dated 14 March 2012 TRIM DOC 16/511953
8	Noise monitoring	110 Keighly Rd Somersby, as identified in Figure 2 (page 9) of the 'Noise Impact Assessment - Somersby Quarry Extension' prepared by SLR Consulting Australia Pty Ltd. dated 14 March 2012 TRIM DOC 16/511953
9	Noise monitoring	100 Keighly Road Somersby, as identified in Figure 2 (page 9) of the 'Noise Impact Assessment - Somersby Quarry Extension' prepared by SLR Consulting Australia Pty Ltd. dated 14 March 2012 TRIM DOC 16/511953
10	Noise monitoring	81 or 87 Keighly Road Somersby, as identified in Figure 2 (page 9) of the 'Noise Impact Assessment - Somersby Quarry Extension' prepared by SLR Consulting Australia Pty Ltd. dated 14 March 2012 TRIM DOC 16/511953

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11	Noise monitoring	21 Reservoir Rd Somersby, as identified in Figure 2 (page 9) of the 'Noise Impact Assessment - Somersby Quarry Extension' prepared by SLR Consulting Australia Pty Ltd. dated 14 March 2012 TRIM DOC 16/511953
12	Noise monitoring	Any other privately owned residential receiver not owned by the licensee or the subject of a private negotiated agreement with the licensee

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 1,13

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	milligrams per litre				10 or nil visible
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				50

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L2.5 Background:

The EPA and licensee have agreed it is acceptable to monitor daily for turbidity in lieu of total suspended solids, provided a correlation table/graph is established for the premises that clearly shows the turbidity level corresponding to a total suspended solids limit of 50 mg/L.

Deliverables:

- a) The licensee must establish and use a correlation table/graph developed specifically for the premises, which shows the turbidity level corresponding to a total suspended solids limit of 50 mg/L. This correlation table/graph must be reviewed routinely and updated to ensure it is current and builds in any necessary safety factor.
- b) The current turbidity:total suspended solids correlation table/graph must be provided to the EPA within seven days of it being developed or updated.
- c) It is deemed a non-compliance with the total suspended solids limit shown above if the turbidity level obtained exceeds the value shown in the current turbidity:total suspended solids correlation table/graph in use at the premises.

L3 Waste

- L3.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	General or Specific exempted waste	Waste that meets the description of a resource recovery exemption under clause 92 of the Protection of the Environment Operations (Waste) Regulation 2014	As specified in each particular resource recovery exemption	NA

L4 Noise limits

- L4.1 Where a noise limit has not been prescribed, all operations and activities occurring on the premises must be conducted in a manner that will not cause offensive noise.

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L4.2 Noise generated at the premises that is measured at each noise monitoring point established under this licence must not exceed the noise levels specified in Column 4 of the table below for that point during the corresponding time periods specified in Column 1 when measured using the corresponding measurement parameters listed in Column 2.

POINT 10,11

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	LAeq (15 minute)	n/a	36

POINT 11

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Morning-Shoulder	LAeq (15 minute)	n/a	36

POINT 12

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	LAeq (15 minute)	n/a	35

POINT 7,8

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	LAeq (15 minute)	n/a	37

POINT 7,8,9,10,11,12

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Morning-Shoulder	Lmax OR LA1,1min	n/a	45
Evening	LAeq (15 minute)	n/a	35

POINT 7,8,9,10,12

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Morning-Shoulder	LAeq (15 minute)	n/a	35

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POINT 9

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	LAeq (15 minute)	n/a	38

Note: For the purpose of the above Table, 'Measurement Frequency' requirements are outlined in the below conditions relating to noise measurement and in the noise monitoring requirements detailed in the 'Monitoring Conditions' of this Licence.

L4.3 For the purpose of the noise limits :

- Day is defined as the period from 7 am to 6 pm Monday to Saturday, and 8 am to 6 pm Sunday and public holidays.
- Evening is defined as the period 6pm - 10 pm.
- Morning Shoulder is defined as the period from 5am to 7 am Monday to Friday.

L4.4 The noise limits set out above apply under all meteorological conditions except for the following:

- a) Wind speeds greater than 3 metres/second at 10 metres above ground level.
- b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- c) Stability category G temperature inversion conditions.

