

# General Terms of Approval - Issued

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Notice No: 1614685

GWYDIR SHIRE COUNCIL  
Locked Bag 5  
Bingara NSW 2404

Attention: Ms Patsy Cox

Notice Number      1614685  
Date                    01-Dec-2021

**Re: North Star Quarry Proposal (DA 34/2021)**

**Issued pursuant to Section 4.46 Environmental Planning and Assessment Act 1979**

I refer to the development application and accompanying information provided for the proposed North Star Quarry received by the Environment Protection Authority (EPA) on 13 September 2021.

EPA has reviewed the information provided and has determined that it is able to issue a licence for the proposal, subject to a number of conditions. The applicant will need to make a separate application to EPA to obtain this licence.

The general terms of approval for this proposal are provided at Attachment A. If Gwydir Shire Council grants development consent for this proposal these conditions should be incorporated into the consent.

These general terms relate to the development as proposed in the documents and information currently provided to EPA. In the event that the development is modified either by the applicant prior to the granting of consent or as a result of the conditions proposed to be attached to the consent, it will be necessary to consult with EPA about the changes before the consent is issued. This will enable EPA to determine whether its general terms need to be modified in light of the changes.

In assessing the proposal EPA has also identified a number of environmental issues that Gwydir Shire Council may wish to consider in its overall assessment of the application. These issues are:

1. The EPA requested additional information from the proponent regarding the implementation of feasible and reasonable mitigation measures to prevent and minimise air pollution from activities undertaken at the premises.

In responding to the EPA's request for additional information, the proponent noted that additional dust mitigation measures are not required to achieve compliance with air quality assessment criteria.

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Compliance with air quality assessment criteria does not negate the requirement to comply with Section 128 of the *Protection of the Environment Operations Act 1997* ('the Act'). Section 128 of the Act requires that any activities at a licensed premises be undertaken by such practicable means as may be necessary to **prevent or minimise** air pollution.

Accordingly, the EPA's General Terms of Approval include a requirement for an Air Quality Management Plan (the AQMP). The AQMP must be prepared to the satisfaction of the EPA and implemented prior to the commencement of operations. It is the EPA's expectation that the AQMP include an evaluation of, and commitment to, **all reasonable and feasible mitigation measures** to prevent and minimise air pollution at the premises.

2. The proponent has committed to the development of an air quality Trigger Action Response Plan (TARP). This includes a commitment to apply alternative dust management measures where water for dust suppression purposes is limited or unavailable.

While the EPA supports the preparation of a TARP, the TARP should address additional reactive measures that can be readily implemented where existing (proactive) measures prove insufficient to minimise dust emissions at the premises.

Contingency measures for the management of dust emissions during periods of time where water for dust suppression is limited or unavailable should be addressed through the AQMP. This is appropriate as the Air Quality Impact Assessment (AQIA) strongly identifies that there may be periods of time where water availability is limited.

Furthermore, the EPA considers that some of the measures identified for inclusion in the TARP may reasonably be implemented under normal operating conditions to minimise dust emissions at the premises. This includes measures such as onsite speed limits, progressive land stabilisation and the application of low silt aggregates and / or chemical suppressants to internal haul roads.

3. The AQIA for the proposed development identified potential air quality impacts to residential receptors within 500m of offsite transport routes.

Should the proposed development be approved, Council may wish to apply a condition of consent requiring management of any potential offsite air quality impacts. Management measures that may be applied include:

- i) Applying truck speed limits;
  - ii) Complaint investigation and management protocols;
  - iii) Watering unpaved road surfaces near to sensitive receivers; and
  - iv) Paving road surfaces near to sensitive receivers.
4. Should the proposed development be approved, the proponent should be aware that receiver R3 will be considered a sensitive receptor for the purposes of any Environmental Protection Licence. This is on the basis that R3 is located outside of the proposed development site boundary.

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If you have any questions, or wish to discuss this matter further please contact myself or Jasmine Walden on 131 555 or by email to [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au).

Yours sincerely

A handwritten signature in blue ink that reads 'Rebecca Scrivener'.

.....  
**Rebecca Scrivener**

**Head Regional Operations Unit**

**Environment Protection Authority**

(by Delegation)

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## Administrative conditions

**Note:** Mandatory conditions for all general terms of approval

### A1. Information supplied to the EPA

**A1.1** Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- the development application DA 34/2021 submitted to Gwydire Shire Council on 06 September 2021;
- any environmental impact statement *"North Star Quarry Environmental Impact Statement"* dated July 2021 relating to the development; and
- all additional documents supplied to the EPA in relation to the development, including *"North Star Quarry, Response to request for additional information from the EPA"* dated 03 November 2021.

