

# General Terms of Approval - Issued



Notice No: 1615309

Richmond Valley Council  
Locked Bag 10  
CASINO NSW 2470

Attention: Andy Edwards

Notice Number 1615309  
File Number DOC21/1094572  
Date 24-Dec-2021

**Re: DA2022/0107 Proposed extractive industry – Bentley Quarry  
Lot 2 DP 1196757, 1465 Bentley Road, Bentley**

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

I refer to the integrated development application and accompanying information provided for an extractive industry at 1465 Bentley Road, Bentley received by the Environment Protection Authority (EPA) via the NSW Planning Portal on 14 December 2021.

It is noted that the proposal involves:

- Construct and operate a hard rock quarry with an annual extraction rate of 300,000 tonnes per annum and a maximum daily extraction rate of 2,000 tonnes per day for a period of 30 years
- Total disturbance area of approximately 6.5 hectares
- Progressive installation of environmental controls including erosion and sediment control measures, establish revegetation area and install nest boxes
- Delineation of the site and stockpiling area
- Construction of fencing
- Crush and screen material at the site to use to construct the access road and intersection
- Construction of an access road and intersection with Bentley Road, including installation of signage
- Construction of a site office, weighbridge and car parking area
- Importation of clean soil for landscape mounds to the east and west of the quarry
- Vegetation clearance, soil stripping and stockpiling for use in landscape mounds
- Expanded quarry operations, including blasting, crushing, screening, precoating and importing materials for blending
- Close and rehabilitate the quarry

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.

# General Terms of Approval - Issued

---



Notice No: 1615309

The general terms of approval for this proposal are provided at attachment A and attachment B. If Richmond Valley 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 the EPA has also identified a number of environmental issues that Richmond Valley Council may wish to consider in its overall assessment of the application. These issues are:

## 1) Waste

The EPA notes that the proposal involves the importation of waste material for processing and reuse. The information provided by the applicant does not contain sufficient detail on the proposed processing and reuse of waste for the EPA to be able to assess potential impacts. Prior to an Environment Protection Licence (EPL) being issued, the following information will be required to be submitted to the EPA:

- How compliance will be achieved with the relevant resource recovery orders/resource recovery exemptions (e.g. recovered aggregate) for both incoming and outgoing products;
- Interim management procedures for lawful disposal locations identified for contaminated waste (e.g. waste contaminated with asbestos);
- Quality control processes in place to ensure the waste products being received at the premises do not contain any hazardous or special wastes (e.g. asbestos, acid sulfate soils etc). This can be achieved by development of management practices in line with the Waste Classification Guidelines;
- How and where the waste material is intended to be stored. This will need to include appropriately designed storage locations and mitigation measures for stormwater, leachate, dust, odour and prevention of ground and surface water contamination; and,
- How incoming wastes will be processed (e.g. crushing, screening or sorting) and what air, noise and water quality impacts will this cause and how will these impacts be managed.

Note that any Environment Protection Licence will need to include waste processing (non-thermal treatment) and waste storage to any EPL if the waste proposed to be imported to the premises does not meet a current resource recovery order and exemption issued by the EPA.

## 2) Soil and Water Management Plan

A Soil and Water Management Plan was not included with the Environmental Impact Statement for the proposal. Prior to extractive activities taking place on the premises, the applicant must engage a qualified consultant to develop a Soil and Water Management Plan (SWMP). The SWMP must be submitted to, and approved by, the EPA prior to extractive activities taking place. The SWMP must be prepared in accordance with Managing Urban Stormwater Soils and Construction, Volume 1 and Volume 2E. Mines and Quarries.

## 3) Environment Management Plan

Prior to commencement of operations at the premises, the applicant must prepare and implement an

# General Terms of Approval - Issued

---



Notice No: 1615309

Environmental Management Plan (EMP). The EMP must take into account any management and mitigation measures identified in the Environmental Impact Statement titled *Bentley Quarry Environmental Impact Statement* (GHD 11 November 2021), and any development consent conditions that may be included as part of the proposal approval.

