



Environment Protection Licence

Licence - 3391

Licence Details	
Number:	3391
Anniversary Date:	03-April

Licensee
RIX'S CREEK PTY. LIMITED
PO BOX 4
EAST MAITLAND NSW 2323

Premises
RIX'S CREEK MINE
RIX'S CREEK LANE
SINGLETON NSW 2330

Scheduled Activity
Coal works
Crushing, grinding or separating
Extractive activities
Mining for coal

Fee Based Activity	Scale
Coal works	> 2000000-5000000 T annual handing capacity
Crushing, grinding or separating	> 100000-500000 T annual processing capacity
Mining for coal	> 3500000-5000000 T annual production capacity
Other extractive activities	> 100000-500000 T annually extracted or processed

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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:

RIX'S CREEK PTY. LIMITED
PO BOX 4
EAST MAITLAND NSW 2323

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	> 2000000 - 5000000 T annual handing capacity
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity
Mining for coal	Mining for coal	> 3500000 - 5000000 T annual production capacity
Extractive activities	Other extractive activities	> 100000 - 500000 T annually extracted or processed

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

- a) the activity scale limits imposed by this licence;
- b) the activity scale limits which apply for the reporting period specified in this licence; and
- c) 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
RIX'S CREEK MINE
RIX'S CREEK LANE
SINGLETON
NSW 2330
PREMISES MARKED AND SHOWN AS "EPL PREMISES BOUNDARY" BOUNDED BY POINTS "A" TO "AM" ON THE PLAN TITLED "PLAN OF EPL 3391 PREMISES BOUNDARY", PREPARED BY TIMOTHY R GENTLE, REGISTERED SURVEYOR, DATED 13/08/2020 AND THE SHAPEFILES PROVIDED TO THE EPA ON 14/082020 (EPA REF. DOC20/665888-1).



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A3 Other activities

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

Ancillary Activity
Chemical storage - general chemicals storage
Chemical storage - petroleum products storage
Railway activities - railway infrastructure operations
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.

Air			
EPA identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description
12	Ambient air monitoring		TEOM monitor, marked and shown as "RCN - North West" on Figure 2.
13	Ambient air monitoring		TEOM monitor, marked and shown as "RCN - South East" on Figure 2.
14	Ambient air monitoring		TEOM monitor, marked and shown as "RCN - North East" on Figure 2.
15	Ambient air monitoring		DustTrak monitor, marked and shown as "RCS - North-West" on Figure 2.
40	Ambient air monitoring		DustTrak monitor, marked and shown as "RCS - South East" on Figure 2.

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Note: The EPA notes that licensee will also use monitoring data from the Upper Hunter Air Quality Monitoring Network monitors at Camberwell and Singleton North West when deriving a differential between upwind and downwind PM10 concentrations.

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
8	Ambient water monitoring		Sampling location marked and shown as "RCN-W3" on Figure 3.
9	Ambient water monitoring		Sampling location marked and shown as "RCN-W1" on Figure 3.
10	Ambient water monitoring		Sampling location marked and shown as "RCN-W6" on Figure 3.
17	Ambient water monitoring		Sampling location marked and shown as "RCS-W1" on Figure 3.
18	Ambient water monitoring		Sampling location marked and shown as "RCS-W6-CWD 6" on Figure 3.
19	Ambient water monitoring		Sampling location marked and shown as "RCS-W5-CWD 2" on Figure 3.
20	Ambient water monitoring		Sampling location marked and shown as "RCS-W4-CWD 1" on Figure 3.
21	Ambient water monitoring		Sampling location marked and shown as "RCS-W2-Rixs Creek-NEH" on Figure 3.
22	Ambient water monitoring		Sampling location marked and shown as "RCS-W10-Rixs Creek-Below Operation" on Figure 3.
23	Ambient water monitoring		Sampling location marked and shown as "RCS-W3-Rixs Creek-Maison Dieu" on Figure 3.
27	Discharge to utilisation area Effluent quality monitoring	Discharge to utilisation area Effluent quality monitoring	Discharge utilisation area for the Northern CHPP STP, marked and shown as "Irrigation Area" on Figure 4.
28	Discharge to utilisation area Effluent quality monitoring	Discharge to utilisation area Effluent quality monitoring	Discharge utilisation area for the Southern CHPP STP, marked and shown as "Irrigation Area" on Figure 4.