### A2. Fit and Proper Person

**A2.1** The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the Protection of the Environment Operations Act 1997, having regard to the matters in s.83 of that Act.

## 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 are identified as points for the purposes of monitoring and/or the setting of limits for the discharge of pollutants to water from the point.

#### Water and Land

E P A Identification No.	Type of Monitoring Point	Type of Discharge Point	Location Descriptions
1	Wet Weather Discharge / Discharge Water Quality Monitoring	Wet Weather Discharge / Discharge Water Quality Monitoring	Overflow from sediment dam marked as SB1 on "Figure 25 – Stormwater Management Plan" of the North Star Quarry Environmental Impact Assessment, dated July 2021 (DOC21/804066-1)
2	Wet Weather Discharge / Discharge Water Quality Monitoring	Wet Weather Discharge / Discharge Water Quality Monitoring	Overflow from sediment dam marked as SB2 on "Figure 25 – Stormwater Management Plan" of the North Star Quarry Environmental Impact Assessment, dated July 2021 (DOC21/804066-1)

**P1.2** 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 Descriptions
3	Noise monitoring	R1 - 5981 North Star Road
4	Noise monitoring	R2 - 5788 North Star Road
5	Noise monitoring	R3 - 5535 North Star Road
6	Noise monitoring	R4 - 3241 Blue Nobby Road
7	Noise monitoring	R5 - 5535 North Star Road
8	Noise monitoring	R6 - 1835 Croppa Creek Road
9	Noise monitoring	R7 - 2107 Croppa Creek Road
10	Noise monitoring	Any other affected residential receiver.
11	Meteorological Station	Meteorological Station (location TBC by proponent)

## Limit conditions

### L1. Pollution of waters

**L1.1** Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with in and in connection with the carrying out of the development.

### L2. Concentration limits

**L2.1** For each 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 concentrations 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 discharge or emission of any other pollutants.

**L2.4** The Total Suspended Solids concentration limits specified in the table/s may be exceeded for water discharged from the sediment basins provided that:

- the discharge occurs solely as a result of rainfall measured at the premises that exceeds 38.2 millimetres over any consecutive 5 day period immediately prior to the discharge occurring; and,
- all practical measures have been implemented to dewater all sediment dams within 5 days of rainfall such that they have sufficient capacity to store run off from a 38.2 millimetre, 5 day rainfall event.

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## L2.5 Water and/or Land Concentration Limits

### POINTS 1,2

Pollutant	Units of measure	50% concentration limit	90% concentration limit	3DGM concentration limit	100% concentration limit
Oil and Grease	mg/L				10
pH					6.5-8.5
Total Suspended Solids	mg/L				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 a licence under the Protection of the Environment Operations Act 1997.

**L3.2** This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the Protection of the Environment Operations Act 1997.

## L4. Noise limits

**L4.1** Noise generated at the premises must not exceed the noise limits at the times and locations in the table below. The locations referred to in the table below are indicated in Table 2 of the Noise and Vibration Impact Assessment for North Star Quarry (February, 2021) (DOC21/804066-13).

Location	Noise Limits in dB(A)		
	Morning Shoulder	Day	Morning Shoulder
	LAeq (15 minute)	LAeq(15 minute)	LAFmax
R1	35	40	52
R2	35	40	52
R3	35	40	52
R4	35	40	52
R5	35	40	52
R6	35	40	52
R7	35	40	52

**L4.2** For the purposes of condition L4.1:

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- a) Day means the period from 7am to 6pm Monday to Saturday and the period from 8am to 6pm Sunday and public holidays.
- b) Morning Shoulder is the period from 6am to 7am Monday to Saturday.

## L4.3 Noise-enhancing meteorological conditions

- a) The noise limits set out in condition L4.1 apply under the following meteorological conditions:

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.
Morning Shoulder	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.

- b) For those meteorological conditions not referred to in condition L4.3(a), the noise limits that apply are the noise limits in condition L4.1 plus 5dB.

## L4.4 For the purposes of condition L4.3:

- a) The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as <TBC by Proponent>. Stability category shall be determined using the following method from Fact Sheet D of the Noise Policy for Industry (NSW EPA, 2017):
  - i) Use of sigma-theta data (section D1.4).

