

# Environment Protection Licence



Licence - 20848

## Licence Details

Number:	20848
Anniversary Date:	21-November

## Licensee

SWF1 OPERATIONS PTY LTD

139 FROME STREET

ADELAIDE SA 5000

## Premises

SAPPHIRE WIND FARM

CNR WESTERN FEEDER AND WATERLOO ROAD

INVERELL NSW 2360

## Scheduled Activity

Concrete works

Crushing, grinding or separating

Electricity generation

Extractive activities

## Fee Based Activity

## Scale

Concrete works	0-13000 m3 annual production capacity
Crushing, grinding or separating	> 30000-100000 T annual processing capacity
Electricity works (wind farms)	> 450-1000 GWh annual generating capacity
Land-based extractive activity	> 100000-500000 T annual capacity to extract, process or store

## Region

North - Armidale

Ground Floor, NSW Govt Offices, 85 Faulkner Street

ARMIDALE NSW 2350

Phone: (02) 6773 7000

Fax: (02) 6772 2336

PO Box 494 ARMIDALE

NSW 2350

# Environment Protection Licence

Licence - 20848



<b>INFORMATION ABOUT THIS LICENCE</b>	4
Dictionary	4
Responsibilities of licensee	4
Variation of licence conditions	4
Duration of licence	4
Licence review	4
Fees and annual return to be sent to the EPA	4
Transfer of licence	5
Public register and access to monitoring data	5
<b>1 ADMINISTRATIVE CONDITIONS</b>	6
A1 What the licence authorises and regulates	6
A2 Premises or plant to which this licence applies	6
A3 Information supplied to the EPA	7
<b>2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND</b>	7
P1 Location of monitoring/discharge points and areas	7
<b>3 LIMIT CONDITIONS</b>	7
L1 Pollution of waters	7
L2 Waste	8
L3 Noise limits	8
L4 Blasting	11
L5 Hours of operation	12
<b>4 OPERATING CONDITIONS</b>	13
O1 Activities must be carried out in a competent manner	13
O2 Maintenance of plant and equipment	13
O3 Dust	13
O4 Emergency response	13
O5 Other operating conditions	14
<b>5 MONITORING AND RECORDING CONDITIONS</b>	14
M1 Monitoring records	14
M2 Recording of pollution complaints	14
M3 Telephone complaints line	15
<b>6 REPORTING CONDITIONS</b>	15
R1 Annual return documents	15
R2 Notification of environmental harm	16

# Environment Protection Licence

---

Licence - 20848



R3	Written report	16
<b>7</b>	<b>GENERAL CONDITIONS</b>	<b>17</b>
G1	Copy of licence kept at the premises or plant	17
<b>8</b>	<b>SPECIAL CONDITIONS</b>	<b>17</b>
E1	Operational Noise Monitoring and Verification	17
<b>DICTIONARY</b>		<b>18</b>
	General Dictionary	18

# Environment Protection Licence

---

Licence - 20848



## 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).

# Environment Protection Licence

Licence - 20848



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:

<b>SWF1 OPERATIONS PTY LTD</b>
<b>139 FROME STREET</b>
<b>ADELAIDE SA 5000</b>

subject to the conditions which follow.

# Environment Protection Licence

Licence - 20848



## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2:  
Sapphire Wind Farm (Project Approval MP09\_0093 MOD1 approved 30 June 2016) to construct 109 wind turbines, mobile concrete batch plant, substations, facilities buildings, underground cables, overhead powerlines, monitoring towers, access tracks & roads.

A1.2 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
Concrete works	Concrete works	0 - 13000 m3 annual production capacity
Crushing, grinding or separating	Crushing, grinding or separating	> 30000 - 100000 T annual processing capacity
Electricity generation	Electricity works (wind farms)	> 450 - 1000 GWh annual generating capacity
Extractive activities	Land-based extractive activity	> 100000 - 500000 T annual capacity to extract, process or store

A1.3 Notwithstanding A1.1, the scale of the land-based extractive activity authorised under this licence must not exceed 500,000 tonnes per annum, being the amount equivalent to the extraction limit approved by the development consent granted under the *Environmental Planning and Assessment Act 1979* for the premises specified in A2.

