

Environment Protection Licence

Licence - 12894

Licence Details

Number:	12894
Anniversary Date:	07-July

Licensee

MANGOOLA COAL OPERATIONS PTY LIMITED

PO BOX 495

MUSWELLBROOK NSW 2333

Premises

MANGOOLA COAL OPERATIONS

WYBONG ROAD

WYBONG NSW 2333

Scheduled Activity

Coal works

Crushing, grinding or separating

Mining for coal

Railway systems activities

Fee Based Activity

Scale

Coal works	> 5000000 T annual handling capacity
Crushing, grinding or separating	> 500000-2000000 T annual processing capacity
Mining for coal	> 5000000 T annual production capacity
Railway systems activities	Any capacity

Region

North - Hunter

Ground Floor, NSW Govt Offices, 117 Bull Street
NEWCASTLE WEST NSW 2302

Phone: (02) 4908 6800

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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:

MANGOOLA COAL OPERATIONS PTY LIMITED
PO BOX 495
MUSWELLBROOK NSW 2333

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
Coal works	Coal works	> 5000000 T annual handing capacity
Crushing, grinding or separating	Crushing, grinding or separating	> 500000 - 2000000 T annual processing capacity
Mining for coal	Mining for coal	> 5000000 T annual production capacity
Railway systems activities	Railway systems activities	Any capacity

Note: In relation to this licence, the licensee must comply with:

- the activity scale limits imposed by this licence;
- the activity scale limits which apply for the reporting period specified in this licence; and
- the activity scale limits imposed by other legal instruments, such as approvals currently in force under the *Environmental Planning and Assessment Act 1979*.

A2 Premises or plant to which this licence applies

- A2.1 The licence applies to the following premises:

Premises Details
MANGOOLA COAL OPERATIONS
WYBONG ROAD
WYBONG
NSW 2333
THE PREMISES IS DEFINED AS "APPROVED EPL AND DISTURBANCE BOUNDARY" IN PLAN TITLED "MANGOOLA COAL EPL 12894 - HRSTS DISCHARGE POINT, AIR QUALITY, BLAST, SURFACE WATER AND GROUNDWATER MONITORING LOCATIONS" DATED 20/9/16, EPA REFERENCE DOC16/483722. PUBLIC ROADS ARE NOT PART OF THE PREMISES.

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A3 Other activities

A3.1 This licence applies to all other activities carried on at the premises, including:

Ancillary Activity
Sewage Treatment

A4 Information supplied to the EPA

A4.1 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.

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.

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
5	Meteorological Monitoring		Weather Station North (WSN) defined as "Monitoring Point 5 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986.
18	Meteorological Monitoring		Weather Station South (WSS), Defined as "Monitoring Point 18 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986.

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19	Particulate Matter Monitoring	Monitoring Point 19 defined as "Monitoring Point 19 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986.
20	Particulate Matter Monitoring	Monitoring point 20 defined as "Monitoring Point 20 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986.

P1.2 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.

P1.3 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
7	Ambient Surface Water Monitoring		Sandy Creek Defined as "Monitoring Point 7 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986.
8	Ambient Surface Water Monitoring		Big Flat Creek Tributary Defined as "Monitoring Point 8 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986.
9	Ambient Surface Water Monitoring		Wybong Creek Defined as "Monitoring Point 9 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986.

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10	Groundwater Monitoring		Big Flat Creek Defined as "Monitoring Point 10 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986.
11	Groundwater Monitoring		Wybong Creek Defined as "Monitoring Point 11 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986.
12	Discharge of saline water under the Hunter River Salinity Trading Scheme (HRSTS); Discharge quality and volume monitoring	Discharge of saline water under the Hunter River Salinity Trading Scheme (HRSTS); Discharge quality and volume monitoring	Outlet of HRSTS discharge pipe Defined as "Monitoring Point 12 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986.
13	Ambient Surface Water Monitoring		Hunter River - downstream Defined as "Monitoring Point 13 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986.
14	Ambient Surface Water Monitoring		Hunter River - upstream Defined as "Monitoring Point 14 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986.
31	Ambient Surface Water Monitoring		Big Flat Creek Defined as "Monitoring Point 31 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986.