## L4.5 To assess compliance:

- a) with the LAeq(15 minutes) or the LMax noise limits in condition L4.1 and L4.3, 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 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 at a sight or track used for active or passive recreation,
  - iv) at any other location identified in condition L4.1.
- b) with the LAeq(15 minutes) or the LMax noise limits in condition L4.1 and L4.3, 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 L4.5 (a).

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**L4.6** A non-compliance of conditions L4.1 and L4.3 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 L4.5 (a) or L4.5 (b).

**NOTE to L4.5 and L4.6:** 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.

**L4.7** For the purpose of determining the noise generated from the premises, the modifying factor corrections in Table C1 in Fact Sheet C of the Noise Policy for Industry (NSW EPA, 2017) should be applied, if appropriate, to the noise measurements by the noise monitoring equipment.

**L4.8** Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.

**L4.9** The licensee may reach negotiated agreements with sensitive receivers (owners and occupiers) to carry out works in accordance with noise limits specified in the negotiated agreements.

**L4.10** All negotiated agreements must be in writing and finalised before the commencement of works

## L5 Hours of operation

**L5.1** All construction work must be undertaken during standard construction hours:

- a) Restricted to between the hours of 7:00 am to 6:00 pm Monday to Friday;
- b) Restricted to between the hours of 8:00 am to 1:00 pm Saturday; and
- c) No construction works to be undertaken on Sunday or Public Holidays.

### L5.2 Standard Operating Hours

Unless otherwise specified by any other condition of the licence, all operational activities are restricted to between the hours of:

- a) 6:00 am and 6:00 pm Monday to Friday.
- b) 7:00 am and 1:00 pm Saturday.

## L6 Blasting Limits

**L6.1** The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

**L6.2** The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

**L6.3** Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

**L6.4** Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error



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margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

**L6.5** The airblast overpressure and ground vibration levels in conditions L6.1 to L6.4 do not apply at noise sensitive locations that are owned by the licensee or subject to a private agreement, relating to airblast overpressure and ground vibration levels, between the licensee and land owner.

**L6.6** Blasting in or on the premises must only be carried out between 0900 hours and 1500 hours, Monday to Friday.

Blasting in or on the premises must not take place on Saturdays, Sundays or Public Holidays without the prior approval of the EPA.

## **L7 Potentially offensive odour**

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

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

## **L8. Other limit conditions**

**L8.1** No more than 490,000 tonnes during any consecutive 12 month period can be extracted and processed at the site.

**L8.2** On-site crushing and screening activities must not exceed 1818 tonnes per day or 490,000 tonnes during any consecutive 12 month period.

**L8.3** No more than 132 loaded trucks are to be dispatched per day.

**L8.4** For the purposes of determining compliance with condition L8.1 and L8.3, a record of trucks and trailers carrying loads from the quarry must be maintained by the licensee, to enable production to be calculated for any consecutive 12 month period by multiplying the number of truck and trailer loads for each vehicle type by the known capacity of each relevant vehicle.

## **Operating conditions**

### **03. Dust**

**03.1** Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

**03.2** The premise must be maintained in a manner that prevents and minimises the emissions of air pollutants.

**03.3** Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during material inspection, loading and unloading.

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**O3.4** All plant and equipment (including loaders, excavators, crushers, screen, drill rig, trucks) must be maintained in accordance with manufacturer requirements to minimise malfunction that could result in increased air quality emissions.

**O3.5** The maximum disturbance area due to the project operations must not exceed 8.15 hectares. This includes, but not limited to, the extraction area, product stockpiling area, overburden and fines stockpile and emplacement.

**O3.6** No offsite material must be received or processed at the premises.

**O3.7** All drill rigs must have a dust collection system.

**O3.8** Watering must be used as a means of dust suppression for the following activities and locations:

- a) During all crushing and screening operations;
- b) During all product loading and unloading operations in the product stockpile area;
- c) During all haulage activities on the premises (road watering), except where alternative dust mitigation measures are implemented in accordance with the Air Quality Management Plan;
- d) At all stockpiles, except where alternative measures are implemented in accordance with the Air Quality Management Plan.

