

General Terms of Approval - Issued



Notice No: 1604365

Mr Peter Conroy
Hawkesbury City Council
PO Box 146
Windsor NSW 2756
Email: council@hawkesbury.nsw.gov.au

Attention: Ms Natalie Piggott

Notice Number 1604365
Date 23-Dec-2020

Re: DA0119/20 - Hala Constructions Pty Ltd - 99 Sargents Road, Ebenezer

Issued pursuant to Section 4.46 Environmental Planning and Assessment Act 1979

I refer to the development application and accompanying information provided by Hala Constructions Pty Ltd (**the Applicant**) for the construction and operation of a landscape supply and resource recovery facility (**the Proposal**) at 99 Sargents Road, Ebenezer (**the Premises**) received by the Environment Protection Authority (**EPA**) on 6 May 2020. The EPA subsequently requested additional information in order to conduct its assessment, and the final tranche of information was provided to the EPA on 7 December 2020.

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 the proposal are provided in **Attachment A**. If Hawkesbury City Council grants development consent for this proposal these conditions should be incorporated into the consent. **Attachment B** includes mandatory conditions for all EPA Environment Protection Licences.

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.

Traffic and traffic noise related to the proposal

The noise limits and conditions in an Environment Protection Licence relate to premises based activities as per the EPA's legislative responsibilities. Although the Environmental Impact Statement has indicated that the vehicles (light and heavy) generated by the proposal will satisfy criteria set out in the NSW Road Noise Policy (DECCW, 2011) during the daytime, in order to minimise the risks of impact, Council may wish to

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include a condition in the planning consent (if approved) that seeks to limit traffic associated with the premises on Sargents Road prior to 7am and after 6pm Monday to Friday, and prior to 8am and after 4pm on Saturdays. Council may also wish to require the premises to validate the predicted road traffic noise levels in the Noise and Vibration Impact Assessment (ref: 181084_NIA_Rev4) once the premises is operational. Where traffic noise generated by the proposal is found to be in excess of the appropriate criteria, all reasonable and feasible noise mitigation and management measures should be applied to reduce noise to the criteria.

Groundwater and adjacent costal wetlands

The Applicant has assured the EPA that stormwater directed to the proposed absorption pit will not come into contact with waste, and water-soluble pollutants would be negligible. The EPA requires that the Applicant perform baseline groundwater monitoring prior to commencement of construction and will require periodic monitoring to confirm that there are no adverse environmental impacts to adjacent coastal wetlands through use of the absorption pit by the Applicant. This is discussed further in Attachment A.

Environment protection licence requirements

It should also be noted to the applicant that there are several requirements for holders of environment protection licences, including a limit on the maximum amount of waste permitted onsite at any one time, monthly recording and reporting, and provision of a financial assurance. The EPA will discuss these matters further with the applicant at the licensing stage.

Aboriginal cultural heritage, biodiversity and built form and urban design requirements

The EPA has not considered Aboriginal cultural heritage, biodiversity or built form and urban design requirements as these are the purview of the Environment, Energy and Science Group and Heritage NSW in the Department of Planning, Industry and Environment. The EPA notes that there is a sensitive ecosystem adjacent to the proposal.

If you have any questions, or wish to discuss this matter further please contact Philippe Koenig on (02) 9995 5940.

Yours sincerely

A handwritten signature in black ink, appearing to read 'CF', with a large, stylized loop at the end.

Celeste Forestal
Unit Head

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Metropolitan North - Sydney

(by Delegation)