### A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
SAPPHIRE WIND FARM
CNR WESTERN FEEDER AND WATERLOO ROAD
INVERELL
NSW 2360

# Environment Protection Licence

Licence - 20848



LOT 1 DP 113968, LOT 1 DP 128314, LOT 1 DP 435844, LOT 2 DP 435844,  
LOT 103 DP 651984, LOT 265 DP 750076, LOT 266 DP 750076, LOT 267 DP  
750076, LOT 268 DP 750076, LOT 269 DP 750076, LOT 281 DP 750076, LOT  
286 DP 750076, LOT 9 DP 750121, LOT 13 DP 750121, LOT 15 DP 750121,  
LOT 16 DP 750121, LOT 17 DP 750121, LOT 18 DP 750121, LOT 52 DP  
750121, LOT 90 DP 750121, LOT 91 DP 750121, LOT 92 DP 750121, LOT 139  
DP 750121, LOT 209 DP 750121, LOT 212 DP 750121, LOT 81 DP 753305,  
LOT 132 DP 753305, LOT 99 DP 753316, LOT 54 DP 753319, LOT 2 DP  
872156, LOT 2 DP 1072905, LOT 1 DP 1140309, LOT 2 DP 1176646, LOT 2  
DP 1188925, LOT 1 DP 1200772, LOT 2 DP 1200772, LOT 3 DP 1200772,  
LOT 4 DP 1200772

- A2.2 In addition to Condition A2.1, the premises is graphically defined by the project site enclosed by blue and purple lines in the image:
- a) Appendix 2, Sapphire Wind Farm Pty Ltd - Overview Map - Drawing No. SAP-084, dated 31 March 2016, contained in Approval.
- Note: a copy of the above document is contained on file SF16/10781 reference DOC16/339737 at the EPA's Armidale Regional Office.

## 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.

## 2 Discharges to Air and Water and Applications to Land

### P1 Location of monitoring/discharge points and areas

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

## 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.

# Environment Protection Licence

Licence - 20848



## L2 Waste

- L2.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.
- L2.2 The licensee must ensure that all liquid and/or non-liquid waste generated on the site are assessed and classified in accordance with the NSW EPA Waste Classification Guidelines and where removed from the site, transported to a waste facility that can lawfully receive the waste.
- L2.3 The incineration of waste, including green waste on site is not permitted unless expressly permitted by the licence.

## L3 Noise limits

- L3.1 The project shall be constructed with the aim of achieving the construction noise management levels detailed in the *Interim Construction Noise Guidelines* (Department of Environment and Climate Change, 2009). All reasonable and feasible noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the Construction Noise and Vibration Management Plan and associated Out of Hours Work Protocol prepared in accordance with condition E22 (b) of consent MP09\_0093 MOD1 for Sapphire Wind Farm Pty Ltd dated 30 June 2016.
- L3.2 For wind speeds from cut in to rated power of the wind turbine generators, wind turbine noise generated from the premises at the nearest non-project related residences must not exceed the greater of:  
 (a) 35dB(A); or  
 (b) the existing background noise level plus 5dBA for each integer wind speed at 10 meters above ground level at the level at the wind farm site.

This condition applies to all non-project related residences (residences in existence at the date of the DPE Project Approval, MP09\_0093 MOD 1, 30 June 2016).

Note: For the purpose of determining compliance with Condition L3.2 the locations and noise limits LA (eq,10) in the table below apply. The locations referred to in the table below are defined in condition L 3.3.

