

# General Terms of Approval - Issued

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Notice No: 1516540

General Manager  
Gunnedah Shire Council  
PO Box 63  
GUNNEDAH NSW 2380

Attention: Ms Carolyn Hunt

Notice Number 1516540  
File Number EF13/4173  
Date 12-Sep-2013

**Re: Development Application 2012/185 - Proposed expansion of Blue Metal Gravel Quarry & Haul Road Construction and Upgrade - Mary's Mount Quarry "Burleith".**

**Issued pursuant to Section 91A(2) Environmental Planning and Assessment Act 1979**

I refer to the development application and accompanying information provided for the Mary's Mount Quarry (the "premises") expansion received by the Environment Protection Authority (EPA) on 18 July 2013 and 16 August 2013.

The EPA has reviewed the information provided and has determined that it is able to vary the existing Environment Protection Licence (No. 20262) for the premises to cater for the proposal, subject to a number of conditions. The applicant will need to make a separate application to the EPA to vary this licence if Gunnedah Shire Council grant development consent for this proposal. The premises licence variation application form can be downloaded from the following web link:

<http://www.epa.nsw.gov.au/resources/licensing/20120243varpremises.doc>

The general terms of approval for this proposal are attached. These general terms need to be read in conjunction with the existing premises Environment Protection Licence (No. 20262). If Gunnedah Shire Council grant 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 the EPA to determine whether its general terms need to be modified in light of the changes.

## General Terms of Approval - Issued

---



Notice No: 1516540

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

1. The quarry is located in close proximity of the residence of "Burleith". The assessment indicates that the proponent has entered into a private agreement with the residents of "Burleith" for noise, blast and dust impacts. The EPA added a condition to its General Terms of Approval which removes the need to apply with any noise or blast limits associated at locations where a private agreement exists.

2. Given the size of the proposal, the EPA has applied a condition to its General Terms of Approval that require the applicant to establish a community environment liaison committee, comprising representatives of the community and the applicant, that meet at least once every six months. The EPA may reduce the frequency of these meetings, or consider removing this condition from the premises Environment Protection Licence if the applicant can demonstrate that community representatives are not participating in community environment liaison committee meetings and that concern raised at previous committee meetings have been adequately addressed.

If you have any questions, or wish to discuss this matter further please contact Mr Kharl Turnbull on (02) 6773 7000 or [armidale@epa.nsw.gov.au](mailto:armidale@epa.nsw.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Robert O'Hern', positioned above a dotted line.

Robert O'Hern  
Head Regional Operations Unit  
North - Armidale  
(by Delegation)

# General Terms of Approval - Issued



Notice No: 1516540

## Administrative conditions

### 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 2013/185 submitted to Gunnedah Shire Council on 18 December 2012;
- any environmental impact statement entitled "Environmental Impact Assessment: Mary's Mount Blue Metal Quarry, "Burleith" prepared by Stewart Surveys Pty Ltd and dated 13 December 2012 relating to the development; and
- all additional documents supplied to the EPA in relation to the development, including "Environmental Impact Assessment: Mary's Mount Blue Metal Quarry, "Burleith". Amendment 1" prepared by Stewart Surveys Pty Ltd and dated 17 May 2013.

### 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.

## 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, 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.

#### Water and Land

Point: Overflow from spillway of each sediment basin [exact locations to be confirmed]

Pollutant	Units of measure	50% concentration limit	90% concentration limit	3DGM concentration limit	100% concentration limit
Oil & Grease	mg/L				10



# General Terms of Approval - Issued



Notice No: 1516540

pH	pH				6.5- 8.5
Total Suspended Solids	mg/L				50

**L2.4** The Total Suspended Solids concentration limits specified in the table above may be exceeded for water discharged provided that:

- (a) the discharge occurs solely as a result of rainfall measured at the premises that exceeds 38.4 millimetres over any consecutive 5 day period immediately prior to the discharge occurring; and
- (b) 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 38.4 millimetre, 5 day rainfall event.

Note: 38.4 mm equates to the 5 day 90%ile rainfall depth for Gunnedah sourced from Table 6.3a Managing Urban Stormwater: Soils and Construction Volume 1: 4th edition, March 2004.

## 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 in the table below.

Locality and Location	Day- LAeq (15minute)	Evening- LAeq (15minute)	Night- LAeq (15minute)	Night- LA1 (1minute)
All surrounding residences	35	35	35	45

**L4.2** For the purpose of the table above:

- a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays;
- b) Evening is defined as the period from 6pm to 10pm;
- c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.

