



Environment Protection Licence

Licence - 13218

Licence Details	
Number:	13218
Anniversary Date:	30-June
Licensee	
MACKA'S SAND PTY LTD	
2684 NELSON BAY ROAD	
SALT ASH NSW 2318	
Premises	
MACKA'S SAND	
OFF NELSON BAY ROAD	
SALT ASH NSW 2318	
Scheduled Activity	
Extractive activities	
Fee Based Activity	Scale
Land-based extractive activity (Expired)	> 500000-2000000 T annual capacity to extract, process or store
Contact Us	
NSW EPA	
4 Parramatta Square	
12 Darcy Street	
PARRAMATTA NSW 2150	
Phone: 131 555	
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Information about this licence

Dictionary

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

Responsibilities of licensee

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

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

Variation of licence conditions

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

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

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

Duration of licence

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

Licence review

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

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

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



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

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

Transfer of licence

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

Public register and access to monitoring data

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

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

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

This licence is issued to:

MACKA'S SAND PTY LTD
2684 NELSON BAY ROAD
SALT ASH NSW 2318

subject to the conditions which follow.



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1 Administrative Conditions

A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Extractive activities	Land-based extractive activity (Expired)	> 500000 - 2000000 T annual capacity to extract, process or store

A1.2 Development Consent 08_0142 allows extraction of up to 1,000,000 t/a from Lot 218 and 1,000,000 t/a from Lot 220.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
MACKA'S SAND
OFF NELSON BAY ROAD
SALT ASH
NSW 2318
LOT 218 DP 1044608, LOT 220 DP 1049608

A3 Information supplied to the EPA

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

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

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

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2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

P1.1 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Groundwater monitoring		Groundwater Monitoring Bore "SP1" as shown on Figure 4.10 in the Environmental Assessment "Sand Extraction Operations from lots 218 and 220, Salt Ash", dated April 2009. A copy of this figure has been filed on DECCW file LIC08/1532
2	Ground water monitoring		Groundwater Monitoring Bore "SP2" as shown on Figure 4.10 in Environmental Assessment "Sand Extraction Operations from Lots 218 and 220, Salt Ash", dated April 2009. A copy of this figure has been filed on DECCW file LIC08/1532
3	Groundwater monitoring		Groundwater Monitoring Bore "SP3" as shown on Figure 4.10 of Environmental Assessment "Sand Extraction Operations from Lots 218 and 220, Salt Ash", dated April 2009. A copy of this figure has been filed on DECCW file LIC08/1532
4	Groundwater monitoring		Groundwater Monitoring Bore "SP4" as shown on Figure 4.10 in Environmental Assessment "Sand Extraction Operations from Lots 218 and 220, Salt Ash", dated April 2009. A copy of this figure has been filed on DECCW file LIC08/1532
5	Groundwater monitoring		Groundwater monitoring bore "SP5" as shown in Figure 1, Monitoring locations - filed as EPA document DOC14/131676.



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6	Groundwater monitoring	Groundwater Monitoring Bore "BL158" as shown on Figure 1 - Monitoring Locations, filed as EPA document DOC14/131676.
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P1.3 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

Air			
EPA identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description
7	Dust Monitoring / Ambient Air Monitoring		Dust deposition gauge titled "DDG1" on Figure 1 within EPA document DOC 14/131676
8	Dust Monitoring / Ambient Air Monitoring		Dust Deposition Gauge titled "DDG2" on Figure 1 - Monitoring Locations within EPA document DOC14/131676.

3 Limit Conditions

L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

L2 Waste

L2.1 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 the licence.

L2.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence.

L2.3 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

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

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

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

Code	Waste	Description	Activity	Other Limits
NA	General or Specific exempted waste	Waste that meets all the conditions of a resource	As specified in each particular resource	NA

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		recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2005	recovery exemption	
NA	Waste	Any waste received on site that is below licensing thresholds in Schedule 1 of the POEO Act, as in force from time to time	-	NA

L3 Noise limits

L3.1 Noise from the premises must not exceed the limits specified in the following table:

Location	Limit dBA LAeq(15 minute) Day	Limit dBA LAeq(15 minute) Evening	Limit dBA LAeq(15 minute) Night	Limit dBA LA1(1 minute) Night
Residences north of the private haul road servicing Lot 220		40	40	45
Residence R27	36	36	35	45
Residences R1, R2, R3, R4, R5, R6, R7 and R8	39	39	39	45
All other residences		36	35	45

L3.2 For the purposes of the table above:

- where LAeq means the equivalent noise level - the level of noise equivalent to the energy average of noise levels occurring over a measurement period.
- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holidays.
- Evening is defined as the period 6pm to 10pm.
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and Public Holidays.
- Residence locations are shown in Figure 4.4 of the report "Environmental Assessment - Sand Extraction Operations from Lot 218 and Lot 220, Salt Ash". A copy of which has been filed on EPA file LIC08/1532.