#### 4) Blasting Management Protocol

Prior to commencement of operations at the premises, the applicant must prepare and implement a Blasting Management Protocol (BMP). The BMP must take into account any management or mitigation measures identified in the Environmental Impact Statement titled *Bentley Quarry Environmental Impact Statement* (GHD 11 November 2021), and any development consent conditions that may be included as part of the proposal approval.

If you have any questions or wish to discuss this matter further please contact Nicole Power on 02 6641 1529.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Brett Nudd', is written over a horizontal line.

**Brett Nudd**

**Manager North Coast Region**

**Environment Protection Authority**

(by Delegation)



# General Terms of Approval - Issued

Notice No: 1615309

## 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 DA2022/0107 submitted to Richmond Valley Council on 23 November 202
- the environmental impact statement titled '*Bentley Quarry Environmental Impact Statement*' prepared by GHD Pty Ltd dated 11 November 2021 relating to the development.

### 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 utilisation areas referred to in the table below are identified in the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, for the purposes of the monitoring and/or setting of limits for any application of solids or liquids to the utilisation area.

P1.2 The following points referred to in the table are identified in the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

### Water and land

EPA Identification No.	Type of Monitoring Point	Type of Discharge Point	Location Description
Monitoring/Discharge Point 1	Water	Water	Discharge point from the sediment basin

# General Terms of Approval - Issued



Notice No: 1615309

## Limit conditions

### ***L1. Pollution of waters***

**L.1.1** 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 monitoring/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.

**L2.4** Water and/or Land Concentration Limits

#### ***Point 1***

Pollutant	Units of measure	100% concentration limit
Total Suspended Solids	mg/L	50
pH	pH units	6.5-8.5
Oil and Grease	Visible	Nil



# General Terms of Approval - Issued

---

Notice No: 1615309

**L2.5** The concentration limits in the above table do not apply to any discharge from the sediment basin (at Point solely arising from rainfall measured at the premises exceeding 60.2 mm in total falling over any consecutive five day period.

**L2.6** If the applicant uses turbidity (NTU) in place of total suspended solids (TSS) to determine compliance with the EPA's general terms of approval, or a licence issued under the Protection of the Environment Operations Act 1997, the applicant must develop a statistical correlation which identifies the relationship between NTU and TSS for water quality in the sediment basin in order to determine the NTU equivalent of 50 mg/L TSS prior to its use.

**L2.7** If the applicant uses turbidity (NTU) in place of total suspended solids (TSS) to determine compliance with the EPA's general terms of approval, or a licence issued under the Protection of the Environment Operations Act 1997, the applicant must provide the EPA with a copy of the statistical correlation assessment methodology and results before using NTU in place of TSS.

**L2.8** If the applicant uses turbidity (NTU) in place of total suspended solids (TSS) to determine compliance with the EPA's general terms of approval, or a licence issued under the Protection of the Environment Operations Act 1997, the applicant must develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS.

**L2.9** If the applicant uses turbidity (NTU) in place of total suspended solids (TSS) to determine compliance with the EPA's general terms of approval, or a licence issued under the Protection of the Environment Operations Act 1997, the applicant must provide the EPA with any amendments the applicant makes to the statistical correlation as a result of the ongoing verification required by Condition L2.8 before using the revised statistical correlation.

## **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.

*Note: Condition L3.2 is included to ensure that a premises based activity is not used as a waste facility (unless that scheduled activity is permitted by another condition).*

**L3.3** Only waste which meets the conditions of a current Resource Recovery Order and Exemption issued by the EPA is permitted to be accepted at the premises for processing and offsite reuse. Any waste material that is received at the premises must be processed and disposed of offsite within 12 months of its receipt at the premises.

**L3.4** The amount of waste imported onto the premises must be weighed and recorded. As this waste will be processed and stored on the premises, its volume (tonnage) will need to be counted towards the 'scale' permitted by any licence issued under the Protection of the Environment Operations Act 1997 for this development.

## **L4. Noise limits**

**L4.1** Noise from the premises must not exceed an LAeq (15 minute) noise emission criterion of



# General Terms of Approval - Issued

Notice No: 1615309

- 40 dB(A) for the period from 7am to 6pm Monday to Friday and 7am to 1pm Saturday and
- 35 dB(A) during the evening (6pm to 10pm) Monday to Friday; and
- 35 dB(A) at all other times

except as expressly provided by these general terms of approval.

