



Environment Protection Licence

Licence - 11815

Licence Details	
Number:	11815
Anniversary Date:	26-November

Licensee
BORAL RECYCLING PTY LIMITED
PO BOX 6041
NORTH RYDE NSW 2113

Premises
WIDEMERE RECYCLING
38 WIDEMERE ROAD
WETHERILL PARK NSW 2164

Scheduled Activity
Resource recovery
Waste storage

Fee Based Activity	Scale
Recovery of general waste	Any general waste recovered
Waste storage - other types of waste	Any other types of waste stored

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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:

BORAL RECYCLING PTY LIMITED
PO BOX 6041
NORTH RYDE NSW 2113

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
Resource recovery	Recovery of general waste	Any general waste recovered
Waste storage	Waste storage - other types of waste	Any other types of waste stored

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
WIDEMERE RECYCLING
38 WIDEMERE ROAD
WETHERILL PARK
NSW 2164
LOT 4001 DP 1173524

A2.2 The premises location is shown on the map below.

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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 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 identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Ambient air monitoring		Dust gauge labelled "Ambient Air Monitoring" on map titled "Boral Recycling Plant EPL 11815 Licensed Monitoring Points" dated 11 June 2010

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
2	Discharge to Waters Discharge Quality Monitoring Volume Monitoring	Discharge to Waters Discharge Quality Monitoring Volume Monitoring	Discharge outlet labelled "Stormwater Discharge Point" on map titled "Boral Recycling Plant EPL 11815 Licensed Monitoring Points" dated 11 June 2010

P1.3 The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.

Noise/Weather

EPA identification no.	Type of monitoring point	Location description
3	Noise monitoring	Munro Street Greystanes
4	Noise monitoring	Southern Greystanes Estate Residential Lands
5	Noise monitoring	Daruga Avenue, Nelsons Ridge

3 Limit Conditions

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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.

L1.2 Managed overflow from Point 2 is permitted when the discharge occurs solely as a result of rainfall at the premises exceeding a total of 120 millimetres over any consecutive five day period or due to extended periods of significant rainfall that lead to managed overflows of the basin.
Controlled point source discharge is permitted when the discharge occurs in order to regain dam capacity within the 5 days of rainfall event.

Note: A controlled point source discharge is a discharge where the:

- discharge point location can be specifically identified and clearly defined;
- licensee has control over the frequency, volume and pollutant concentrations of the discharge; and
- EPA can reasonably expect that with proper and efficient management practices the licensee can comply with volume and pollutant concentration limits at all times.

L2 Concentration limits

L2.1 For each monitoring/discharge point or utilisation area specified in the table/s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration 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 pollution of waters by any pollutant other than those specified in the table/s.

L2.4 Water and/or Land Concentration Limits

POINT 2

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	milligrams per litre				10
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				50

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Turbidity	nephelometric turbidity units	150
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L3 Waste

L3.1 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	Building and demolition waste	As defined in Boral engineered glass sand resource recovery exemption 2020	Resource recovery Waste storage	
NA	Building and demolition waste	As defined in Boral engineered glass sand resource recovery order 2020	Resource recovery Waste storage	
NA	Waste concrete slurry from the company’s concrete batching plants	Wet concrete batching plant stirrer waste	Resource recovery Waste storage	NA
NA	Concrete, bricks and roof tiles	Tiles and masonry, including seconds materials direct from manufacturer	Resource recovery Waste storage	NA
NA	Excavated natural material		Resource recovery Waste storage	NA
NA	Building and demolition waste	As defined in Schedule 1 of the POEO Act, in force from time to time.	Resource recovery Waste storage	NA
NA	Asphalt waste (including asphalt resulting from road construction and waterproofing works)		Resource recovery Waste storage	NA
NA	Virgin excavated natural material	As defined in Schedule 1 of the POEO Act, in force from time to time.	Resource recovery Waste storage	NA
NA	Plasterboard and ceramics		Resource recovery Waste storage	NA
NA	Cured concrete waste from a batch plant		Resource recovery Waste storage	NA
NA	Soils	Soils that meet the CT1 thresholds of General Solid Waste in Table 1	Resource recovery Waste storage	Arsenic 40mg/kg; Cadmium 2mg/kg; Copper



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		of the Waste Classification Guidelines as in force from time to time with the exception of the maximum threshold values for contaminants specified in the "Other Limits" column		200mg/kg; Mercury 1.5mg/kg; Zinc 600mg/kg; Petroleum Hydrocarbons C6-C9 150mg/kg; Petroleum Hydrocarbons C10-C36 1600mg/kg; Polycyclic aromatic hydrocarbons 80mg/kg; Polychlorinated biphenyls (individual) 1mg/kg. No Acid Sulfate Soil or Potential Acid Sulfate Soil is to be received at the Premises. Soil thresholds will be subject to review from time to time.
NA	Garden waste	As defined in Schedule 1 of the POEO Act, in force from time to time.	Resource recovery Waste storage	Not more than 1,000 tonnes stockpiled onsite at any one time.