Location	3	4	5	6	7	8	9	10	11	12	Interger Wind Speed (m/s) at 10 metres AGL
R25, R84, R87	35	35	35	35	36	39	41	45	51	57	
R27, R29, R30, R32, R89, R90	35	35	35	36	36	37	39	42	46	52	
R35	35	35	35	36	37	38	40	42	45	49	
R78	35	35	35	37	40	44	47	48	48	46	
R10, R48	35	35	35	38	41	45	48	51	53	54	



# Environment Protection Licence

Licence - 20848



R47	35	35	35	37	41	44	48	52	55	58
R39, R40, R41, R42, R44, R45, R46	35	35	36	37	38	40	43	48	56	66
R7	43	43	44	46	47	48	49	49	49	49
R17	43	44	45	46	47	48	50	53	56	60

L3.3 Location data for the nearest non-project associated residences referred to on condition L3.2 can be found in the table below.

Location	Name	Easting (m)	Northing (m)
R7	Kings Land	355281	6711556
R10	Mt Buckley	356198	6706640
R17	Stratham	348058	6714317
R25	Coleraine	342378	6719178
R27	Frasers Creek	341601	6716137
R29	Krystal Blue	341123	6713504
R30	Argyle	340979	6711465
R32	Swan Peak	341074	6709238
R35	Golden Grove	347645	6705095
R39	Taveuni	350062	6706296
R40	Hillview	350617	6705977
R41	Glynmarwen	351407	6705486
R42	Ashgrove	351629	6705174
R44	Mindora	352071	6705883
R45	Glen Idle	352517	6705629
R46	Alkoomie	352981	6706029
R47	Pieta	353569	6705096
R48	Adavale	359518	6707474
R58	Pitlochry	361863	6713619
R78	Pine Grove Park	353148	6714764
R84	Glenidle	350098	6719960
R86	Millie	346918	6720977
R87	Croye	345670	6720193
R89	Tomali Park	341348	6716963
R90	Wirra Willa	340648	6716052

L3.4 Noise generated from ancillary infrastructure from the premises must not exceed 35 dB(A) LAeq(15 minutes) at any non-project related residences.

# Environment Protection Licence



Licence - 20848

- L3.5 Notwithstanding Conditions L3.2 & L3.4, the noise limit specified under that condition does not apply to any residence where a noise agreement is in place between the licensee and the respective landowner(s) in relation to noise impacts and/or noise limits.
- L3.6 The noise limit specified in condition L3.4 applies under all meteorological conditions except for any of the following:
- (a) wind speeds greater than 3 metres/second at 10 metres above ground level; or
  - (b) temperature inversion conditions between 1.5°C and 3°C/100m and wind speeds greater than 2 metres/second at 10 metres above ground level; or
  - (c) temperature inversion conditions greater than 3°C/100m.
- L3.7 The noise criteria under Condition L3.2 for the wind turbines are to apply under all meteorological conditions.
- L3.8 For the purposes of condition L3.2, wind speed is to be measured directly in accordance with a method nominated by the proponent and at a location nominated by the proponent, consistent with the method and location used to determine the background noise regression curves in the Noise Impact Assessment.
- L3.9 For the purpose of condition L3.2, noise must be determined in accordance with the methodology in the *Environmental Noise Guidelines: Wind Farms (SA EPA 2003)*. The modification factors in Section 4 of those guidelines must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment
- L3.10 For the purpose of condition L3.9, the presence of excessive tonality (a special noise characteristic) must be determined in accordance with ISO 1996.2:2007 Acoustics - Description, measurement and assessment of environmental noise - Determination of environmental noise levels.  
If tonality is found to be a repeated characteristic of the wind turbine noise, 5 dBA should be added to measured noise level from the wind farm. If tonality is only identified for certain wind directions and speeds, the penalty is only applicable under these conditions.  
The tonal characteristic penalty applies only if the tone from the wind turbine is audible at the relevant receiver. Absence of tone in noise emissions measured at an intermediate location is sufficient proof that the tone at the receiver is not associated with the wind farm's operation.  
The assessment for tonality should only be made for frequencies of concern from 25 Hz to 10 kHz and for sound pressure levels above the threshold of hearing (as defined in ISO 389.7:2005 Acoustics - Reference zero for the calibration of audiometric equipment - Part 7: Reference threshold of hearing under free-field and diffuse-field listening conditions.  
The maximum penalty to be added to the measured noise level from the wind farm for any special noise characteristic individually or cumulatively is 5 dB(A).
- L3.11 To determine compliance with Condition L3.4, the modification factors presented in Section 4 of the *New South Wales Industrial Noise Policy* (NSW EPA, 2000) must be applied to the measured noise level where applicable.
- L3.12 To determine compliance:
- a) with the noise limits in condition L3.2 & L3.4, the noise measurement equipment must be located:
    - approximately on the property boundary, where any dwelling is situated 20 metres or less from the property boundary closest to the premises; or
    - within 20 metres of a dwelling façade, but not closer than 5m, where any dwelling on the property is