**L4.2** Noise from the premises is to be measured at the most affected point on or within the nearest affected residential property boundary or if this is more than 30m from the residence at the most affected point within 30m of the residence, to determine compliance with this condition.

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

1. Wind speeds greater than 3 metre/second at 10 metres above ground level; or
2. Temperature inversion conditions up to 3 degrees Celsius/100m and wind speeds greater than 2 metres/second at 10 metres above ground level; or
3. Temperature inversion conditions greater than 3 degrees Celsius/100m

**L4.3** The noise limits set out at condition L4.1 do not apply if agreement between the applicant and the occupier of the noise sensitive location has been reached. Any agreement(s) between the applicant and the affected noise sensitive receivers must be recorded in writing and a copy of the agreement(s) kept on the premises for the duration of any licence issued under the Protection of the Environment Operations Act 1997 for this development.

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

## Definition

L<sub>Aeq</sub> (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 (AS1055.1-1997).

### **Note: Noise measurement**

*For the purpose of noise measures required for this condition, the L<sub>Aeq</sub> (15 Minute) noise level must be measured or computed at any point identified by condition L4.2 over a period of 15 minutes using "FAST" response on the sound level meter.*

*For the purpose of the noise criteria for this condition, 5dBA must be added to the measured level if the noise is substantially tonal or impulsive in character. The location or point of impact can be different for each development, for example, at the closest residential receiver or at the closest boundary of the development. Measurement locations can be:*

*1 metre from the facade of the residence for night time assessment;*

*at the residential boundary;*

*30 metres from the residence (rural situations) where boundary is more than 30 metres from residence.*



# General Terms of Approval - Issued

---

Notice No: 1615309

**L4.4** The noise emission limits identified in **L4.1** apply for prevailing meteorological conditions (winds up to 3m/s), except under conditions of temperature inversions. Noise impacts that may be enhanced by temperature inversions must be addressed by:

documenting noise complaints received to identify any higher level of impacts or patterns of temperature inversions;

where levels of noise complaints indicate a higher level of impact then actions to quantify and ameliorate any enhanced impacts under temperature inversions conditions should be developed and implemented.

## **L5. Hours of operation**

**L5.1** Activities covered by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, must only be carried out between the hours of 7:00 am and 6:00 pm Monday to Friday, and 8:00 am and 1:00 pm Saturday, and at no time on Sundays and Public Holidays.

**L5.2** This condition does not apply to the delivery of material outside the hours of operation permitted by condition L5.1, 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 must be provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

**L5.3** The hours of operation specified in condition L5.1 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 overpressure level from blasting operations on the premises must not:

Exceed 115dB (Lin Peak) for more than 5% of the total number of blasts over a period of 12 months; and

Exceed 120dB (Lin Peak) at any time,

The airblast overpressure values stated above apply when the measurements are performed with equipment having a lower cut-off frequency of 2Hz or less. If the instrumentation has a higher cut off frequency then a correction of 5dB should be assessed to the measured value. Equipment with a lower cut-off frequency exceeding 10Hz should not be used for the purpose of measuring airblast overpressure.

**L6.2** All sensitive receivers are to be given at least 24 hours notice when blasting is to be undertaken.

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

**L6.3** Ground vibration peak particle velocity from the blasting operations at the premises must not:

Exceed 5mm/s for more than 5% of the total number of blasts over a period of 12 months; and

Exceed 10mm/s at any time,

when measured at any point within 1 metre of any affected residential boundary or other noise sensitive location such as a school or hospital.

### **Time of blasting**

**L6.4** Blasting operations on the premises may only take place between 10:00 am to 3:00 pm Monday to Friday inclusive



# General Terms of Approval - Issued

---



Notice No: 1615309

**L6.5** The hours of operation for blasting operations specified in this condition 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.

## **Frequency of blasting**

**L6.6** Blasting at the premises is limited to 1 blast each day on which blasting is permitted.

## ***Operating conditions***

### ***01. Dust***

**01.1** Activities occurring at the premises must be carried out in a manner that will minimise emissions of wind blown or traffic generated dust from the premises.