- L3.2 The authorised amount of waste permitted on the premises cannot exceed 750,000 tonnes at any one time, unless approved in writing by the EPA.
- L3.3 The Licensee must not receive on the Premises, more than 1,000,000 tonnes of waste per year.
- L3.4 The height of any stockpile of any material on the Premises, must not exceed twenty (20) metres above ground level.
- L3.5 The licensee must have in place and implement procedures to identify and prevent the acceptance of any waste not permitted by condition L3.1 at the premises.
- L3.6 No asbestos waste is to be accepted or stored at the premises.

L4 Noise limits

- L4.1 Noise generated at the premises that is measured at each noise monitoring point established under this licence must not exceed the noise levels specified in Column 4 of the table below for that point during the corresponding time periods specified in Column 1 when measured using the corresponding measurement parameters listed in Column 2.

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POINT 3

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	Day-LAeq (15 minute)	n/a	39
Evening	Evening-LAeq (15 minute)	n/a	38
Morning-Shoulder	Morning Shoulder-LAeq(15 minute) (6am-7am Mon. -Sat. & 6am-8am Sun & Public Holidays)	n/a	39

POINT 3,4,5

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Night	Night-LAeq (15 minute)	n/a	35
Night	LAFmax	n/a	50

POINT 4

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	Day-LAeq (15 minute)	n/a	39
Evening	Evening-LAeq (15 minute)	n/a	37
Morning-Shoulder	Morning Shoulder-LAeq(15 minute) (6am-7am Mon. -Sat. & 6am-8am Sun & Public Holidays)	n/a	39

POINT 5

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	Day-LAeq (15 minute)	n/a	35
Evening	Evening-LAeq (15 minute)	n/a	35
Morning-Shoulder	Morning Shoulder-LAeq(15 minute) (6am-7am Mon. -Sat. & 6am-8am Sun & Public Holidays)	n/a	35

L4.2 For the purposes of Condition L4.1:

- a) Day is defined as the period from 7am to 6pm;
- b) Evening is defined as the period from 6pm to 10pm;

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- c) Night is defined as the period from 10pm to 12am; and
- d) Morning shoulder period is a subset of the night period between 6am to 7am.

L4.3 The noise limits set out in condition L4.1 apply under all meteorological conditions except for the following:

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

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

- a) Data recorded by a meteorological station installed on site must be used to determine meteorological conditions; and
- b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in *Part E4 of Appendix E to the NSW Industrial Noise Policy*.

L4.5 To determine compliance:

a) with the Leq(15 minute) noise limits in condition L4.1, 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 façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
- within approximately 50 metres of the boundary of a National Park or a Nature Reserve.

b) with the LA1(1 minute) noise limits in condition L4.1, the noise measurement equipment must be located within 1 metre of a dwelling façade.

c) with the noise limits in condition L4.1, 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 L4.5(a) or L4.5(b).

L4.6 A non-compliance of condition L4.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured:

- at a location other than an area prescribed by conditions L4.5(a) and L4.5(b); and/or
- at a point other than the most affected point at a location.

L4.7 For the purposes of determining the noise generated at the premises the *NSW Noise Policy for Industry (2017)* must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

L4.8 The licensee must ensure that all activities are to be undertaken in a manner that will minimise noise and vibration impacts on sensitive receivers.

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L5 Hours of operation

- L5.1 All construction work at the premises must only be conducted between 7am and 6pm Monday to Friday inclusive, and between 8:00am and 1:00pm on Saturdays. No construction activity is permitted on a Sunday or a Public Holiday.
- L5.2 Subject to compliance with noise limits in Condition L4.1, operational activities associated with Premises shall only be carried out between the following hours:
- 6:00am and midnight, Monday to Saturday inclusive;
 - 6:00am and 6:00pm on one Sunday per month; and
 - at no time on public holidays.
- L5.3 Notwithstanding Condition L5.2, but subject to compliance with the noise limits in Condition L4.1, ancillary activities on the Premises may be carried out between the following hours:
- 6:00am to midnight Monday to Saturday, inclusive;
 - 6:00am and 6:00pm on Sundays; and
 - at no time on public holidays.

