Section 55 Protection of the Environment Operations Act 1997

Environment Protection Licence

Licence Details	
Number:	22123
Anniversary Date:	02-September

Licensee
REGIONAL GROUP AUSTRALIA PTY LIMITED
0 ROTHERWOOD ROAD
CASSILIS NSW 2329

Premises
Liverpool Range Quarry
LOT 89
CASSILIS NSW 2329

Scheduled Activity (Act)	Licensing Fee Category (Regulation)	Scale
Extractive activities	Other extractive activities	> 500000 - 2000000 T annually extracted or processed

Environment Protection Licence

Contact Us

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Contents

Information about this licence 4
Dictionary 4
Responsibilities of licensee 4
Variation of licence conditions 4
Duration of licence 4
Licence review 4
Fees and information to be sent to the EPA 4
Transfer of licence 5
Public register and access to monitoring data 5
1 Administrative Conditions 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 6
2 Limit Conditions 7
L1 Pollution of waters 7
3 Operating Conditions 7
O1 Activities must be carried out in a competent manner 7
O2 Maintenance of plant and equipment 7
4 Monitoring and Recording Conditions 7
M1 Monitoring records 7
M2 Recording of pollution complaints 8
M3 Telephone complaints line 8
5 Reporting Conditions 8

R1 Compliance, and annual reporting requirements 8
R2 Notification of environmental harm 9
R3 Written report....9
6 General Conditions 10
G1 Copy of licence kept at the premises or plant....10
Dictionary 11
General Dictionary 11

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 information to be sent to the EPA

For each licence fee period you must pay:

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

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

The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees.

A licence subject to load-based licensing (LBL) requires an Annual Return to be submitted to the EPA, comprising a Statement of Compliance for Load Based Fee Calculation for each assessable pollutant required by the licence. The Annual Return must be submitted by the "due date", as defined in the dictionary at the end of the licence. Refer to the Annual Return reporting requirements under Section 6 "Reporting Conditions".

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:

Licensee
REGIONAL GROUP AUSTRALIA PTY LIMITED
0 ROTHERWOOD ROAD
CASSILIS NSW 2329

subject to the conditions which follow.

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 (Act) classification, Licensing Fee Category (Regulation) 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 (Act)	Licensing Fee Category (Regulation)	Scale
Extractive activities	Other extractive activities	> 500000 - 2000000 T annually extracted or processed

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
Liverpool Range Quarry
LOT 89
CASSILIS NSW 2329
LOT 89//DP750749
Rotherwood Road

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 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.

3 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.

4 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 EPA point identification number for 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.

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 $Parameter1$ the date of the issue of this licence.

5 Reporting Conditions

R1 Compliance, and annual reporting requirements

Compliance with licence conditions

R1.1 The licensee must supply the EPA, via the EPA's online digital portal, the following details of any non-compliance with the conditions of the licence within 21 days after the licensee becomes aware of the non-compliance:

a. the date the licensee became aware of the non-compliance;
b. the date(s) the non-compliance occurred, including if the non-compliance is continuing;
c. whether the non-compliance relates to air, water/land, noise or waste matters (if applicable);
d. whether the non-compliance relates to a pollution incident;
e. the licence condition(s) not complied with;
f. a summary of particulars of the non-compliance, including (if known):

i. the location where the non-compliance occurred;
ii. the duration of the non-compliance;
iii. if the non-compliance is continuing, the suspected end date of the non-compliance;

g. the cause or suspected cause of the non-compliance;
h. any action taken, or proposed to be taken, to mitigate the effects of the non-compliance; and
i. any action taken, or proposed to be taken, to prevent a recurrence of the non-compliance.

R1.2 The EPA may make a written request for further details in relation to each non-compliance reported in accordance with Condition R1.1. The licensee must provide such further details to the EPA, via the EPA's online digital portal, within the time specified in the request.

R1.3 Condition R1.1 does not apply where a non-compliance with a licence condition has been identified by the EPA as part of an EPA environmental compliance audit.

Reporting transition arrangements

Pollution monitoring data summary

R1.4 If the licensee undertakes monitoring as a result of a licence condition, the licensee must supply to the EPA a summary of the results of the pollution monitoring data in respect of each reporting period. The summary must be provided as a Microsoft Excel file, formatted with the following column headings:

a. EPA point identification number;
b. pollutant;
c. unit of measure;
d. number of samples required;
e. number of samples collected and analysed;
f. lowest sample value;
g. mean of sample values; and
h. highest sample value.

The pollution monitoring data summary for the reporting period must be supplied to the EPA via the EPA's online digital portal by the "due date", as defined in the dictionary at the end of this licence.

R2 Notification of environmental harm

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

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

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.

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.

6 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.

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 2022
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.
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.
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2022
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2022
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the *Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales*.

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
due date	Means: i) not later than 60 days after the end of each reporting period; or ii) in the case of a transferring licence - not later than 60 days after the date the transfer was granted.
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 the Environment Protection Authority of New South Wales.
EPA Online digital portal	Means eConnect EPA
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
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
Licensing Fee Category (Regulation)	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2022.
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2022

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 of the 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 incident	Has the same meaning as in the Protection of the Environment Operations Act 1997
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 Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.
TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste
wellhead	Has the same meaning as in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2022

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ENVIRONMENT PROTECTION AUTHORITY NSW

End Notes