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

### ***02. Processes and management***

**02.1** The sediment basins shall be treated, if required, to reduce the Total Suspended Solids level to the concentration limit of 50 mg/L provided by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, before being released to the environment. Treatment can be with gypsum or any other material that has been approved by the EPA.

**02.2** The applicant must maximise the diversion of run-on waters from lands upslope and around the site whilst land disturbance activities are being undertaken.

**02.3** The applicant must maximise the diversion of stormwater runoff containing suspended solids to the sediment basin installed on the premises.

**02.4** Where sediment basins are necessary, all sediment basins and associated drainage must be installed and commissioned prior to the commencement of any clearing or grubbing works within the catchment area of the sediment basin that may cause sediment to leave the site.

**02.5** The applicant must ensure the design storage capacity of the sediment basin(s) installed on the premises is reinstated within 5 days of the cessation of a rainfall event that causes runoff to occur on or from the premises.

**02.6** The applicant must ensure that sampling point(s) for water discharged from the sediment basin(s) are provided and maintained in an appropriate condition to permit:

- a) the clear identification of each sediment basin and discharge point;
- b) the collection of representative samples of the water discharged from the sediment basin(s); and
- c) access to sampling point(s) at all times by an authorised officer of the EPA.

**02.7** The applicant must endeavour to maximise the reuse of captured stormwater on the premises.

# General Terms of Approval - Issued

---



Notice No: 1615309

**02.8** Each sedimentation basin must have a marker (the "sediment basin marker") that identifies the upper level of the sediment storage zone.

**02.9** Whenever the level of liquid and other material in any sedimentation basin exceeds the level indicated by the sedimentation basin marker, the licensee must take all practical measures as soon as possible to reduce the level of liquid and other material in the sedimentation basin.

**02.10** The sediment basins must meet the design and operational standards of *Managing Urban Stormwater Soils and Construction: Volume 1 and Volume 2 E. Mines and quarries*. This document requires that at a minimum 90 percentile five-day rainfall event be used to determine basin sizing for quarries.

**02.11** All liquid chemicals, fuels and oils must be stored in tanks or containers inside suitable bund(s). Bund(s) are to be designed, constructed and maintained in accordance with AS1940-2004 Storage and Handling of Flammable and Combustible Liquids.

## **03. Noise**

### **Blast management protocol**

**03.1** Prior to the EPA issuing a licence for the proposal, 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;

a complaints handling protocol;

mitigation measures;

remedial action;

monitoring methods and program;

monitoring program for flyrock distribution;

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.



# General Terms of Approval - Issued

Notice No: 1615309

**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:

### **Discharge Point 1**

<b>Pollutant</b>	<b>Units of measure</b>	<b>Frequency</b>
Total Suspended Solids	mg/L	Special Frequency 1
pH	pH units	Special Frequency 1
Oil and grease	Visual	Special Frequency 1

Special Frequency 1 means sampling any discharge, whether controlled or otherwise, which has not occurred from rainfall exceeding 60.2 mm over any consecutive five day period.

## **M3. Testing methods - concentration limits**

**M3.1** Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area required by condition **M2** 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,

# General Terms of Approval - Issued

---



Notice No: 1615309

unless otherwise expressly provided in a licence issued under the Protection of the Environment Operations Act 1997 for this development.

## ***M4. Environmental monitoring***

**M4.1** The applicant is required to install and maintain a rainfall depth measuring device at the premises.

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

Note: The rainfall monitoring data collected in compliance with Condition M4.2 can be used to determine compliance with L2.4.

## ***M5. Blast Monitoring***

**M5.1** For the purpose of blast monitoring, the ground vibration or the overpressure must be measured at the nearest sensitive receiver for each blast.

*Note: The location or point of impact can be different for each development. Measurements should be taken within the grounds of 'noise sensitive sites' (e.g. residences, hospitals, schools etc). Measurement locations can be:*

*At the residential boundary; or*

*30 metres from residences in rural situations where the boundary is more than 30 metres from residences.*

*Airblast overpressure levels should not be measured within 3.5 metres of any building.*

*Ground vibration levels should not be measured with the longest dimension of the foundations of a building or structure away from such building or structure.*

## ***Reporting conditions***

**R1.1** The applicant must also include the following information with the Annual Return:

- A statement detailing the total volume of material extracted from the quarry for the reporting period; and
- The total volume of extracted material transported from the premises for the reporting period.