## **O4. Processes and Management**

### **Soil and Water Management Plan**

**O4.1** Prior to commencing operations, a Soil and Water Management Plan (SWMP) must be prepared. As a minimum the SWMP must:

- a) describe the measures that will be employed to minimise soil erosion and the discharge of sediment and other pollutants to lands and/or waters during operations at the premises.
- b) be prepared in accordance with the requirements of the 'Managing Urban Stormwater: Soils and Construction' guidelines including, Volume 1, 4th edition (Landcom, March 2004) and Volume 2E Mines and Quarries (Department of Environment and Climate Change, June 2008).

**O4.2** The SWMP must be implemented before site operations commence.

### **Air Quality Management Plan**

**O4.3** Prior to commencing construction, an Air Quality Management Plan (AQMP) must be prepared to the satisfaction of the EPA. The AQMP must address the following aspects:

- a) Key performance indicators;
- b) Proactive mitigation measures for all significant and potentially significant emission sources.
- c) A Trigger Action Response Plan addressing the implementation of reactive management strategies. Triggers must be clearly articulated and auditable;

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- d) Monitoring methods, including location, frequency and duration of monitoring.
- e) Methods for ongoing review of the AQMP (including reactive triggers) to inform continual improvement;
- f) Complaint handling and investigation procedures;
- g) Methods for documenting the implementation of all reasonable and feasible proactive and reactive mitigation measures;
- h) Record keeping;
- i) Roles and responsibilities; and,
- j) Methods for compliance reporting.

**04.4** The AQMP must identify contingency measures, and implementation time frames, to prevent and minimise dust emissions during periods of time where water availability for dust suppression activities may be limited.

**04.5** The AQMP must evaluate and give consideration to all reasonable and feasible mitigation measures that may be adopted at the premises to prevent and minimise dust emissions. This must include, but is not limited to:

- a) The application of low silt aggregate to internal haul roads;
- b) The sealing of or application of chemical suppressants to internal haul roads to minimise wheel generated dust emissions;
- c) Site specific speed limits to minimise wheel generate dust emissions;
- d) Conducting processing activities inside the pit (i.e. crushing and screening);
- e) Enclosing or partially enclosing storage areas (i.e. stockpiles); and
- f) Progressive land stabilisation measures to prevent or minimise dust emissions from exposed areas.

**04.6** The AQMP must be implemented before site operations commence.

## Sediment Basin Operation

**04.7** The licensee must:

- a) ensure the design storage capacity of any sediment basin installed on the premises is reinstated within the design management period following the cessation of a rainfall event that causes runoff to occur on or from the premises; and
- b) keep records of the available water and sediment storage capacities in each sediment basin and provide to an EPA authorised officer upon request.

## Chemical and Fuel Storage

**04.8** All chemicals, fuels and oils must be stored in a bunded area which complies with the specifications of the relevant Australian Standard and legislative requirements.

## M1. Monitoring Records

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**M1.1** The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development must be recorded and retained as set out in conditions M1.2 and M1.3.

**M1.2** All records required to be kept by the 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:

- 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 applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The applicant must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

### M2.2 Water and/or Land Monitoring Requirements

#### Point 1,2

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	mg/L	Special Frequency 1	Representative sample
pH	mg/L	Special Frequency 1	Representative sample
Total Suspended Solids	mg/L	Special Frequency 1	Representative sample

**M2.3** Note: Special Frequency 1 means:

- a) less than 24 hours prior to a controlled/scheduled discharge and daily during any continued controlled/scheduled discharge; or
- b) in the case of an uncontrolled discharge, as soon as practicable after overflow commences and within 12 hours of the overflow commencing.

## M3. Testing methods - concentration limits

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**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. Weather monitoring

### M4.1 On-site Meteorological Monitoring Station:

- The proponent must monitor the parameters specified in Column 1 in the table below at the Site Meteorological Monitoring Station. The proponent must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.
- The proponent must maintain and calibrate the meteorological monitoring station in accordance with the reference test methods and manufacturer's specifications. Records of the calibration and maintenance must be made available to the EPA upon request.

Parameter	Units of measure	Frequency	Average Period	Sampling Method <sup>1 2</sup>
Rainfall	mm/hour	continuous	1 hour	AM-4
Sigma theta	degrees	continuous	10 minute	AM-2 and AM-4
Siting				AM-1
Temperature at 2 metres	kelvin	continuous	10 minute	AM-4
Temperature at 10 metres	kelvin	continuous	10 minute	AM-4
Total solar radiation	watts per square metre	continuous	10 minute	AM-4
Wind Direction at 10 metres	degrees	continuous	10 minute	AM-2 and AM-4
Wind Speed at 10 metres	metres per second	continuous	10 minute	AM-2 and AM-4

Note 1 – Any other method approved in writing by the EPA.