L3.3 The noise limits set out in this licence apply under all meteorological conditions except for the following:

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

L3.4 For the purposes of determining meteorological conditions:

- data recorded by the meteorological station identified as Bureau of Meteorology (BoM) Williamtown

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Weather Station (station 061078) must be used; and
 b) temperature inversion conditions (stability category) are to be determined by the sigma theta method referred to in Part E2 of Appendix E to the NSW Industrial Noise Policy.

L3.5 To determine compliance:

a) with the Leq(15 minute) noise limits detailed in this licence, the noise measurement equipment must be located:
 - approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
 - within 30 metres of a dwelling facade, but not closer than 3 metres, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
 - within approximately 50 metres of the boundary of a National Park or a Nature Reserve.

b) with the LA1(1 minute) noise limits detailed in this licence, the noise measurement equipment must be located within 1 metre of a dwelling facade.

c) with the noise limits detailed in this licence, the noise measurement equipment must be located:
 - at the most affected point at a location where there is no dwelling at the location; or
 - at the most affected point within an area at a location prescribed by conditions (a) or (b) of this licence condition.

L3.6 For the purpose of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy, January 2000, must be applied as appropriate, to the noise levels measured by the noise monitoring equipment.

Note: Development Consent 08_0142 requires additional noise mitigation measures and land acquisition where certain noise criteria cannot be met.

Note: Project Approval 08_0142 MOD 1 and MOD 2 place a number of additional noise limits and truck movement limits on the Licensee for the Alternate Access Road to Lot 218. As the Alternate Access Road does not form part of the Licensed Premise, these limits have not been added to the Environment Protection Licence and will be regulated by the Department of Planning and / or Roads and Maritime Services.

L4 Hours of operation

L4.1 Quarrying operations (other than transportation) on the scheduled premise can occur on any day at any time.

Quarrying operations on Lot 220 (other than transportation) when operating less than 250 metres from Residence R27 must only occur:

- Mondays to Fridays - 7:00am to 6:00pm
- Weekends and Public Holidays - none

Note 1: Residence R27 is shown on Figure 4.4 of the Environmental Assessment "Sand Extraction Operations from Lot 218 and 220 Salt Ash" dated April 2009. A copy of this figure is filed as EPA document

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DOC16/140051.

Note 2: The Licensee may undertake quarrying operations within 250 metres of residence R27 if the Proponent has an agreement with the owner of the residence to extend the hours of operations. Such an agreement must be provided to the EPA within 14 days of it being executed.

L5 Other limit conditions

Extraction Depth Limits

L5.1 The Licensee must not undertake any sand extraction:

- within 0.7 metres of the maximum predicted groundwater level on Lot 220; and
- within 1.0 metres of the maximum predicted groundwater levels on Lot 218.

Note: The maximum predicted groundwater level is shown in Figure 2.1 of the Environmental Assessment (MOD 1). This figure has been filed as EPA document DOC 16/140063.

Note: The Licensee may extract to within 0.7 metres of the maximum predicted groundwater level within Lot 218 with the prior approval of the EPA. Any application to the EPA to extract to within 0.7m of the maximum predicted groundwater level must include results from at least one sediment core undertaken within the extraction area down to a depth of one metre below the proposed extraction depth. The sediment core must be analysed at regular intervals for pyrite or other acid forming materials and results provided with the submission.

4 Operating Conditions

O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

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

O3 Dust

O3.1 All areas in or on the premises must be maintained in a condition that prevents or minimises the emission of

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dust to the air.

- O3.2 Any activity carried out in or on the premises must be carried out by such practical means as to prevent dust or minimise the emission of dust to the air.
- O3.3 Any plant operated in or on the premises must be operated by such practical means to prevent or minimise dust or other air pollutants.
- O3.4 All trafficable areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the emission of dust to the air, or emission from the premises of wind-blown or traffic generated dust.
- O3.5 Trucks entering and leaving the premises that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading.