Attachment A – General Terms of Approval

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 DA0119/20 submitted to Hawkesbury City Council on 21 April 2020;
- any environmental impact statement (EIS) relating to the development (*Environmental Impact Statement - Hala Alameddine - 99 Sargents Road, Ebenezer* (ref: 181084-EIS_Rev4) - Benbow Environmental - 3 April 2020); and
- all additional documents supplied to the EPA in relation to the development, including (but not limited to):
 - EIS Appendix 3: *Phase 1 Environmental Site Assessment for Hala Constructions Pty Ltd 99 Sargents Road, Ebenezer NSW 2756* (Ref: 181084_Phase_1_Rev3) - Benbow Environmental - 2 August 2019
 - EIS Appendix 4: *Preliminary Acid Sulfate Soil Assessment for Hala Constructions Pty Ltd* (Ref: 181084_PASS_Rev3) - Benbow Environmental - 20 June 2019
 - EIS Appendix 5: *Traffic and Parking Impact Assessment of a Proposed Landscaping Business 99 Sargents Road in Ebenezer Traffic and Parking Impact Report* (Ref: A1815935A (Version 1d)) - ML Traffic Engineers - June 2019
 - EIS Appendix 6: *Flood Impact Assessment Report* (Version V1) - BMB Engineers - 22 October 2018
 - Letter to Hawkesbury City Council, Subject: *Re: DA0119/20 - EPA Request for Additional Information* (Ref: 181084_EPA_Let3_Rev2) - Benbow Environmental - 8 October 2020
 - ◆ Attachment 1: *Updated Site Plans*
 - ◆ Attachment 2: *Air Quality Impact Assessment For Hala Alameddine 99 Sargents Road, Ebenezer* (181084_AQIA_Rev4) - Benbow environmental - 1 July 2020
 - ◆ Attachment 3: *Noise Impact Assessment For Hala Alameddine 99 Sargents Road, Ebenezer* (181084_NIA_Rev5) - Benbow Environmental - 15 September 2020
 - ◆ Attachment 4: *Technical Specification Sheet for EL Water Recycling Plant* - Enviroconcepts
 - ◆ Attachment 5: *Incoming Waste Procedure* (Issue No.1) - Benbow Environmental - September 2020
 - Letter to Hawkesbury City Council, Subject: *Re: Request for Additional Information - Integrated Development CNR-7433-A-8329, DA0119/20: 99 Sargents Road, Ebenezer* (Ref: 181084_EPA_Let4) - Benbow Environmental - 17 November 2020
 - ◆ Figure 1: Suggested arrangement

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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.

L3. Hours of Operation

L3.4 All construction work at the premises must only be conducted between 7am and 6pm Monday to Friday between 8am and 1pm Saturdays and at no time on Sundays and public holidays, unless inaudible at any residential premises.

L3.5 Activities at the premises must only be conducted between 7am and 6pm Monday to Friday and 8am to 4pm Saturday. No activity at the premises may be carried out during Sundays and public holidays.

L3.6 This condition does not apply to the delivery of material outside the hours of operation permitted by condition L3.4 or L3.5, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

L5. Waste

L5.1 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, and as set out below:

Waste	Description	Activity	Other Limits
Virgin excavated natural material (VENM)	As described in the Protection of the Environment Operations Act (as in force from time to time)	Resource recovery Waste storage	N/A
Excavated natural material (ENM)	As described in the Protection of the Environment Operations Act (as in force from time to time)	Resource recovery Waste storage	N/A

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Bricks and concrete	As described in the Protection of the Environment Operations Act (as in force from time to time)	Resource recovery Waste storage	N/A
Garden waste	As described in the Protection of the Environment Operations Act (as in force from time to time)	Resource recovery Waste storage	No more than 2,000 tonnes per year and 10 tonnes at any one time.

L5.2 The quantity of material to be received at the Premises must not exceed 20,000 tonnes in any 12 month period.

L5.3 Putrescible waste must not be received or processed at the Premises.

L6. Noise limits

L6.1 Noise generated at the premises must not exceed the noise limits at the times and locations in the table below.

Location	Noise Limits in dB(A)
	Day
	LAeq(15 minute)
All residential receivers	40

L6.2 For the purposes of condition L6.1:

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

L6.3 Noise-enhancing meteorological conditions

- a) The noise limits set out in condition L6.1 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.

- b) For those meteorological conditions not referred to in condition L6.3(a), the noise limits that apply are the noise limits in condition L6.1 plus 5dB.

L6.4 For the purposes of condition L6.3:

- a) The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as Bureau of Meteorology AWS at Richmond RAAF (Site ID 067105).

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- b) 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).

L6.5 To assess compliance:

- a. with the LAeq(15 minutes) or the L_Amax noise limits in condition L6.1 and L6.3, 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,
 - (iv) at any other location identified in condition L6.1
- b. with the LAeq(15 minutes) or the L_Amax noise limits in condition L6.1 and L6.3, 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 L6.5 (a).

L6.6 A non-compliance of conditions L6.1 and L6.3 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 L6.5 (a) or L6.5 (b).

NOTE to L6.5 and L6.6: 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.