Note 2 – The weather monitoring instrumentation installed and operated at the site must have a stall speed or lower limit of measure for measuring wind speed less than 0.2 m/s.

## M6. Blasting

### M6.1 To determine compliance with conditions L6.1, L6.2, L6.3 and L6.4:

- Airblast overpressure and ground vibration levels must be measured at Monitoring Point R5. Blast monitoring must be carried out for at least one blast carried out in or on the premises in every 3 month period.
- Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard 2187.2 of 2006.

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## M7. Noise monitoring

**M7.1** To assess compliance with the noise limits presented in the Noise Limits Table, attended noise monitoring must be undertaken in accordance with condition L4.5 and:

- a) at each one of the locations listed in the Noise Limits table;
- b) occur from time to time when requested in writing by the EPA;
- c) occur annually in a reporting period;
- d) occur during each day, evening and night period as defined in the NSW Industrial Noise Policy for a minimum of:
  - i) 1.5 hours during the day;
  - ii) 30 minutes during the evening; and
  - iii) 1 hour during the night; and
- e) occur for three consecutive operating days.

## M8. Other monitoring and recording conditions

**M8.1** The licensee must undertake noise and vibration monitoring as directed by an authorised officer of the EPA.

**M8.2** All noise monitoring for the purpose of determining compliance with conditions of this licence must be undertaken by a suitably qualified and experienced person in accordance with:

- a) Australian Standard AS 2659.1 – 1998: Guide to the use of sound measuring equipment – portable sound level meters; and
- b) the compliance monitoring guidance provided in the Noise Policy for Industry (EPA, 2017).

**M8.3** All vibration monitoring must be:

- a) undertaken in accordance with the technical guidance provided in the Assessing Vibration: a technical guideline (DEC, 2006); and
- b) assessed and reported against the acceptable values of human exposure to vibration set out in Tables 2.2 and 2.4 of the Assessing Vibration: a technical guideline (DEC, 2006)

## Reporting conditions

**R1.1** The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the Protection of the Environment Operations Act 1997 in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

## R4. Other Reporting Conditions

**R4.1** A noise compliance assessment report must be submitted to the EPA within 90 days of the completion of noise monitoring. The assessment must be prepared by a competent person and include:

- a) an assessment of compliance with noise limits presented in Condition L4.1 and L4.3; and

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- b) an outline of any management actions taken within the monitoring period to address any exceedances of the limits contained in Condition L4.1 and L4.3.

**R4.2** The results of the blast monitoring required by condition M6.1 must be submitted to the EPA at the end of each reporting period.

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## Attachment – Mandatory Conditions for all EPA licences

### Operating conditions

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

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.

#### Maintenance of plant and equipment

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

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

### Monitoring and recording conditions

#### Recording of pollution complaints

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.

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.

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

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



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## Telephone complaints line

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.

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.

This condition does not apply until 3 months after this condition takes effect.

## Reporting conditions

### Annual Return documents

#### ***What documents must an Annual Return contain?***

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

- a. Statement of Compliance; and
- b. Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

#### ***Period covered by Annual Return***

An Annual Return must be prepared in respect of each reporting, 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.*

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.*

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.

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## ***Deadline for Annual Return***

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

## ***Notification where actual load can not be calculated***

(Licences with assessable pollutants)

Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date.

The notification must specify:

- a. the assessable pollutants for which the actual load could not be calculated; and
- b. the relevant circumstances that were beyond the control of the licensee.

## ***Licensee must retain copy of Annual Return***

The licensee must retain a copy of the annual return supplied to the EPA for a period of at least 4 years after the annual return was due to be supplied to the EPA.

## ***Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary***

Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a. the licence holder; or
- b. by a person approved in writing by the EPA to sign on behalf of the licence holder.

A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

## ***Notification of environmental harm***

**Note:** The licensee or its employees must notify the EPA 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

Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

## ***Written report***

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

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- 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.

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.

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; and
- 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;
- g. any other relevant matters.

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

## General conditions

### Copy of licence kept at the premises or on the vehicle or mobile plant

A copy of this licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies.

The licence must be produced to any authorised officer of the EPA who asks to see it.

The licence must be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.