O4 Emergency response

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

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

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

O5 Other operating conditions

- O5.1 There must be no extraction equipment operated within 250 metres of residence R27, as shown in "Figure 4.4 Residential Receivers and Noise Logger Locations" of the Environmental Assessment, during evening and night periods unless agreement is reached with the landholder.
- O5.2 Prior to sand extraction occurring within 250 metres of residence R27, as shown in "Figure 4.4 Residential Receivers and Noise Logger Locations" of the Environmental Assessment, a Noise Management Plan that specifically addresses noise controls to achieve compliance with the noise limits for R27, must be prepared and approved by the EPA.

Note: Specific controls were detailed in the Environmental Assessment when extraction works are conducted within 250 metres of residence R27.

- O5.3 The proponent must implement a Traffic Noise Management Plan. The Traffic Noise Management Plan (NMP) must include, but need not be limited to, particular focus on truck movements on the private access roads (servicing both Lot 218 and Lot 220) to ensure that the licence noise limit is not exceeded:
 - a) Truck speed limits;
 - b) Maintenance of the road in good conditions free of potholes, corrugations and other features causing

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generation of excessive noise;

- c) Use of quietest available trucks that meet operational requirements;
- d) Driver training;
- e) Conditions in driver's contracts of employment requiring them to minimise noise generation; abide by the speed limits and other reasonable instructions to minimise noise, together with a system of sanctions for non-compliance.

O5.4 Any dedicated refuelling area must be hardstand and suitably bunded in accordance with EPA bunding guidance.

Note:

Development Consent 08_0142 prohibits on-site maintenance of equipment or storage of fuels and chemicals on the premises. This development consent notes refuelling of equipment will be undertaken by a registered contractor to remove the need for on-site storage of fuels.

5 Monitoring and Recording Conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
 - a) in a legible form, or in a form that can readily be reduced to a legible form;
 - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
 - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
 - a) the date(s) on which the sample was taken;
 - b) the time(s) at which the sample was collected;
 - c) the point at which the sample was taken; and
 - d) the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

- M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:
- M2.2 Air Monitoring Requirements

POINT 7,8

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

M2.3 Water and/ or Land Monitoring Requirements

POINT 1,2,3,4,5,6

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	micrograms per litre	Quarterly	Grab sample
Conductivity	microsiemens per centimetre	Quarterly	Grab sample
Iron	milligrams per litre	Quarterly	Grab sample
Manganese	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Standing Water Level	metres (Australian Height Datum)	Quarterly	Probe
Turbidity	nephelometric turbidity units	Quarterly	Grab sample

M3 Testing methods - concentration limits

M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2021* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

M3.2 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:

- a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
- b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
- c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

M4 Recording of pollution complaints

M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of

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the licensee in relation to pollution arising from any activity to which this licence applies.

M4.2 The record must include details of the following:

- a) the date and time of the complaint;
- b) the method by which the complaint was made;
- c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- d) the nature of the complaint;
- e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken by the licensee, the reasons why no action was taken.

M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M5 Telephone complaints line

M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M5.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

M5.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

M6 Other monitoring and recording conditions

M6.1 *Noise Monitoring*

To assess compliance with the noise limits of this licence, attended noise monitoring must be undertaken in accordance with limit requirements of this licence:

- a) at the locations listed in the noise limit conditions of this licence;
- b) occur annually in a reporting period;
- c) occur during the time of year when noise propagation from the premises is likely to be at its worst, that is, generally winter conditions; and
- d) occur during each day, evening and night period as defined in the NSW Industrial Noise Policy.

Note: It is the intention of the EPA to review the noise monitoring results required under this condition after a period of three (3) years to assess the suitability of the required noise monitoring.

M6.2 *Additional Ambient Air Quality Monitoring*

The licensee must implement ambient air quality monitoring via High Volume Air Sampler (HVAS) or Tapered Element Oscillating Microbalance (TEOM) unit, to monitor particulate matter emissions from site operations at the nearest or most affected residential receiver/s for Lot 220 DP 1049608.

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An ambient air quality monitor must be installed at a suitable location within the vicinity of Residence "R27" within 6 months of the owner of R27 requesting in writing that the unit be installed. EPA must grant approval to the proposed location of the monitor. Residence R27 is shown on Figure 4.4 of the Environmental Assessment "Sand Extraction Operations from Lots 218 and 220. Salt Ash" dated April 2009. A copy of this figure is filed as EPA document DOC16/140051.

The licensee must advise the EPA within seven days of commissioning of any ambient air quality monitor.