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.

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Noise/Weather

EPA identification no.	Type of monitoring point	Location description
4	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor, marked and shown as "Camberwell" on Figure 5.
5	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor, marked and shown as "Retreat" on Figure 5.
6	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor, marked and shown as "Mines Rescue Singleton Heights" on Figure 5.
7	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor, marked and shown as "Wright's Maison Dieu" on Figure 5.
24	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor, marked and shown as "Watling" on Figure 5.
25	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor, marked and shown as "Cherry" on Figure 5.
26	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor, marked and shown as "Bridgeman Rd" on Figure 5.
29	Noise monitoring	Attended noise monitor location, marked and shown as "NM1" on Figure 1.
30	Noise monitoring	Attended noise monitor location, marked and shown as "NM3" on Figure 1.
31	Noise monitoring	Attended noise monitor location, marked and shown as "NM4" on Figure 1.
32	Noise monitoring	Attended noise monitor location, marked and shown as "NM5" on Figure 1.
34	Noise monitoring	Attended noise monitor location, marked and shown as "NM7" on Figure 1.
35	Noise monitoring	Attended noise monitor location, marked and shown as "NM8" on Figure 1.
36	Noise monitoring	Attended noise monitor location, marked and shown as "NM10" on Figure 1.
37	Noise monitoring	Attended noise monitor location, marked and shown as "NM11" on Figure 1.
38	Noise monitoring	Attended noise monitor location, marked and shown as "NM12" on Figure 1.
39	Noise monitoring	Attended noise monitor location, marked and shown as "NM6" on Figure 1.
41	Meteorological Station – to determine meteorological conditions for noise monitoring	Meteorological station, marked and shown as "Weather Station" on Figure 2.

P1.5 For the purposes of conditions P1.1, P1.3 and P1.4:

- (i) "Figure 1" refers to the plan titled "EPL 3391 Noise Monitoring Sites", dated 16/07/2025 (EPA ref. DOC25/599651).
- (ii) "Figure 2" refers to the plan titled "Air Quality Monitoring Locations EPL 3391", prepared by Timothy R Gentle, Registered Surveyor, dated 13/08/2020 (EPA ref. DOC20/665888-1).
- (iii) "Figure 3" refers to the plan titled "EPL 3391 Surface Water Monitoring Sites", prepared by Timothy R Gentle, Registered Surveyor, dated 13/08/2020 (EPA ref. DOC20/665888-1).
- (iv) "Figure 4" refers to the plan titled "Rixs Creek P/L EPL 3391 Sewage Treatment Infrastructure and Major Plant and Facilities", dated 15/02/2017 (EPA ref. DOC17/119016-1).



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(v) "Figure 5" refers to the plan titled "Blast Monitoring Sites - EPL3391", prepared by Timothy R Gentle, Registered Surveyor, dated 13/08/2020 (EPA ref. DOC20/665888-1).

The datum for grid references in this licence is the Geodetic Datum of Australia 2020 (GDA), MGA Zone 56.

3 Limit Conditions

L1 Pollution of waters

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

L2 Waste

L2.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

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

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

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

Code	Waste	Description	Activity	Other Limits
NA	Mulched Vegetation	Mulch to be used as soil ameliorant in mining rehabilitation.		The licensee must comply with "The mulch exemption 2016".
NA	Gypsum plaster board	Plasterboard to be used for soil amelioration and amendment	As specified in each particular resource recovery exemption	The licensee must comply with "The plasterboard exemption 2014".
NA	Biosolids categorised as unrestricted use, or as restricted use 1, 2 or 3, in accordance with the criteria set out in the biosolids guidelines	Biosolids to be used for soil amelioration and amendment	As specified in each particular resource recovery exemption	The licensee must comply with "The biosolids exemption 2014".