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33	Effluent quality monitoring, discharge to utilisation area	STP discharge to utilisation area defined as "Monitoring Point 33 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986
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P1.4 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
16	Air blast overpressure & ground vibration peak particle velocity monitoring	defined as "Monitoring Point 16 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986
21	Air blast overpressure & ground vibration peak particle velocity monitoring	Defined as "Monitoring Point 21 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986
22	Noise monitoring	Attended noise monitoring - location labelled as "NM15 - EPL Monitoring Point 22" on plan titled "Mangoola Coal EPL 12894 - Noise Monitoring Locations" dated 25/06/2019. EPA reference Doc19/544918.
23	Noise monitoring	Attended noise monitoring - location labelled as "NM4 - EPL Monitoring Point 23" on plan titled "Mangoola Coal EPL 12894 - Noise Monitoring Locations" dated 25/06/2019. EPA reference Doc19/544918.
24	Noise monitoring	Attended noise monitoring - location labelled as "NM6 - EPL Monitoring Point 24" on plan titled "Mangoola Coal EPL 12894 - Noise Monitoring Locations" dated 25/06/2019. EPA reference Doc19/544918.
26	Noise monitoring	Attended noise monitoring - location labelled as "NM8 - EPL Monitoring Point 26" on plan titled "Mangoola Coal EPL 12894 - Noise Monitoring Locations" dated 25/06/2019. EPA reference Doc19/544918.

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27	Noise monitoring	Attended noise monitoring - location labelled as "NM10 - EPL Monitoring Point 27" on plan titled "Mangoola Coal EPL 12894 - Noise Monitoring Locations" dated 25/06/2019. EPA reference Doc19/544918.
29	Noise monitoring	Attended noise monitoring - location labelled as "NM13 - EPL Monitoring Point 29" on plan titled "Mangoola Coal EPL 12894 - Noise Monitoring Locations" dated 25/06/2019. EPA reference Doc19/544918.
30	Noise monitoring	Attended noise monitoring - location labelled as "NM14 - EPL Monitoring Point 30" on plan titled "Mangoola Coal EPL 12894 - Noise Monitoring Locations" dated 25/06/2019. EPA reference Doc19/544918.
32	Air blast overpressure & ground vibration peak particle velocity monitoring	Defined as "Monitoring Point 32 in plan titled "Mangoola Coal EPL 12894 - HRSTS discharge point, air quality, blast, surface water and groundwater monitoring locations" dated 2/10/2018. EPA Reference Doc18/739986
34	Noise monitoring	Attended noise monitoring - location labelled as "NM16 - EPL Monitoring Point 34" on plan titled "Mangoola Coal EPL 12894 - Noise Monitoring Locations" dated 25/06/2019, EPA reference Doc19/544918

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 Concentration limits

- L2.1 For each monitoring/discharge point or utilisation area specified in the table\ 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\.

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L2.4 Water and/or Land Concentration Limits

POINT 12

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5-9.5
Total suspended solids	milligrams per litre				120

L3 Noise limits

L3.1 The noise limits in the table below do not apply if the licensee has a written agreement with the relevant landowner to exceed the noise limit and the licensee has advised the EPA in writing.

The noise limits in the table below do not apply to mine owned residences.

L3.2 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.