## **Special Conditions**

### ***E1. Dust monitoring***

**E1.1** Should the EPA or applicant receive complaints about dust emissions from the premises, the EPA may require the applicant to review the dust controls and/or engage a suitably qualified and experienced air quality practitioner to conduct dust monitoring to assess compliance with the assessment criteria prescribed within the EPA's Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (NSW EPA, August 2005)

All dust emission complaints received by the applicant must be reported to the EPA immediately.

### ***E2. Environmental management plan***

# General Terms of Approval - Issued



Notice No: 1615309

**E2.1** Prior to commencement of operations at the premises, the applicant must prepare and implement an Environmental Management Plan (EMP). The EMP must take into account any management and mitigation measures identified in the Environmental Impact Statement titled *Bentley Quarry Environmental Impact Statement* (GHD 11 November 2021), and any development consent conditions that may be included as part of the proposal approval.

## **E3. Waste**

If an Environment Protection Licence (EPL) is issued, prior to any waste being allowed to be imported to the site the following information will be required to be submitted to, and approved in writing by, the EPA:

- How compliance will be achieved with the relevant resource recovery orders/resource recovery exemptions (e.g. recovered aggregate) for both incoming and outgoing products;
- Interim management procedures for lawful disposal locations identified for contaminated waste (e.g. waste contaminated with asbestos);
- Quality control processes in place to ensure the waste products being received at the premises do not contain any hazardous or special wastes (e.g. asbestos, acid sulfate soils etc). This can be achieved by development of management practices in line with the Waste Classification Guidelines);
- How and where the waste material is intended to be stored. This will need to include appropriately designed storage locations and mitigation measures for stormwater, leachate, dust, odour and prevention of ground and surface water contamination; and,
- How incoming wastes will be processed (e.g. crushing, screening or sorting) and what air, noise and water quality impacts will this cause and how will these impacts be managed.

## **E4. Development and implementation of Soil and Water Management Plan (SWMP)**

Prior to extractive activities taking place on the premises the licensee must engage a qualified consultant to develop a Soil and Water Management Plan (SWMP). The SWMP must be submitted to, and approved by, the EPA prior to extractive activities taking place. The SWMP must be prepared in accordance with Managing Urban Stormwater Soils and Construction, Volume 1 and Volume 2E. Mines and Quarries. The SWMP must:

- Detail and clearly prioritise the stormwater management measures that will be implemented to control and prevent sediment-laden stormwater from leaving the site untreated;
- Provide the size and location of sediment basins/ponds for each of the quarry's sub catchments. The design and operation of basins/ponds must meet a minimum standard of 90 percentile five-day rainfall event;
- provide the precise location of each discharge point (geographical co-ordinates);
- Detail the erosion and sediment control measures to minimise disturbance of land, minimising water flow through the site and filtering, trapping and detaining sediment;
- describe measures for maintaining and monitoring all erosion and sediment controls, including de-silting of basins/ponds.

If sediment basins are proposed to be used as water storage for re-use purposes on-site (eg for dust suppression and/or process water) a water balance must be conducted to ensure that the design volume of the basin/pond required for stormwater capture and treatment is not compromised by water storage required for re-use purposes. Such dual purpose basins/ponds need to be accurately designed and managed to accommodate both stormwater management

# General Terms of Approval - Issued

---



Notice No: 1615309

and water re-use objectives.

# General Terms of Approval - Issued

---



Notice No: 1615309

## Attachment B – Mandatory Conditions for all EPA licences

### Administrative conditions

#### Other activities

(To be used on licences with ancillary activities)

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

- **Extractive activities**
- **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:

- 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:

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

# General Terms of Approval - Issued



Notice No: 1615309

- 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.

## 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.*



# General Terms of Approval - Issued

---



Notice No: 1615309

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.

## ***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.

# General Terms of Approval - Issued

---



Notice No: 1615309

## ***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,

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.