L2.2 The licensee must not dispose of any waste on the premises unless authorised to do so by a condition the licence.

L3 Noise limits

L3.1 Noise generated at the premises must not exceed the noise limits in the Table below.

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Location	Day/Evening/Night LAeq (15 minute)	Night LA1 (1 minute)
EPA 29 and NMG1	40	47
EPA 30 and NMG3	39	45
EPA 31 and NMG4	37	47
EPA 32 and NMG5	41	47
EPA 33 and NMG6	42	47
EPA 34 and NMG7	40	47
EPA 35 and NMG8	40	47
EPA 36 and NMG10	40	47
EPA 37 and NMG11	40	47
EPA 38 and NMG12	40	47

L3.2 For the purpose of condition L3.1:

- a) EPA (number) refers to the EPA identification numbers as referenced in condition P1.4; and
- b) NMG (number) refers to all privately owned residential receivers on land within noise monitoring groups identified by Figure 1.

L3.3 For the purpose of condition L3.1:

- a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays;
- b) Evening is defined as the period from 6pm to 10pm; and
- c) 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 condition L3.1 apply under all meteorological conditions except for the following:

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

L3.5 For the purposes of condition L3.4:

- a) Data recorded by a meteorological station installed on the premises at Point 41 must be used to determine meteorological conditions; and
- b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Noise Policy for Industry (2017).

L3.6 A non-compliance of condition L3.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured:

- at any privately owned residential receiver within the Noise Monitoring Groups defined in condition L3.1.

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- L3.7 For the purposes of compliance monitoring and determining the noise generated at the premises the modification factors in Fact Sheet C of the Noise Policy for Industry (2017) must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

Definitions:

- *Noise refers to 'sound pressure levels' for the purpose of conditions L3.1 to L3.7.*

L4 Blasting

- L4.1 Blasting in or on the premises must only be carried out between 9am and 5pm, Monday to Saturday inclusive. Blasting in or on the premises must not take place on Sundays, Public Holidays or any other time without lawful approval.
- L4.2 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 Points 4, 5, 6 or 7 in condition P1.4.
- L4.3 The airblast overpressure level from blasting operations in or on the premises must not exceed: 120 dB (Lin Peak) at any time; at either Points 4, 5, 6 or 7 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: 5 mm/second for more than 5% of the total number of blasts during each reporting period; at either Points 4, 5, 6 or 7 in condition P1.4.
- L4.5 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 Points 4, 5, 6 or 7 in condition P1.4.
- 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:

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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 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.

Sewage Treatment

O2.2 The licensee is responsible for the correct operation of the sewage treatment system on their premises.

O2.3 Correct operation 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 all results of tests performed on the sewage treatment system by the technician as required in condition O2.4.

O2.6 The licensee must prepare a sewage treatment system maintenance program. The program must include:

- a) Certification from the system provider that the sewage treatment system is operating within its capacity;
- b) Date, time and results of all routine maintenance procedures undertaken to the sewage treatment system; and
- c) Provide written records of each quarterly inspection.

O3 Dust

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- O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.
- O3.2 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.
- O3.3 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 Effluent application to land

- O4.1 Application of wastewaters must only be applied at a rate that can be assimilated by the effluent discharge utilisation area and its evapotranspiration capacity.
- O4.2 Effluent application to the utilisation area(s) must not occur in a manner that causes surface run-off from the utilisation area(s).
- O4.3 The licensee must ensure that the effluent discharge utilisation area perimeter is fenced and signposted "Effluent Re-Use Area Keep Out" and controlled in a manner to ensure exclusion of persons from that area.
- O4.4 The licensee must ensure that sprays or mists from irrigation do not drift beyond the boundary of the effluent discharge utilisation area and that no ponding occurs.

O5 Emergency response

Note: The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises in accordance with the requirements in Part 5.7A and Chapter 4 of the Protection of the Environment Operations (General) Regulation 2022.