L6.7 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) may be applied, if appropriate, to the noise measurements by the noise monitoring equipment.

L6.8 Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.

Definitions

- LA10(15 minute) is the sound pressure level that is exceeded for 10% of the time when measured over a 15 minute period.
- Noise Policy for Industry - the document entitled "*Noise Policy for Industry*" published by the NSW Environment Protection Authority in October 2017.
- Noise – 'sound pressure levels' for the purposes of conditions L6.1 to L6.8.
- LAeq (15 minute) - the value of the A-weighted sound pressure level of a continuous steady sound that, over a 15 minute time interval, has the same mean square sound pressure level as a sound under consideration with a level that varies with time (Australian Standard AS 1055:2018 *Acoustics: description and measurement of environmental noise*).

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- LAFmax – the maximum sound pressure level of an event measured with a sound level meter satisfying Australian Standard AS IEC 61672.1-2013 *Electroacoustics - Sound level meters - Part 1: Specifications* set to 'A' frequency weighting and fast time weighting.

Operating conditions

01. Odour

Note: The POEO Act states that no offensive odour may be emitted from particular premises unless potentially offensive odours are identified in the licence and the odours are emitted in accordance with conditions specifically directed at minimising the odours are permitted. Where it is appropriate for a licence to identify and control offensive odours, conditions for the licence should be developed in consultation with Air Policy.

01.1 No more than 30 tonnes of Mulch is permitted to be stored at the premises at any one time.

01.2 Garden waste must be kept within an enclosed building at the premises.

02. Dust

02.1 All activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

02.2 The premises must be maintained in a manner that prevents or minimises the emission of dust.

02.3 All crushing and screening of material must be conducted within an enclosed building and roller doors must be installed.

02.4 Outdoor stockpiles are limited to 5m in height and must be contained within walled storage bays with water sprays installed.

02.5 The Truck wash bay must be installed and operable at all times during activities at the premises.

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

02.7 A truck wash bay procedure must be prepared by the Applicant and implemented at all times during operations at the premises. The truck wash bay procedure must be included in the site's Environmental Management Plan. The truck wash bay procedure must include at a minimum:

- a) an inspection by site staff of each vehicle for any residue on the surface of the vehicle body, trailer and wheels prior to exiting the premises,
- b) any vehicles that have residue on the surface of the vehicle body, trailer or wheels must be directed to the truck wash bay and cleaned by site staff prior to exiting the premises, and
- c) cleaning the surface of truck wash bay and driveway immediately around it after every use to prevent back-tracking of sediment following cleaning.

02.8 The licensee must ensure that no material including sediment is tracked from the Premises.

03. Stormwater/sediment control - Construction Phase

03.1 Prior to the commencement of construction, the Applicant must engage a suitably qualified professional (such as an accredited erosion control specialist) to prepare a construction erosion and sediment control report for the site. The

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report must clearly document the enhanced erosion and sediment control measures to be implemented at the site with an emphasis on pollution prevention.

03.2 Prior to the commencement of construction, the Applicant must prepare a Water Management Report that must at a minimum:

a) demonstrate that the absorption pit is designed to prevent overflows up to the 95 percentile 5-day rainfall event (69.4mm at Wilberforce)

b) provide details of the overflow structure and drainage line from the absorption trench to the receiving waterway, demonstrating that these are appropriately designed and constructed to prevent scour consistent with Managing Urban Stormwater, Soils and Construction, Volume 1 (Landcom, 2004) and Managing Urban Stormwater: Soils and Construction, Volume 2B Waste Landfills (DECC, 2008).

03.3 Prior to the commencement of construction, the Applicant must install a groundwater monitoring network and perform baseline groundwater monitoring. Specifically, a monitoring bore targeting groundwater down-gradient of the proposed absorption pit must be installed to identify baseline conditions and observe potential impacts following commencement of operations.

04. Stormwater/sediment control - Construction and Operation Phase

04.1 the waste processing shed must have a sealed floor that drains to a leachate collection system and measures to prevent stormwater run-on into the shed.

04.2 the waste processing shed must be bunded to prevent run-on or run-off from the shed.

04.3 the external (under-awning) stockpile areas must:

a) have perimeter bunding to divert clean water around the material stockpiles and minimise the generation of leachate from rainfall run-on; and

b) be located on a low permeability base, consistent with Environmental Guidelines, Composting and Related Organics Processing Facilities (DEC, 2004).