# General Terms of Approval - Issued

---



Notice No: 1516540

## L4.3 Determining Compliance

To determine compliance:

- a) with the Leq(15 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located:
  - i) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
  - ii) within 30 metres of a dwelling facade, 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
  - iii) within approximately 50 metres of the boundary of a National Park or a Nature Reserve.
- b) with the LA1(1 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located within 1 metre of a dwelling facade.
- c) with the noise limits in the Noise Limits table, the noise measurement equipment must be located:
  - i) at the most affected point at a location where there is no dwelling at the location; or
  - ii) at the most affected point within an area at a location prescribed by part (a) or part (b) of this condition.

**L4.4** The noise limits set out in the Noise Limits table 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) 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.

For the purposes of this condition:

- a) Data recorded by the meteorological station identified as EPA Identification Point(s) W1 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.

**L4.5** 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.

**L4.6** The noise limits set by this licence do not apply where a current legally binding agreement exists between the licensee and the occupant of a residential property that:

- a) agrees to an alternative noise limit for that property; or
- b) provides an alternative means of compensation to address noise impacts from the premises.

A copy of any agreement must be provided to the EPA before the licensee can take advantage of the agreement.

## L5. Hours of operation

**L5.1** Unless otherwise approved in writing by the EPA, the hours of operation must be limited to 7:00am and 6:00pm Monday to Friday and 8:00am to 3:00pm Saturday. No work is to be carried out on Sunday or Public Holidays.



# General Terms of Approval - Issued

---



Notice No: 1516540

**L5.2** The hours of operation specified in conditions L6.4 and L6.5 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

## **L6. Blasting**

### **Overpressure**

**L6.1** The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations 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.

**L6.2** The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) 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.

### **Ground vibration (ppv)**

**L6.3** 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 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 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.

**L6.5** To determine compliance with conditions L6.1, L6.2, L6.3 and L6.4:

- a) Airblast overpressure and ground vibration levels must be measured and electronically recorded at the nearest non project related premises [exact location to be confirmed] for all blasts carried out in or on the premises; and
- b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.

**L6.6** Blasting operations on the premises must only be carried out between the hours 9am to 5pm, Monday to Saturday, inclusive.

**L6.7** The hours of operation for blasting operations specified in condition L4.5 may be varied if the EPA, having regard to the effect that the proposed variation would have on the amenity of the residents in the locality, gives written consent to the variation.

**L6.8** Blasting at the premises is limited to 1 blast on each day on which blasting is permitted.

# General Terms of Approval - Issued

---



Notice No: 1516540

Note: Additional blasts are permitted where it is demonstrated to be necessary for safety reasons and the EPA and neighbours have been notified of the intended blast prior to the additional blast being fired.

## **L7. Production Limit**

L7.1 Extraction from the premises must not exceed 360,000 tonnes during any reporting period.

## **Operating conditions**

### **O1. Dust**

O1.1 Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

O1.2 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

### **O2. Stormwater/sediment control - Construction Phase**

O2.1 A *Soil and Water Management Plan (SWMP)* must be prepared and implemented. The plan must 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 construction activities. The *SWMP* should be prepared in accordance with the requirements for such plans outlined in *Managing Urban Stormwater: Soils and Construction* (available from the Department of Housing).

### **O3. Stormwater/sediment control - Operation Phase**

O3.1 A Stormwater Management Scheme must be prepared for the development and must be implemented. Implementation of the Scheme must mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities. The Scheme should be consistent with the Stormwater Management Plan for the catchment. Where a Stormwater Management Plan has not yet been prepared the Scheme should be consistent with the guidance contained in *Managing Urban Stormwater: Council Handbook* (available from the EPA).

### **O4. Noise**

#### **Blast management protocol**

O4.1 A Blasting/Vibration Management Protocol must be prepared in relation to the development and implemented. The protocol must include, but need not be limited to, the following matters:

- compliance standards;
- mitigation measures;
- remedial action;
- monitoring methods and program;
- monitoring program for flyrock distribution;



# General Terms of Approval - Issued



Notice No: 1516540

- measures to protect underground utilities (eg: rising mains, subsurface telecommunication and electric cables) and livestock nearby;
- notification of procedures for neighbours prior to detonation of each blast;
- measures to ensure no damage by flyrock to people, property, livestock and powerlines.