O6 Processes and management

- O6.1 Bunds must:
 - a) have walls and floors constructed of impervious materials;
 - b) be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed);
 - c) have floors graded to a collection sump; and
 - d) not have a drain valve incorporated in the bund structure,or be constructed and operated in a manner that achieves the same environmental outcome.
- O6.2 All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.

O7 Waste management

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Heavy Plant Tyre Disposal

O7.1 The licensee is authorised to dispose of heavy plant tyre waste generated on the premises in accordance with Project Approval PA08_0102 and the area defined as Annexure B on Consent Order 2017/2171734, dated 12 July 2017 (EPA ref. DOC20/665222-2). The licensee must:

- a) ensure that heavy plant waste tyres are re-used on the premises as much as practical;
- b) ensure that any surplus heavy plant waste tyres can be emplaced by being spread out on the pit-floor or within voids and buried as deep as practical, but, covered by at least 20m of inert material beneath any final rehabilitated surface;
- c) place heavy plant waste tyres at least 10m away from coarse reject material or tailings emplacement areas;
- d) not place any heavy plant waste tyres near heated material;
- e) not place any heavy plant waste tyres in an area likely to leach to any watercourse; and
- f) not place more than six tyres within a disposal area.

O8 Other operating conditions

- O8.1 The licensee is authorised to receive saline mine water at the premises from the Integra Coal Mine (as defined in Environment Protection Licence 3390), for storage and use in activities authorised by the licence.
- O8.2 The licensee is authorised to transfer saline mine water to the Integra Coal Mine (as defined in Environment Protection Licence 3390).

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



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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 12,13,14

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Continuous	AM-22

POINT 15,40

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

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 "Model 8530/8531/8532EP DustTrak II Operation and Service Manual", or any updated version as published by the manufacturer.

M2.3 Water and/ or Land Monitoring Requirements

POINT 8,9,10,17,18,19,20,21,22,23

Pollutant	Units of measure	Frequency	Sampling Method
Electrical 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 dissolved solids	milligrams per litre	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 27,28

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



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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:
- a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
 - b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
 - c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.
- M3.2 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2022* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

M4 Weather monitoring

- M4.1 At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.

POINT 41

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Temperature at 10 metres	AM-4	degrees Celsius	10 minutes	Continuous
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	10 minutes	Continuous
Wind Speed	AM-2 & AM-4	metres per second	10 minutes	Continuous
Sigma theta	Special Method 2	Degrees	10 minutes	Continuous
Rainfall	AM-4	millimetres	10 minutes	Continuous
Relative humidity	AM-4	percent	10 minutes	Continuous

Note: Special Method 2 means sampling method in accordance with the Noise Policy for Industry (2017).



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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.

M7 Blasting

- M7.1 To determine compliance with the blasting conditions of this licence:
- a) Airblast overpressure and ground vibration levels must be measured and electronically recorded for Points 4, 5, 6 and 7 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

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M8 Other monitoring and recording conditions

Requirement to Monitor Particulate Matter

M8.1 The licensee must record the average PM10 concentration at Points 12, 13, 14, 15 and 40 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.

Note: For the purpose of the ambient air and weather monitoring required in respect of Points 12, 13, 14, 15, 40 and 41, the EPA's "Ambient air monitoring guidance note" provides general information to licensees to reference when undertaking continuous monitoring.

M9 Noise monitoring

M9.1 To assess compliance with condition L3.1, attended noise monitoring must be undertaken in accordance with conditions L3.2 to L3.7 and:

- a) at a minimum of 6 locations from those listed condition P1.4 shown to be experiencing noise enhancing meteorological conditions;
- b) occur every calendar month in a reporting period; and
- c) occur during one night-time period as defined in the Noise Policy for Industry (2017) for a minimum of 15 minutes at each location from a) during the night.

6 Reporting Conditions

R1 Annual return documents

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

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

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

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

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.



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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 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

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.

R2.1 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.