# Environment Protection Licence

Licence - 20848



situated more than 20 metres from the property boundary closest to the premises.

b) with the noise limits in condition L3.2, 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 condition L3.3.

Noise levels are determined in accordance with the methodology provided in the *Environmental Noise Guidelines: Wind Farms* (South Australia EPA, 2009) for condition L3.2 and the *Industrial Noise Policy* (NSW EPA 2000) for condition L3.4.

- L3.13 A non-compliance of condition L3.2 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 L3.12(a) and L3.12(b); and/or
  - at a point other than the most affected point at a location.

## L4 Blasting

- L4.1 The overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time and at any point within 30 metres of any non project related residential building or other noise sensitive location. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L4.2 The overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) for more than five per cent of the total number of blasts over each reporting period at any time and at any point within 30 metres of any non-project related residential building or other noise sensitive location. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L4.3 Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time and at any point within 3.5 metres of any non project related residential building or other noise sensitive location. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L4.4 Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec for more than five per cent of the total number of blasts over each reporting period at any point within 3.5 metres of any non project related residential building or other noise sensitive location. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L4.5 To determine compliance with condition(s) L4.1, L4.2, L4.3 and L4.4:
- a) Airblast overpressure and ground vibration levels must be measured and electronically recorded at the nearest non-project related premises [exact location to be confirmed] for all blasts carried out in or on the premises; and
  - b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.
- L4.6 Blasting operations on the premises must only be carried out between the hours 9:00am to 5:00pm, Monday to Friday, and 9:00am to 1:00pm on Saturday. Blasting is not permitted on Sundays or Public Holidays.

# Environment Protection Licence



Licence - 20848

L4.7 The hours during which blasting is permitted may be varied by the EPA upon consideration of the impact any variation may have on the amenity of the residents in the locality.

L4.8 Blasting at the premises is limited to 2 blasts each day on which blasting is permitted.

Note: If the EPA receives complaints relating to blasting, this condition may be revised to limit blasting at the premises to one (1) blast each day on which blasting is permitted.

L4.9 Additional blasts are permitted where it is demonstrated to be necessary for compelling safety reasons and the EPA and neighbours have been notified of the intended blast prior to the additional blast being fired.

## L5 Hours of operation

L5.1 Unless otherwise agreed to in writing by the EPA, works covered by this licence must only be carried out between the hours of:

7:00am and 6:00pm Monday to Friday, and  
8:00am and 1:00pm Saturday, and  
at no time on Sundays and Public Holidays.

For the purpose of this licence, the term "works" refers to all construction activities associated with the project and movement of materials and substances used to carry out this licensed activity. This condition does not apply to activities which are inaudible at all non project related residences or other noise sensitive locations.