POINT 22

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Night	Night-LAeq(15 minute) (10pm-7am Mon.-Sat. & 10pm-8am Sun.)	Monthly	36

POINT 22,23,24,26,27,29,30,34

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Night	Night-LA1 (1 minute) (10pm-7am Mon.-Sat. & 10pm-8am Sun.)	Monthly	45

POINT 23,24

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Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Night	Night-LAeq(15 minute) (10pm-7am Mon.-Sat. & 10pm-8am Sun.)	Monthly	37

POINT 26

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Night	Night-LAeq(15 minute) (10pm-7am Mon.-Sat. & 10pm-8am Sun.)	Monthly	38

POINT 27,29,30,34

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Night	Night-LAeq(15 minute) (10pm-7am Mon.-Sat. & 10pm-8am Sun.)	Monthly	35

Note: It is the EPA intention to review the appropriateness of the noise levels after a period of 12 months.

L3.3 For the purpose of this licence Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.

L3.4 The noise limits set out in this licence apply under all meteorological conditions except for the following:

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

For the purposes of this condition:

- i) Data recorded by the meteorological station within the licensed premises must be used to determine meteorological conditions; and
- ii) 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.

L3.5 For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

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L4 Blasting

- L4.1 The airblast overpressure level from blasting operations in or on the premises must not exceed: 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; at either monitoring point 16, 21 or 32 in Condition P1.4.
- L4.2 The airblast overpressure level from blasting operations in or on the premises must not exceed: 120 dB (Lin Peak) at any time; at either monitoring point 16, 21 or 32 in Condition P1.4.
- L4.3 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: 5 mm/second for more than 5% of the total number of blasts during each reporting period; at either monitoring point 16, 21 or 32 in Condition P1.4.
- L4.4 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: 10 mm/second at any time; at either monitoring point 16, 21 or 32 in Condition P1.4.
- L4.5 Blasting in or on the premises must only be carried out between 09:00 hours and 17:00 hours, Monday to Saturday. Blasting in or on the premises must not take place on Sundays or Public Holidays without the prior approval of the EPA.
- L4.6 Offensive blast fume must not be emitted from the premises.

Definition:

Offensive blast fume means post-blast gases from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:

- 1. are harmful to (or likely to be harmful to) a person that is outside the premises from which it is emitted, or*
- 2. interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.*

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

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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.
- O2.2 The licensee is responsible for the correct operation of the sewage treatment system on their premises.
- O2.3 Correct operation of the sewage treatment system involves regular supervision and system maintenance. The licensee must be aware of the system management requirements and must ensure that the necessary service contracts are in place.
- O2.4 The sewage treatment system must be serviced by a suitably qualified and experienced wastewater technician at least once in each quarterly period and a minimum of four times per year.
- O2.5 The licensee must record each inspection and any actions required or recommended by the technician including date, time, all results of tests performed on the sewage treatment system by the technician.

O3 Dust

- O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.
- O3.2 Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.
- O3.3 All trafficable areas, coal storage areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.

O4 Effluent application to land

- O4.1 Effluent application must not occur in a manner that causes surface runoff.
- O4.2 Spray from effluent application must not drift beyond the boundary of the premises.
- O4.3 The quantity of effluent/solids applied to the utilisation area must not exceed the capacity of the area to effectively utilise the effluent/solids.

For the purpose of this condition, 'effectively utilise' include the use of the effluent/solids for pasture or crop production, as well as the ability of the soil to absorb the nutrient, salt, hydraulic load and organic material.

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O5 Other operating conditions

- O5.1 A saline water management system must be established for the containment of any water that has come into contact with coal or coal tailings, including saline groundwater seepage, coal stockpile runoff and runoff from coal haul roads.
- O5.2 Water from the saline water management system must not be discharged from the site unless authorised by this licence and must not be used in areas that drain to the site's non-saline water management systems.

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 19,20

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Continuous	Special Method 1

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Note: Special Method 1 requires the Licensee to undertake the monitoring of PM10 concentration in strict accordance with the manufacturer's operating manual supplied with the continuous monitoring equipment and titled "E-Sampler-9800 Particulate Monitor Operation Manual Revision K", or any updated version as published by the manufacturer.