## Monitoring and recording conditions

### *M1 Monitoring records*

**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 or in order to comply with the load calculation protocol 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:

in a legible form, or in a form that can readily be reduced to a legible form;

kept for at least 4 years after the monitoring or event to which they relate took place; and

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: the date(s) on which the sample was taken;

the time(s) at which the sample was collected;

the point at which the sample was taken; and

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:

#### Water and Land

**POINT:** At the nearest surrounding residences [exact locations to be confirmed]

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	milligrams per litre	Special Frequency 1	Representative sample
pH	pH units	Special Frequency 1	Representative sample
Total suspended solids	milligrams per litre	Special Frequency 1	Representative sample

Note: For the purposes of the table(s) above 'Special Frequency 1' means as soon as practicable after overflow commences and in any case not more than 12 hours after any overflow commencing and prior to any



# General Terms of Approval - Issued



Notice No: 1516540

controlled discharge from the sedimentation basins to demonstrate compliance with the concentration limits defined at condition L2.3.

## Air

**POINT: At the nearest surrounding residences [exact locations to be confirmed]**

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micograms per cubic metre	Special Frequency 2	AM-18
Total Solid Particles	grams per square metre per month	Continuous	AM-19

Note: For the purposes of the table(s) above 'Special Frequency 2' means sampling as required from time to time in writing by the EPA.

### M3. Testing methods - concentration limits

**M3.1** Monitoring for the concentration of a pollutant emitted to the air 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 or in order to comply with a relevant local calculation protocol must be done in accordance with:

- any methodology which is required by or under the POEO Act 1997 to be used for the testing of the concentration of the pollutant; or
- if no such requirement is imposed by or under the POEO Act 1997, any methodology which the general terms of approval or a condition of the licence or the protocol (as the case may be) requires to be used for that testing; or
- if no such requirement is imposed by or under the POEO Act 1997 or by the general terms of approval or a condition of the licence or the protocol (as the case may be), any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

Note: The Clean Air (Plant and Equipment) Regulation 1997 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 discharged to waters or applied to a utilisation area required by condition M3 must be done in accordance with:

- the Approved Methods Publication; or
- if there is no methodology required by the Approved Methods Publication or by the general terms of approval or in the licence under the Protection of the Environment Operations Act 1997 in relation to the development or the relevant load calculation protocol, a method approved by the EPA in writing before any tests are conducted,
- unless otherwise expressly provided in the licence.

### M4. Weather Monitoring

**M4.1** For each monitoring point specified in the table below the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.

# General Terms of Approval - Issued



Notice No: 1516540

## POINT: W1 Site Meteorological Monitoring Station [exact location to be confirmed]

Parameter	Units of measure	Frequency	Averaging Period	Sampling Method
Rainfall	mm/h	Continuous	1 hour	AM-4
Wind speed @ 10 metres	m/s	Continuous	15 minute	AM-2 & AM-4
Wind direction @ 10 metres	°	Continuous	15 minute	AM-2 & AM-4
Temperature @ 2 metres	°C	Continuous	15 minute	AM-4
Temperature @ 10 metres	°C	Continuous	15 minute	AM-4
Sigma theta @ 10 metres	°	Continuous	15 minute	AM-2 & AM-4
Additional requirements - Siting - Measurement				AM-1 & AM-4 AM-2 & AM-4

**M4.2** The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in this section.

Note: The location of the site chosen for the meteorological station and the details of the equipment, measurement and maintenance/ service procedures and schedules to be installed/ implemented must be submitted in writing to the EPA, and approved in writing by the EPA, before any sampling or analysis is carried out. The meteorological station must be calibrated at least once every 12 months. The EPA must be provided with the data from the meteorological station upon request in a Microsoft Office compatible format.

## Noise Monitoring

**M5.1** To assess compliance with the noise limits presented in the Noise Limits table, attended noise monitoring must be undertaken in accordance with the condition titled Determining Compliance, outlined above, and:

- a) at locations [ to be confirmed];
- b) occur annually in a reporting period;
- c) 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;
- d) occur for three consecutive operating days.

## 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.



# General Terms of Approval - Issued

---



Notice No: 1516540

## General Conditions

### ***G1. Community liaison***

**G1.1** The applicant must establish a community environment liaison committee, comprising representatives of the community and the applicant, that will meet at least once every six months. Discussion at the meetings must include implementation of the development consent and other statutory approvals, and provide adequate time for the community to raise matters of concern associated with the environmental impact of the development, with a view to achieving mutually satisfactory solutions.

Note: Where the applicant can demonstrate that community representatives are not participating in community environment liaison committee meetings and that concerns at previous committee meetings have been adequately addressed, the EPA may consider reducing the frequency of required committee meetings, or removing this condition from the premises Environment Protection Licence.