### L5.2 Approved out of hours works

a) The licensee may undertake works outside of the hours permitted by Condition L5.1 if:

(i) those works constitute emergency works required to avoid loss of life, damage to property or environmental harm;

(ii) those works constitute deliveries of oversized plant or structures that have been determined by the police or other authorised authorities to require special arrangements for transport along public roads for safety reasons;

(iii) the carrying out of those works in compliance with Condition L5.1 would cause unacceptable risks to construction personnel safety, public safety, road network operational performance and/or essential utility services;

(iv) the road authority refuses to issue a road occupancy licence that would allow those works or activities to be carried out in compliance with Conditions L5.1; and/or

(v) Works are in accordance with the Construction Noise and Vibration Management Plan and associated Out of Hours Work Protocol that must be provided under Condition E22(b) (vi) of Consent MP 09\_0093 MOD1 approved 30 June 2016 for the Sapphire Wind Farm Project. The Construction Noise and Vibration Management Plan and associated Out of Hours Work Protocol must be approved by the Secretary (Department of planning and Environment).

# Environment Protection Licence

Licence - 20848



b) For works to be permitted by Condition L5.2(a)(v):

(i) any agreement reached between the licensee and potentially affected noise sensitive receivers must be recorded in writing and submitted to the EPA for approval prior to that agreement being acted upon; and

(ii) a copy of the agreement must be kept on the premises by the licensee for the duration of this licence.

(iii) a copy of the agreement (without containing residents personal details or commercial details), must be kept on the project website for the duration of the agreement.

## 4 Operating Conditions

### O1 Activities must be carried out in a competent manner

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

This includes:

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

### O2 Maintenance of plant and equipment

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

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

### O3 Dust

O3.1 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.

### O4 Emergency response

O4.1 The licensee must maintain, and implement as necessary, a current emergency response plan for the premises. The licensee must keep the emergency response plan on the premises at all times. The emergency response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. If a current emergency response plan does not exist at the date on which this condition is attached to the licence, the licensee must develop an emergency response plan within three months of that date.

# Environment Protection Licence

Licence - 20848



## **O5 Other operating conditions**

- O5.1 The licensee must store and handle all chemicals on site in accordance with the Storing and Handling Liquids: Environmental Protection, Participants Manual: Appendix: Technical Considerations (DECC, 2007).

## **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 Recording of pollution complaints**

- M2.1 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.
- M2.2 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.
- M2.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M2.4 The record must be produced to any authorised officer of the EPA who asks to see them.

# Environment Protection Licence

Licence - 20848



## **M3 Telephone complaints line**

- M3.1 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.
- M3.2 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.
- M3.3 The preceding two conditions do not apply until 3 months after the date of the issue of this licence.

## **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.

# Environment Protection Licence

Licence - 20848



- 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.

## **R2 Notification of environmental harm**

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

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.

- 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.

## **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



# Environment Protection Licence

---

Licence - 20848



g) any other relevant matters.

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

## 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.

## 8 Special Conditions

### E1 Operational Noise Monitoring and Verification

E1.1 Within three months of the commencement of operations, the licensee must undertake noise monitoring to determine whether the project is complying with the relevant conditions of this licence.

A copy of the monitoring results must be submitted to the EPA.

# Environment Protection Licence



Licence - 20848

## Dictionary

### General Dictionary

<b>3DGM [in relation to a concentration limit]</b>	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
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>AM</b>	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> .
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	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.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>BOD</b>	Means biochemical oxygen demand
<b>CEM</b>	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> .
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	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.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
<b>general solid waste (non-putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

# Environment Protection Licence



Licence - 20848

<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>general solid waste (putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>grab sample</b>	Means a single sample taken at a point at a single time
<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	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.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	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.
<b>restricted solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>special waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TM</b>	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> .

# Environment Protection Licence

Licence - 20848



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

Mr Robert O'Hern

Environment Protection Authority

(By Delegation)

Date of this edition: 21-November-2016

---

## End Notes

---