M2.3 Water and/ or Land Monitoring Requirements

POINT 7,8,9,31

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Once a month (min. of 4 weeks)	Grab sample
pH	pH	Once a month (min. of 4 weeks)	Grab sample
Total suspended solids	milligrams per litre	Once a month (min. of 4 weeks)	Grab sample

POINT 10,11

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Quarterly	A probe designed to measure the range 0 to 10,000 uS/cm
pH	pH	Quarterly	Grab sample

POINT 12

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Continuous during discharge	A probe designed to measure the range 0 to 10,000 uS/cm
pH	pH	Daily during any discharge	Grab sample
Total suspended solids	milligrams per litre	Daily during any discharge	Grab sample

POINT 13,14

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per metre	Daily during any discharge	Grab sample
pH	pH	Daily during any discharge	Grab sample

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Total suspended solids	milligrams per litre	Daily during any discharge	Grab sample
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POINT 33

Pollutant	Units of measure	Frequency	Sampling Method
Faecal Coliforms	colony forming units per 100 millilitres	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample

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.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2010* 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 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.

M4 Weather monitoring

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

Point 5; and
Point 18

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Rainfall	mm	Continuous	1 hour	AM-4

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Wind speed @ 10 metres	m/s	Continuous	15 minutes	AM-2 & AM-4
Wind direction @ 10 metres	0	Continuous	15 minutes	AM-2 & AM-4
Temperature @ 2 metres	0C	Continuous	15 minutes	AM-4
Temperature @ 10 metres	0C	Continuous	15 minutes	AM-4
Sigma theta @ 10 metres	0	Continuous	15 minutes	AM-2 & AM-4
Solar radiation	W/m2	Continuous	15 minutes	AM-4
Additional requirements - siting - measurement				AM-2 & AM-4 AM-2 & AM-4

M5 Recording of pollution complaints

- M5.1 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.
- M5.2 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.
- M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M6 Telephone complaints line

- M6.1 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.
- M6.2 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.
- M6.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

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M7 Blasting

M7.1 To determine compliance with conditions L4.1, L4.2, L4.3 and L4.4:

- a) Airblast overpressure and ground vibration levels must be measured and electronically recorded for monitoring points 16, 21 and 32 for the parameters specified in Column 1 of the table below; and
- b) The licensee must use the units of measure, sampling method, and sample at the frequency specified opposite in the other columns.

Parameter	Units of Measure	Frequency	Sampling Method
Airblast Overpressure	Decibels (Linear Peak)	All Blasts	Australian Standard AS 2187.2-2006
Ground Vibration Peak Particle Velocity	millimetres/second	All Blasts	Australian Standard AS 2187.2-2006

M8 Other monitoring and recording conditions

Requirement to Monitor Noise

M8.1 To assess compliance with the noise limits specified in condition L3.2, the licensee must undertake operator attended noise monitoring at each specified noise monitoring point in accordance with the table below during a period of time representative of typical operating conditions and not undertaken during a shutdown period.

Assessment period	Minimum Frequency in a Reporting period	Minimum duration within an assessment period
Night	Monthly	15 minutes

Hunter River Salinity Trading Scheme (HRSTS) Monitoring

- M8.2 The licensee must continuously operate and maintain communication equipment which makes the conductivity and flow measurements, taken at Point 12 available to the "Services Coordinator" within one hour of those measurements being taken and makes them available in the format specified in the "Hunter River Salinity Trading Scheme Discharge Point Telemetry Specification - Rev V1.0" released 4 October 2018 and as published by Water NSW.
- M8.3 The licensee must ensure that the results of the measurements it takes at the ambient surface water monitoring points are available to the regional water quality monitoring network operated by the NSW Office of Water (or other service provider as advised by the EPA) within 1 hour of its recording.
- M8.4 The licensee must ensure that all monitoring data is within a margin of error of 5% for conductivity measurements and 10% for discharge flow measurement.
- M8.5 The licensee must mark monitoring point(s) 12, 13, 14 with a sign which clearly indicates the name of the licensee, whether the monitoring point is up or down stream of the discharge point(s) and that it is a monitoring point for the Hunter River Salinity Trading Scheme.