Note: Resident R27 does not currently want a HVAS sampler to be placed on his property. This resident may change his mind or the property may change ownership in the future.

M6.3 *Monitoring for Extraction Depth Limits*

The Licensee must ensure adequate provisions are made to ensure quarry operators are aware of excavation RL heights to allow continued compliance with extraction depth limits. Such provisions may include GPS capabilities on quarry machinery, increased network of survey pegs and frequent surveys of the operation.

6 Reporting Conditions

R1 Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

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

R1.3 Where this licence is transferred from the licensee to a new licensee:

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

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and



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ending on:

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

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

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

R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

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

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.

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

R1.8 *Annual Groundwater Monitoring Report*

A report must be compiled annually showing the results of all groundwater monitoring conducted on the premises. This report must graphically present the results of all groundwater results since monitoring began and note on the graph when any groundwater extraction and/or recharge began. There must be a separate graph prepared for each parameters monitored and results must be compared to relevant criteria, such as that developed by ANZECC. The report must also provide a commentary on the results that have been obtained, highlighting any changes observed over time, and make recommendations where adverse effects are observed. The report must be submitted to the EPA annually with the Environment Protection Licence Annual Return.

R2 Notification of environmental harm

R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

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- a) where this licence applies to premises, an event has occurred at the premises; or
- b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

R4 Other reporting conditions

R4.1 A noise compliance assessment report must be submitted to the EPA within 30 days of the completion of the yearly monitoring. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:

- a) an assessment of compliance with the noise limits detailed in this licence; and
- b) an outline of any management actions taken within the monitoring period to address any exceedences of the limits contained in this licence.

R4.2 The Licensee must submit to the EPA an independent Survey Report every 3 years to demonstrate compliance with extraction depth limits as stipulated in the limit conditions of this licence. The report must stipulate the RLs of quarrying operations on both Lot 218 and Lot 220 and compare these to the RLs for the maximum predicted groundwater level. The first report is due commencing 2016, followed by 2019 etc. The report must be submitted with the Annual Return for the relevant year.

7 General Conditions

G1 Copy of licence kept at the premises or plant

G1.1 A copy of this licence must be kept at the premises to which the licence applies.

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G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

8 Pollution Studies and Reduction Programs

U1 Groundwater Monitoring Data Collection

U1.1 Prior to commencement of groundwater monitoring data collection, U1.2:

a) undertake a physical review of the Mackas Sand groundwater monitoring bores to assess the integrity of the bores for such things as potential for leakage of surface water within the bore annulus and any other part of the bore that may need repair to ensure its integrity;

b) undertake repairs to the bores where identified in a).

U1.2 Undertake groundwater monitoring data collection in accordance with "RE: Review and Update of the Maximum Extraction Depth Map for the Mackas Sand Project (PA 08_0142)", 2.0 Conclusions and Recommendations, your reference: 1646_DPIE_MEDM_Review211203, by Robert McKenzie, Director Mackas Sandy Pty Limited, 17 December 2021.

a) For a minimum six-month period, commencing 1 December 2022, increase the frequency of groundwater level monitoring by way of installation of groundwater level loggers in at least three monitoring bores to monitor groundwater levels at hourly intervals.

b) After six months of additional data collection, undertake a further review of the data and submit your data review to the EPA by 31 August 2023. You may submit this review to epa.northopsregional@epa.nsw.gov.au.

c) After the data review in b) update the existing groundwater model and Maximum Extraction Depth Map and provide the EPA with a copy, which may be in a report form, by 31 October 2023, to epa.northopsregional@epa.nsw.gov.au.



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Dictionary

General Dictionary

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

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



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TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non-putrescible), special waste or hazardous waste
Wellhead	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Mr Peter Jamieson

Environment Protection Authority

(By Delegation)

Date of this edition: 30-November-2009

End Notes	
1	Licence varied by notice 1110241, issued on 24-Dec-2009, which came into effect on 24-Dec-2009.
2	Licence varied by notice 1500413 issued on 14-Sep-2011
3	Licence varied by notice 1502830 issued on 19-Jan-2012
4	Licence varied by notice 1509957 issued on 01-Feb-2013
5	Licence varied by notice 1514548 issued on 29-May-2013
6	Licence fee period changed by notice 1525972 on 30-Nov-2014
7	Licence varied by notice 1538306 issued on 04-Jul-2016
8	Licence varied by notice 1620809 issued on 01-Nov-2022