Note: Ancillary Activities means any servicing and/or maintenance of the equipment/machinery associated with the operations, loading and unloading of material onto/from vehicles and stockpiles and the selling of recycled product.

- L5.4 The Licensee must keep a record of all works undertaken on a Sunday.

L6 Potentially offensive odour

- L6.1 No condition of this licence identifies a potentially offensive odour for the purpose of Section 129 of the Protection of the Environment Operations Act 1997.

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

- L6.2 Any odour generating material is to be removed from the premises within 24 hours of being received.

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

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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 activities conducted on the premises must be undertaken by such practical means to avoid or minimise the generation and emission of air pollutants, including dust.

O3.2 The premises must be maintained in a condition which prevents or minimises the emission of air pollutants, including dust, from the premises.

O3.3 Entries, exits and car parks must be maintained in a good condition with a sealed hardstand road.

O3.4 The licensee must ensure that no material, including sediment or oil, is tracked from the premises.

O3.5 An appropriate wheel wash facility must be installed, maintained and operated during the operational hours on each exit of the premises. Wheel wash infrastructure must always be maintained in a fully operational manner.

O3.6 Appropriate measures must be put in place to ensure that all vehicular traffic associated with any operations at the premises must pass through the wheel wash when leaving the premises, except, in circumstances where the vehicle exiting the premises is: - a motor car (being a motor vehicle constructed primarily for the carriage of persons or that is of the kind known as a utility, station wagon or panel van) or motor car trailer; and - not transporting waste to or from the premises.

O3.7 Vehicle routes in use on the premises are to be frequently wetted to prevent or minimise dust during hours of operation.

O3.8 Trucks entering and leaving the premises that are carrying loads must be covered at all times except during loading and unloading.

O3.9 Dust sprays and/or dust suppression systems must be installed and operated on crushing, grinding and screening equipment associated with dust generation at the premises during hours of operation.

O3.10 The licensee must immediately cease dust generating activities under dry, windy conditions to prevent dust leaving the premises.

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O4 Effluent application to land

- O4.1 Waste water must only be applied to the area within the boundary of the premises.
- O4.2 Spray from wastewater application must not drift beyond the boundary of the wastewater utilisation area which it is applied.

O5 Emergency response

- O5.1 The licensee must prepare, maintain and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises.

NOTE: The licensee must develop their PIRMP in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations Act 1997 (the POEO Act) and the POEO Regulations.

O6 Processes and management

- O6.1 The licensee must take all practical steps to control entry to the premises.

O7 Waste management

- O7.1 The Licensee must install, maintain and operate at all times a calibrated weighbridge to record the volume of all waste brought into the premises.
- O7.2 The licensee must ensure that all waste stored or processed at the premises is assessed and classified in accordance with the EPA Waste Classification Guidelines and any applicable Resource Recovery Orders and Exemptions as in force from at the time.
- O7.3 Each type of waste stored on site for recovery/recycling must be stockpiled separately.
- O7.4 The Licensee must install and maintain permanent stockpile height markers in any areas where waste is stockpiled at the Premises.

O8 Other operating conditions

- O8.1 The licensee maintain a surface water retention system, including water detention basins, and water storage tanks with a minimum capacity to contain 120 millimetres of rainfall over any consecutive 5 day period.
- O8.2 The licensee must ensure that a visible marker is installed in each sediment retention basin in a position that shows the freeboard in the basin that equates to the volume required to contain all rainfall and runoff in the



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catchment from a 120 millimetre rainfall event over any consecutive 5 day period.

O8.3 The Licensee must ensure that all surface water runoff is collected on site and drains to a storage pond/dam.

O8.4 All erosion and sediment controls, including sediment fences, must be installed and maintained on the Premises. The controls must be inspected regularly and after each rain event and repaired as required.

O8.5 All catchment/sediment, waste and stormwater dams/storage must be designed, maintained and operated with adequate capacity to store surface water collected on site as per the specifications outlined in Managing Urban Stormwater: Soils and construction - Volume 1.