## Special Conditions

### ***E1. Validation of sedimentation pond capacity and management procedures***

**E1.1** The applicant must prepare and submit to the EPA's Armidale office within 3 months of any development consent being issued by Gunnedah Shire Council permitting any increase in production, a sedimentation system validation report that assesses the sedimentation systems and management procedures at the site against the requirements of the following guidelines:

- *Managing Urban Stormwater: Soils and Construction, Volume 1, 4th Edition. March 2004* available from Landcom;
- *Managing Urban Stormwater: Soils and Construction, Volume 2E Mines and Quarries, June 2008* available from <http://www.environment.nsw.gov.au/resources/stormwater/08208soilsconststorm2e.pdf>

The sedimentation system validation report must include (but not be limited to) the following:

- An assessment of the capacity of each sedimentation pond (sediment storage and stormwater capture capacity) against the requirements of the documents listed above for the soil types present at the premises.
- An assessment of the and validation of the Soil Hydrologic Group used in the sedimentation pond design calculations for all soils within the controlled drainage area/ catchments at the site;
- Detailed survey data for each controlled catchment area to confirm and validate the size of each catchment used in the sedimentation pond design calculations;
- Documentation of the procedures and/or other procedures that will be employed to ensure that the sedimentation ponds can be managed as required by conditions L2 and M2 of these General Terms of Approval.
- Details of the design and location of any ancillary infrastructure (eg water storages, pumps and control mechanisms) required to facilitate compliance with conditions L2 and M2 of these General Terms of Approval.

# General Terms of Approval - Issued

---



Notice No: 1516540

*Due Date: Within 3 months of any development consent being issued by Gunnedah Shire Council permitting an increase in production.*

## **E2. Air Quality and Dust Management Validation**

**E2.1** The applicant must prepare and submit to the EPA's Armidale office within 12 months of any development consent being issued by Gunnedah Shire Council permitting any increase in production, an Air Quality and Dust Management Validation Report that:

- Provides a detailed quantitative assessment of air quality prepared by a suitably qualified air quality specialist that examines air quality impacts against the air quality impact goals/ criteria (PM10 and Total Suspend Particles) established by the EPA, the National Environment Protection Council (see the Ambient Air National Environment Protection Measure) and any other relevant authorities at all surrounding receptor locations and which has been prepared in accordance with the EPA's Approved Methods and relevant guidance;
- Examines the air quality management controls in use at the site and compares them against accepted industry best management practice (including those documented for the coal mining industry available on the EPA's website at <http://www.epa.nsw.gov.au/resources/air/KE1006953volumel.pdf>) to determine whether additional controls should be implemented to ensure that the applicant can comply with condition O1.1 of the General Terms of Approval and sections 124 and 126 of the Protection of the Environment Operations Act 1997; and
- Provides a detailed water balance that demonstrates that the site will have sufficient water available from available supply options to maintain best practice dust management controls during a range of climatic scenarios that are likely to occur during the operating life of premises (eg 90th percentile, 50th percentile and 10th percentile years) and that mechanisms are available to overcome any water deficiencies, or modify operations during extreme dry periods to maintain compliance with condition O1.1 of the General Terms of Approval and sections 124 and 126 of the Protection of the Environment Operations Act 1997.

*Due Date: Within 12 months of any development consent being issued by Gunnedah Shire Council permitting an increase in production.*



# General Terms of Approval - Issued

---



Notice No: 1516540

## Attachment – Mandatory Conditions for all EPA licences

### Administrative conditions

#### Other activities

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

Crushing, grinding or separating

### Operating conditions

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

Licensed activities must be carried out in a competent manner.

This includes:

- the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- 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:

- must be maintained in a proper and efficient condition; and
- 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.

# General Terms of Approval - Issued

---



Notice No: 1516540

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

## 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
- a Monitoring and Complaints Summary.

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

#### *Period covered by Annual Return*

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,

- 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
- 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

- in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- in relation to the revocation of the licence – the date from which notice revoking the licence operates.



# General Terms of Approval - Issued

---



Notice No: 1516540

## ***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:

- the assessable pollutants for which the actual load could not be calculated; and
- 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 as soon as practicable 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
- (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,

# General Terms of Approval - Issued

---



Notice No: 1516540

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:

- the cause, time and duration of the event;
- the type, volume and concentration of every pollutant discharged as a result of the event;  
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
- 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;
- action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- (details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- (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.