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Requirement to Monitor Particulate Matter

- M8.6 The Licensee must record the average PM10 concentration at Monitoring Points 19 and 20 at intervals of 10 minutes. This data must be made available upon request by any Authorised Officer of the EPA who asks to see them.

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 a copy of the form that must be completed and returned to the EPA.

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

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

- 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.

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

- 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

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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.

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 the incident occurred.

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:
- 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.

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- 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 Reporting of Blast Monitoring

The licensee must supply, with each Annual Return, a Blast Monitoring Report which must include the following information relating to each blast carried out within the premises during the reporting period covered by the Annual Return:

- (a) the date and time of the blast;
- (b) the location of the blast on the premises;
- (c) the blast monitoring results at each blast monitoring station; and
- (d) an explanation for any missing blast monitoring results.

R4.2 Reporting exceedance of blasting limits

The licensee must report any exceedance of the licence blasting limits to the Environment Line on 131 555 as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.

R4.3 Noise Compliance Assessment Report

A noise compliance assessment report must be submitted to the EPA within three months of the commencement of operations, and every 12 months thereafter submitted with the Annual Return. The report must:

- a) be prepared by an accredited acoustical consultant and determine compliance with the noise limits in condition L3.1;
- b) include all routine attended monitoring undertaken throughout the year.

- R4.4 The licensee must notify the EPA in writing of any exceedance of the noise criteria in this licence immediately after the licensee becomes aware of the exceedance.

R4.5 HRSTS Reporting

The licensee must compile a written report of the activities under the Scheme for each scheme year. The scheme year shall run from 1 July to 30 June each year. The written report must be submitted to the EPA's regional office within 60 days after the end of each scheme year and be in a form and manner approved by the EPA. The information will be used by the EPA to compile an annual scheme report.

Sewage Treatment System

- R4.6 A report on the sewage treatment system maintenance program must be submitted annually to the EPA with the Annual Return and must include
- a) Certification from the system provider that the sewage treatment system is operating within its capacity;

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- b) Date, time and results of all routine maintenance procedures undertaken to the sewage treatment system; and
- c) Written records of each quarterly inspection.

R4.7 The licensee must retain a copy of each report required by Condition O2.5 for 3 years from the date each record is made.

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.

G2 Contact number for incidents and responsible employees

G2.1 The licensee must operate 24-hour telephone contact lines for the purpose of enabling the EPA to directly contact one or more representatives of the licensee who can:

- a) respond at all times to incidents relating to the premises; and
- b) contact the licensee's senior employees or agents authorised at all times to:
 - i) speak on behalf of the licensee; and
 - ii) provide any information or document required under this licence.

G2.2 The licensee is to inform the EPA in writing of the appointment of any subsequent contact persons, or changes to the person's contact details as soon as practicable and in any event within fourteen days of the appointment or change.

8 Pollution Studies and Reduction Programs

U1 Saline Dispersion Investigation

U1.1 During the licensee's next discharge under the Hunter River Salinity Trading Scheme (HRSTS) the licensee must monitor salinity levels at least at the following location, provided it is safe to do so:

- at the nearest downstream irrigation off-take point.
- As far as practicable it should be timed to coincide with the peak flow of discharge water.

The results of this monitoring must be reported to the EPA's Manager Hunter Region within 30 days of

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being collected. The report should detail the exact location, time and method of monitoring.

Note: A handheld salinity probe is considered an adequate method of undertaking the monitoring. This monitoring can be carried out in conjunction with other discharging participants in the HRSTS.