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 1

Pollutant	Units of measure	Frequency	Sampling Method
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Particulates - Deposited Matter	grams per square metre per month	Continuous	AM-19
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M2.3 Water and/ or Land Monitoring Requirements

POINT 2

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	milligrams per litre	Daily during any discharge	Grab sample
pH	pH	Daily during any discharge	Probe
Total suspended solids	milligrams per litre	Daily during any discharge	Grab sample
Turbidity	nephelometric turbidity units	Daily during any discharge	Probe

M3 Testing methods - concentration limits

M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:

- any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
- 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
- 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.

M3.2 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 2022* 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".

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 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:

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- 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 The licensee must keep a record of each load of Soil, as referred to under Condition L3.1, that is received at the premises. The record must include, but not necessarily be limited to, the following:

- a) a copy of the waste classification report in accordance with the Waste Classification Guidelines, including the classification and the limits specified in the L3.1 table;
- b) the quantity (in tonnes) of the Soil received;
- c) the date and time that the Soil were received;
- d) the registration number of the vehicle transporting the Soil to the premises;
- e) the source(s) and address where the Soil was received from; and
- f) the name and contact details of the company or individual delivering the Soil to the premises.

The record must be retained at the premises for at least 4 years after the receipt of the load of the soil. The record must be produced to any authorised officer of the EPA upon request.

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,

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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 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.

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

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

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.
- 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.

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8 Pollution Studies and Reduction Programs

U1 Water Pollution Management

Validation of implemented mitigation measures

- U1.1 To ascertain the ongoing effectiveness of the implemented mitigation measures to minimise water pollution during discharge events, the Licensee must undertake monitoring during any discharge events up to 30 June 2024.
- U1.2 The Licensee must record all overflow events, including the duration of the event, estimated volume of the overflow and associated daily rainfall.
- U1.3 The discharge from Dam 2 must be sampled daily during overflow events.
- U1.4 Samples must be analysed in a NATA or equivalently accredited laboratory for;
- Chromium (VI) (ug/L)
 - Aluminium (ug/L)
 - Copper (ug/L)
- U1.5 The Licensee must report the results of the monitoring to the EPA by 31 August 2024.
- U1.6 Where the results indicate a potential impact, the EPA may require the Licensee to undertake further assessment, such as ecotoxicology testing of the discharge.

9 Special Conditions

E1 Air Quality

Air Quality Management Plan

- E1.1 Prior to increasing processing up to 1,000,000 tonnes the Licensee must prepare and implement an Air Quality Management Plan (AQMP). The AQMP must include:
- (a) Proactive and reactive management strategies.
 - (b) For all pollutant emission sources, as minimum:
 - key performance indicator(s) for emission controls;
 - monitoring method(s) including location, frequency and duration;
 - response mechanisms;
 - responsibilities;
 - record keeping; and
 - compliance reporting.

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Best Practice Management Review for Particle Emissions

- E1.2 By no later than 26 May 2017, the Licensee must undertake a site audit, completed by a suitably qualified third party, to identify all fugitive particulate matter emission sources, and benchmark the mitigation measures against best practice. The objective of the audit is to:
- (a) identify fugitive particulate matter emission sources, and rank sources in order of emission potential;
 - (b) identify and implement proactive and reactive management strategies for each identified particulate matter emission source, for inclusion in the Air Quality Management Plan;
 - (c) identify the mitigation measures currently applied to each identified emission source;
 - (d) benchmark the current mitigation measures against best practice performance indicators;
 - (e) where current mitigation measures are not consistent with best practice, the identification of remedial or upgrade works to mitigate the emission source in line with best practice;
 - (f) evaluate the practicability of implementing best practice measures; and
 - (g) propose a timeframe for implementing all practicable best practice mitigation measures.

The methodologies and outcomes of the audit must be contained in a detailed report submitted to the EPA by no later than 30 June 2017.

The Best Practice Management Review for Particle Emissions will be formalised as a condition of the Licence.