L4.5 For the purposes of noise limit conditions:

- a) Data recorded by a meteorological station installed on site must be used to determine meteorological conditions; and
- b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.

L4.6 To determine compliance:

- a) with the Leq(15 minute) noise limits above, the noise measurement equipment must be located:
 - approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
 - within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
 - within approximately 50 metres of the boundary of a National Park or a Nature Reserve.
- b) with the LA(Max) noise limits above, the noise measurement equipment must be located within 1 metre of a dwelling façade.
- c) with the noise limits above, the noise measurement equipment must be located:

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- at the most affected point at a location where there is no dwelling at the location; or
- at the most affected point within an area at a location prescribed in (a) or (b) above.

L4.7 A non-compliance with noise limits will still occur where noise generated from the premises in excess of the appropriate limit is measured:

- at a location other than an area prescribed in these noise limit conditions and/or
- at a point other than the most affected point at a location.

L4.8 For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

L5 Hours of operation

L5.1 Activities at the premises must be undertaken on the days and at the times in the following table.

Activity	Day	Time
Extraction and processing	Monday - Friday	6:00am to 6:00pm
Extraction and processing	Saturday	6:00am to 4:00pm
Extraction and Processing	Sundays and Public Holidays	Never
Delivery and Distribution (ie. Truck movements)	Monday - Friday	6:00am to 4:00 pm
Delivery and Distribution (ie. Truck movements)	Saturdays	6:00am to 2:00pm
Delivery and Distribution (ie. Truck movements)	Sundays	Never
Construction Activities (ie. construction of Noise Bunds)	Monday - Friday	7:00am - 4:00pm
Construction Activities (ie. construction of Noise Bunds)	Saturday	7:00am - 12:00pm
Construction Activities (ie. construction of Noise Bunds)	Sundays and Public Holidays	Never
Maintenance (if inaudible at neighbouring residences)	Any day	Any time

L5.2 The following activities may be carried out at the premises outside the hours specified in the above conditions:

1. the delivery of materials as requested by police or other government authorities for safety reasons; and
2. emergency work to avoid the loss of lives, property and/or prevent environmental harm.

In such circumstances the applicant must notify the EPA and affected adjoining residents prior to undertaking the works or within a reasonable period thereafter in the case of an emergency.

L5.3 Construction activities may be carried out at the premises outside the hours specified in the above table only if the noise generated by the construction activity does not exceed 38dB(A)LAeq(15min) at any

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privately owned residence.

L6 Potentially offensive odour

- L6.1 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.
- L6.2 No condition of this licence identifies a potentially offensive odour for the purposes of Section 129 of the Protection of the Environment Operations Act 1997.

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

4 Operating Conditions

O1 Activities must be carried out in a competent manner

- O1.1 Licensed activities must be carried out in a competent manner.
This includes:
 - a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
 - b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:
 - a) must be maintained in a proper and efficient condition; and
 - b) must be operated in a proper and efficient manner.

O3 Dust

- O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.
- O3.2 Trucks entering and leaving the premises that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading.
- O3.3 Any activity carried out in or on the premises must be carried out by such practical means as to prevent dust or minimise the emission of dust to the air.
- O3.4 Any plant operated in or on the premises must be operated by such practical means to prevent or minimise dust or other air pollutants.

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- O3.5 All trafficable areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the emission of dust to the air, or emission from the premises of wind-blown or traffic generated dust.

O4 Emergency response

- O4.1 The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The licensee must keep the incident response plan on the premises at all times. The incident response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment.

The PIRMP must be tested at least annually or following a pollution incident.

The licensee must develop the Pollution Incident Response Management Plan in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO regulations.

O5 Processes and management

- O5.1 All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.
- O5.2 The licensee must ensure that all chemicals, fuels and oils stored at the premises are contained within appropriately designed bunded areas that meet the following requirements:

- a) comply with any relevant Australian Standards for the liquids being stored; and
- b) be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed);
- d) have walls and floors constructed of impervious materials graded to a collection sump; and
- e) not have a drain valve incorporated in the bund structure, or be constructed and operated in a manner that achieves the same environmental outcome.