9 Special Conditions

E1 Hunter River Salinity Trading Scheme

- E1.1 This licence authorises the discharge of saline water into the Hunter River Catchment from an authorised discharge point (or points), in accordance with the *Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2012*.
- E1.2 For the purposes of Clauses 23 and 29 of the Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002 the licensee must apply the conversion factor of 0.6.
- E1.3 The licensee must not exceed the hourly volume discharge limit calculated using the following formula, at all discharge point(s) on this licence titled "Discharge of saline water under the Hunter River Salinity Trading Scheme (HRSTS)":

$$H = V / RRT$$

Where:

H is the hourly volume discharge limit (in megalitres per hour);

V is the licence holder's volume discharge limit for the block (in megalitres) calculated in accordance with clause 23 of the Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation (2002); and

RRT is the difference between the discharge stop and start times shown on the river register for that block (in hours)

Note 1: The intent of this condition is to prevent spikes of saline water in the Hunter River as a result of discharges of less than the duration permitted by the river register.

Note 2: A river register is issued by the Service Co-ordinator and allows participants of the Hunter River Salinity Trading Scheme (HRSTS) to discharge saline to the Hunter River during a discharge period.

- E1.4 Conditions M2.3 (relevant to monitoring points 12, 13 and 14), M8.2, M8.3, M8.5, R4.5 and E1.1 do not apply until the licensee notifies the EPA in writing that the monitoring and telemetry equipment is installed as per the conditions of this licence. Until the EPA receives notification, this licence does not authorise the discharge of saline water.

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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

Mr Mitchell Bennett

Environment Protection Authority

(By Delegation)

Date of this edition: 07-July-2008

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End Notes

- 1 Licence varied by notice 1092347, issued on 29-Sep-2008, which came into effect on 29-Sep-2008.
- 2 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 3 Licence varied by notice 1106373, issued on 27-Nov-2009, which came into effect on 27-Nov-2009.
- 4 Licence varied by notice 1115183, issued on 09-Jun-2010, which came into effect on 09-Jun-2010.
- 5 Licence varied by notice 1128581, issued on 06-Jul-2011, which came into effect on 06-Jul-2011.
- 6 Licence varied by notice 1501583 issued on 02-Dec-2011
- 7 Licence varied by notice 1505686 issued on 11-May-2012
- 8 Licence varied by notice 1506566 issued on 19-Jun-2012
- 9 Licence varied by notice 1509331 issued on 17-Oct-2012
- 10 Licence varied by notice 1510489 issued on 21-Mar-2013
- 11 Licence varied by notice 1513352 issued on 05-Sep-2013
- 12 Licence varied by notice 1521308 issued on 17-Apr-2014
- 13 Licence varied by notice 1522197 issued on 13-Oct-2014
- 14 Licence varied by notice 1525579 issued on 16-Mar-2015
- 15 Licence varied by notice 1529807 issued on 13-Apr-2015
- 16 Licence varied by notice 1530069 issued on 04-May-2015
- 17 Licence varied by notice 1531157 issued on 12-Jun-2015
- 18 Licence varied by notice 1531304 issued on 15-Jun-2015
- 19 Licence varied by notice 1532828 issued on 12-Aug-2015
- 20 Licence varied by notice 1533987 issued on 09-Oct-2015
- 21 Licence varied by notice 1535274 issued on 14-Dec-2015
- 22 Licence varied by notice 1536833 issued on 06-Jan-2016
- 23 Licence varied by notice 1539606 issued on 06-Apr-2016
- 24 Licence varied by notice 1543179 issued on 25-Aug-2016

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25	Licence varied by notice	1544050 issued on 25-Aug-2016
26	Licence varied by notice	1544091 issued on 06-Oct-2016
27	Licence varied by notice	1547941 issued on 30-Aug-2017
28	Licence varied by notice	1561863 issued on 15-Mar-2018
29	Licence varied by notice	1564716 issued on 10-May-2018
30	Licence varied by notice	1568457 issued on 08-Oct-2018
31	Licence varied by notice	1571242 issued on 18-Oct-2018
32	Licence varied by notice	1573948 issued on 08-Jan-2019
33	Licence varied by notice	1574988 issued on 02-Aug-2019