E2 Requirement to maintain Financial Assurance

- E2.1 A financial assurance in the form of an unconditional and irrevocable and on demand guarantee from a bank, building society or credit union operating in Australia as "Authorised Deposit-taking Institutions" under the Banking Act 1959 of the Commonwealth of Australia and supervised by the Australian Prudential Regulatory Authority (APRA) must be provided to the EPA by 30 November 2018. The financial assurance must be in favour of the EPA for a total amount to be held by the EPA of one million, seven hundred thousand dollars (\$1,700,000.00). The financial assurance is required to secure or guarantee funding for works or programs required by or under this licence. The financial assurance must contain a term that provides that any monies claimed can be paid to the EPA or, at the written direction of the EPA, to any other person.
- E2.2 The financial assurance must be maintained during the operation of the facility and thereafter until such time as the EPA is satisfied the premises is environmentally secure.
- E2.3 The EPA may require an increase in the amount of the financial assurance at any time as a result of reassessment of the total likely costs and expenses of rehabilitation of the premises.
- E2.4 The EPA may claim on a financial assurance under s303 of the POEO Act if a licensee fails to carry out any work or program required to comply with the conditions of this licence.
- E2.5 The financial assurance must be replenished by the full amount claimed or realised if the EPA has claimed on or realised the financial assurance or any part of it to undertake a work or program required to be carried out by the licence which has not been undertaken by the licence holder.

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E3 Environmental Obligations of Licensee

E3.1 While the licensee's premises are being used for the purpose to which the licence relates, the licensee must:

- a) Clean up any spill, leak or other discharge of any waste(s) or other material(s) as soon as practicable after it becomes known to the licensee or to one of the licensee's employees or agents.
- b) In the event(s) that any liquid and non-liquid waste(s) is unlawfully deposited on the premises, such waste(s) must be removed and lawfully disposed of as soon as practicable or in accordance with any direction given by the EPA.
- c) Provide all monitoring data as required by the conditions of this licence or as directed by the EPA.

E3.2 In the event of an earthquake, storm, fire, flood or any other event where it is reasonable to suspect that a pollution incident has occurred, is occurring or is likely to occur, the licensee (whether or not the premises continue to be used for the purposes to which the licence relates) must:

- a) Make all efforts to contain all firewater on the licensee's premises;
- b) Make all efforts to control air pollution from the licensee's premises;
- c) Make all efforts to contain any discharge, spill or run-off from the licensee's premises;
- d) Make all efforts to prevent flood water entering the licensee's premises;
- e) Remediate and rehabilitate any exposed areas of soil and/or waste;
- f) Lawfully dispose of all liquid and solid waste(s) stored on the premises that is not already securely disposed of;
- g) At the request of the EPA monitor groundwater beneath the licensee's premises and its potential to migrate from the licensee's premises;
- h) At the request of the EPA monitor surface water leaving the licensee's premises; and
- i) Ensure the licensee's premises is secure.

E3.3 After the licensee's premises cease to be used for the purpose to which the licence relates or in the event that the licensee ceases to carry out the activity that is the subject of this licence, that licensee must:

- a) remove and lawfully dispose of all liquid and non-liquid waste stored on the licensee's premises; and
- b) rehabilitate the site, including conducting an assessment of and if required remediation of any site contamination.

E4 EPA may claim on Financial Assurance

E4.1 The EPA may claim on a financial assurance under s303 of the POEO Act if a licensee fails to carry out any work or program required to comply with the conditions of this licence.

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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 Kieran Horkan

Environment Protection Authority

(By Delegation)

Date of this edition: 21-February-2003

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End Notes

- 1 Licence varied by notice 1028907, issued on 18-Jul-2003, which came into effect on 12-Aug-2003.
- 2 Licence varied by notice 1056240, issued on 24-Mar-2006, which came into effect on 18-Apr-2006.
- 3 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 4 Licence varied by notice 1090740, issued on 18-Dec-2008, which came into effect on 18-Dec-2008.
- 5 Licence varied by notice 1101490, issued on 17-May-2010, which came into effect on 17-May-2010.
- 6 Licence varied by notice 1116793, issued on 23-Aug-2010, which came into effect on 23-Aug-2010.
- 7 Licence varied by notice 1531172 issued on 26-Aug-2015
- 8 Licence varied by notice 1545836 issued on 11-Nov-2016
- 9 Licence varied by notice 1547157 issued on 13-Dec-2016
- 10 Licence varied by notice 1547912 issued on 21-Dec-2016
- 11 Licence fee period changed by notice 1547979 on 21-Feb-2017
- 12 Licence varied by notice 1558333 issued on 29-Nov-2017
- 13 Licence varied by notice 1562116 issued on 22-Feb-2018
- 14 Licence varied by notice 1563876 issued on 23-Apr-2018
- 15 Licence varied by notice 1566032 issued on 18-Jun-2018
- 16 Licence varied by notice 1593804 issued on 19-May-2020
- 17 Licence varied by notice 1622854 issued on 25-Oct-2023