Note: Additional information on bunding design, construction and maintenance can be found in the EPA's Guide: *"Storing and Handling Liquids: Environmental Protection, Participants Manual"*

- O5.3 The drainage from all areas at the premises which will liberate suspended solids when stormwater runs over these areas must be diverted into adequately sized sedimentation basins.
- O5.4 The sedimentation basins must be maintained to ensure that their design capacity is available for the storage of of run off from cleared areas such that it receives adequate treatment.

O6 Other operating conditions

Activities not permitted by this Licence

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- O6.1 There must be no blasting conducted, no use of a crusher (other than crushing by bulldozer tracks or screening in the course of processing the material), no dimension stone cutting, no percussive impact breaking and no percussive impact ripping equipment used at the premises.

Noise Reduction Measures & Works

- O6.2 Only 1 x Excavator, 1 x Loader, 1 x Haul truck and 1 x Water Truck can operate in the 'extension area' at any time.

1 x Dozer can operate once the proposed extension area ground level reaches a depth of 5m below the existing ground level. If the dozer operates in the proposed extension area, only the water cart may operate at the same time.

- O6.3 Prior to extraction activities commencing in the new extraction area, the Licensee must construct a 5m high acoustic bund around the northern, eastern and southern boundaries of the new extraction area as identified in Figure 15. (page 22) of the 'Environmental Assessment - Central Coast Sands project 08_0173' dated February 2013, TRIM DOC 16/511953.

- O6.4 The Licensee has committed to the above Noise Mitigation Measures in the 'Central Coast Sands Quarry- Revised Statement of Commitments', dated October 2013, which was prepared by the Licensee and supports the Project approval MP 08_0173.

The 'extension area' is identified in Figure 2 of the 'Noise Impact Assessment - Somersby Quarry Extension' prepared by SLR Consulting Australia Pty Ltd. dated 14 March 2012, TRIM DOC16/511953.

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

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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 3

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Bi-Monthly	Australian Standard 3580.9.8 - 2001

POINT 3,4,5

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

M2.3 Water and/ or Land Monitoring Requirements

POINT 1,13

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	milligrams per litre	Special Frequency 2	Representative sample
pH	pH	Special Frequency 1	Representative sample
Total suspended solids	milligrams per litre	Weekly during any discharge	Representative sample
Turbidity	nephelometric turbidity units	Daily during any discharge	Representative sample

M2.4 Monitoring Frequency:

Special Frequency 1: Testing for pH means;

Testing pH daily during any discharges using a suitably calibrated meter and weekly during any discharge by obtaining a representative sample and forwarding it to a Nata Accredited Laboratory for analysis.

Special Frequency 2: Testing for Oil and Grease means;

Testing daily during any discharges by visual inspection and weekly during any discharges by obtaining a representative sample and forwarding it to a Nata Accredited Laboratory for analysis.

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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.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2010* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

M3.2 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.

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.

POINT 6

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Temperature at 2 metres	AM-4	degrees Celsius	1 hour	Continuous
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	1 hour	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
Temperature at 10 metres	AM-4	degrees Celsius	1 hour	Continuous

M5 Recording of pollution complaints

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- 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.
- M6.4 The licensee must nominate to the EPA a representative of the company that is available at all times and is capable of providing immediate assistance or response during emergencies or any other incidents at the premises. The name of the nominated representative and their contact details, including their telephone number, must be current at all times. The nomination and contact details must be provided to the EPA's Regional Manager- Hunter at hunter.region@epa.nsw.gov.au
Note: This condition does not apply until two (2) weeks after the date of issue of the variation notice to include this condition.

M7 Noise monitoring

- M7.1 To assess compliance with the noise limits, attended noise monitoring must be undertaken in accordance with the conditions in the 'Noise Limits' section of this Licence:
- a) at each of the noise monitoring locations listed in the noise limit tables;
 - b) occur annually in a reporting period;
 - c) occur during each morning shoulder, day and night period as defined in the NSW Industrial Noise Policy for a minimum of:
 - 15 minutes during the morning shoulder;
 - 1.5 hours during the day;
 - 30 minutes during the evening; and

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d) occur for three consecutive operating days.

Note: The EPA will consider this frequency of monitoring, upon request, after the first three years of monitoring or if monitoring or community complaint suggests more frequent monitoring is required.