04.4 the absorption pit must only receive stormwater which does not contain pollutants other than 'clean' sediment at non-trivial levels. Stormwater that has been in contact with waste and product stockpiles must be managed as leachate and must not be allowed to drain to the absorption pit.

04.5 there must be no discharges to surface waters from the absorption pit except where the discharge occurs solely as a result of rainfall at the premises exceeding a total of 69.4mm over any consecutive five-day period.

04.6 the licensee must take all practical measures to avoid or minimise total suspended solids and leachate contained in discharges permitted in accordance with Condition 04.5.

04.7 the licensee must install and maintain a rainfall gauge. Rainfall at the premises must be measured and recorded in millimetres per 24-hour period at the same time each day.

04.8 the rainfall gauge monitoring data collected in compliance with Condition 04.7 can be used to determine compliance with Condition 04.5.

04.9 Any and all leachate generated at the premises must be collected and disposed of to a facility that can lawfully accept that type of waste.

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04.10 All roads and operating surfaces outside the Production Shed must be either hardstand or an impermeable surface that is not free draining, as presented in Drawing Number 01: Site Plan Rev B of the Letter to Hawkesbury City Council by Benbow Environmental dated 8 October 2020 (Ref: 181084_EPA_Let3_Rev2) (EPA Ref: DOC20/858035).

05. Processes and Management

05.1 Waste must be handled as presented in Figure 1: Process Flow Diagram, page 9 of the Letter to Hawkesbury City Council by Benbow Environmental dated 8 October 2020 (Ref: 181084_EPA_Let3_Rev2) (EPA Ref: DOC20/858035).

05.2 All waste is to be stored, processed and handled:

- a) as presented on Drawing Number 02: Ground Floor Plan (Ref: 181084_EPA_Let3_Rev2) (EPA Ref: DOC20/858035),
- b) as described in Attachment 5: Incoming Waste Procedure (Ref: 181084_EPA_Let3_Rev2) (EPA Ref: DOC20/858035), and
- c) as described in the Letter to Hawkesbury City Council by Benbow Environmental dated 8 October 2020 (Ref: 181084_EPA_Let3_Rev2) (EPA Ref: DOC20/858035).

05.3 Unsorted incoming material must not make contact with any sorted or processed material in the sorting shed.

05.4 Only Topsoil, Mulch and Aggregate is permitted to be stored outdoors as presented in on Drawing Number 02: Ground Floor Plan (Ref: 181_EPA_Let3_Rev2) (EPA Ref: DOC20/858035).

05.5 A fence must be constructed at the Premises directing site traffic across the weighbridge as presented on Figure 1 of the Letter to Hawkesbury City Council by Benbow Environmental dated 17 November 2020 (Ref: 181084_EPA_Let4) (EPA Ref: DOC20/1009986).

07. Noise

- 07.1** All unloading and processing including sorting, screening and crushing of material must occur within the site shed.
- 07.2** The site shed's doors must be closed when the crusher is operating.
- 07.3** The premises must apply the noise control measures as described in Chapter 7.3 of the Noise and Vibration Impact Assessment (NOISE IMPACT ASSESSMENT FOR HALA ALAMEDDINE 99 SARGENTS ROAD, EBENEZER, dated 01 July 2020, Benbow Environmental, ref: 181084_NIA_Rev4) (DOC20/438030-3).
- 07.4** Materials must be handled in a proper and efficient manner.

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:

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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.

M8. Requirement to Monitor Noise

M8.1 Attended noise monitoring must be undertaken in accordance with Condition L6.5 and must:

- a. occur within 3 months of the premises commencing operations;
- b. occur during the day period as defined in the *Noise Policy for Industry* for a minimum of 1.5 hours during the day period;
- c. occur for two consecutive operating days;
- d. occur when the premises is operating in a manner representative of its approved operations.

Monitoring and recording 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. Noise Monitoring Report

R4.1 A noise compliance assessment report must be submitted to the EPA within 30 days of the completion of the attended commissioning monitoring. The assessment must be prepared by a competent person and include:

- a) an assessment of compliance with noise limits presented in Condition L6.1 and L6.3; and
- b) an outline of any management actions taken within the monitoring period to address any exceedences of the limits contained in Condition L6.1 and L6.3.

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Attachment B – 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.