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

At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

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

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

- R1.3 Where this licence is transferred from the licensee to a new licensee:
- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
 - b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
 - b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

- R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

- R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years

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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 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.

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R4 Other reporting conditions

Water Monitoring Reporting requirements

R4.1 Where the discharge water quality monitoring at Points 1 or 2 shows any exceedance of any limit of the EPA licence for the premises the EPA must be notified immediately (by contacting the EPA's Environment Line 131555) and an investigation conducted. A report must be provided to the EPA within seven days as to the reason for the exceedance of the licence limit.

Noise Monitoring Report

R4.2 A noise compliance assessment report must be submitted to the EPA within 30 days of the completion of the yearly monitoring. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:

- a) Justification that the noise monitoring sites are the most affected by Quarry operations;
- b) an assessment of compliance with noise limits presented in the noise limit tables of this licence; and
- c) an outline of any management actions taken within the monitoring period to address any exceedences of the noise limits.

Reporting of Ambient Air Quality(PM10) levels greater than criteria

R4.3 The proponent must, within 7 days of recording a PM10 value greater than the 24 hour EPA impact assessment criteria, provide a written report to the EPA that details:

- the instantaneous values reported during that day;
- the 24 hour average for that day;
- activities that were being conducted at the premises on that day, including the location of extraction activities and an estimation of the tonnage of material transported off-site;
- The weather data, and in particular hourly average wind direction and strength, obtained from the on-site weather station; and
- any other factors (eg bushfires) that might have contributed to the elevated reading, including justification as to why these factor(s) might have contributed to the result.

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.

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8 Pollution Studies and Reduction Programs

U1 Pollution Reduction Study - Noise Reduction Measures/Works

Pollution Reduction Study 1 - Noise Reduction Measures / Works

U1.1 The licensee must undertake the following noise reduction measures/works.

Prior to works commencing relating to the expansion proposal allowed by the Project Approval (MP08_0173), the licensee must investigate and undertake works, which may include but not be limited to upgrading exhausts or adding enclosures/panels to engines to reduce the sound power levels of the Loader, at source, from 103 to 100 dBA.

If there are no reasonable or feasible noise mitigation measures that can be implemented to reduce the Sound Power Level of the Loader at source from 103dBA to 100 dBA, the Licensee must prepare a report to be submitted to the EPA detailing how the Licensee will manage noise impacts on residences A, B, C, D, E, F & G during Morning Shoulder periods.

Note: the above requirement has been imposed as the Noise Impact Assessment, specifically the supporting document titled 'Somersby Quarry - Additional Noise Modelling Results' prepared by SLR Consulting Australia Pty Ltd., dated 9 October 2013 TRIM DOC 16/51228, predicts that in order to comply with the relevant criteria of 37 dBA at residences A, B, C, D, E, F & G the above noise reduction measures must be undertaken.

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Dictionary

General Dictionary

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

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

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TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste

Mr Nigel Sargent

Environment Protection Authority

(By Delegation)

Date of this edition: 02-November-2000

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End Notes

- 1 Licence varied by change to contact details, issued on 23-Apr-2001, which came into effect on 23-Apr-2001.
- 2 Licence varied by notice 1012829, issued on 18-Nov-2002, which came into effect on 13-Dec-2002.
- 3 Licence varied by notice 1024414, issued on 10-Feb-2003, which came into effect on 10-Feb-2003.
- 4 Licence varied by notice 1030518, issued on 10-Nov-2003, which came into effect on 05-Dec-2003.
- 5 Licence varied by notice 1034856, issued on 29-Mar-2004, which came into effect on 23-Apr-2004.
- 6 Licence varied by notice 1038792, issued on 12-Aug-2004, which came into effect on 06-Sep-2004.
- 7 Licence fee period changed by notice 1071906 approved on 02-Apr-2007.
- 8 Licence varied by notice 1088762, issued on 04-Jul-2008, which came into effect on 04-Jul-2008.
- 9 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 10 Licence varied by change to DECCW File number, issued on 14-Apr-2010, which came into effect on 14-Apr-2010.
- 11 Licence varied by notice 1503559 issued on 04-Jan-2012
- 12 Licence varied by notice 1509648 issued on 09-Jan-2013
- 13 Licence varied by notice 1545509 issued on 11-Nov-2016