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- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- a) the cause, time and duration of the event;
 - b) the type, volume and concentration of every pollutant discharged as a result of the event;
 - c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
 - d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
 - e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
 - g) any other relevant matters.
- R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

R4 Other notifications

Notification of pollution of waters

- R4.1 The licensee must notify the EPA by telephoning the Environment Line service on 131 555 immediately after the licensee becomes aware of any contravention or potential contravention of condition L1.1.
- R4.2 The licensee must provide written details of the notification to the EPA within seven days of the date of the notification.

Blast Exceedance Notification and Reporting

- R4.3 The licensee must report any exceedance of licence blasting limits to the EPA by telephoning the Environment Line service on 131 555 or emailing info@epa.nsw.gov.au as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.
- R4.4 Within seven days of notifying the EPA of an exceedance of licence blast limits, the licensee must provide the EPA a report in writing that explains the cause of the exceedance and the actions taken to prevent future exceedances of blast limits.

Noise Exceedance Notification and Reporting

- R4.5 The licensee must report any exceedance of licence noise limits to the EPA by telephoning the Environment Line service on 131 555 or emailing info@epa.nsw.gov.au as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.

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- R4.6 Within seven days of notifying the EPA of an exceedance of licence noise limits, the licensee must provide the EPA a report in writing that explains the cause of the exceedance and the actions taken to prevent future exceedances of noise limits.
- R4.7 An authorised officer of 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 at condition R4.6. The licensee must provide such further details to the EPA within the time specified in the request.

R5 Other reporting conditions

Blast Monitoring Report

- R5.1 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.

Sewage Treatment System Report

- R5.2 The sewage treatment system maintenance program required by condition O2.6 must be submitted annually to the EPA with the Annual Return.
- R5.3 The licensee must retain a copy of each report required by condition O2.5 for 3 years from the date each record is made.

Noise Compliance Assessment Report

- R5.4 A noise compliance assessment report must be submitted to the EPA with the Annual Return. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:
- a) an assessment of compliance with noise limits presented in condition L3.1; and
 - b) an outline of any management actions taken within the monitoring period to address any exceedances of the limits contained in condition L3.1,

Water Quality Monitoring Report

- R5.5 The licensee must provide the EPA with its Annual Return an annual water quality monitoring report prepared by an appropriately qualified and experienced person that includes the following:
- a) for the monitoring required by the licence during the reporting period to which the Annual Return relates:
 - (i) a summary of results for all ambient water quality monitoring required by the licence in table form and

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graphical form;

(ii) total daily continuous rainfall monitoring results for the Annual Return period from the licence meteorological station on the premises in graphical form; and

(iii) a plan with the location of the monitoring.

b) A graphical presentation of the trends of ambient water quality monitoring results required by the licence for the reporting period to which the Annual Return relates and the preceeding data for the period of record the licensee has monitoring results for the monitoring location. This must be shown against rainfall records graphically for the period of record.

Heavy Plant Tyre Disposal Report

R5.6 The licensee must provide the EPA with the Annual Return a Heavy Plant Tyre Disposal Report (Report). The Report must include a plan of the disposed heavy plant waste tyres on the premises for the period that includes:

(i) each tyre serial number;

(ii) supplier of each tyre, if known;

(iii) purchase date of each tyre or the date on which the tyre was bought onto the premises for use by the licensee;

(iv) disposal date of each tyre;

(v) co-ordinates (easting and northings) of the disposal of each tyre;

(vi) the Relative Level (RL) in metres AHD of each tyre disposed;

(vii) the number of tyres buried in a particular area; and

(vii) the total number of tyres and tonnage of tyres disposed of at the premises in each Annual Return reporting period.

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 Other general conditions

G2.1 Completed Programs

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Program	Description	Completed Date
Bunding Improvement Program	Bunding Improvement Program - prepare assessment report and timeframes for completion of any improvement works. Protect surface and ground water from contamination. (#)	31-March-2011
Coal Mine Particulate Matter Control Best Practice	Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	29-June-2012
Coal Mine Particulate Matter Control Best Management Practice	Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	29-June-2012
Premises noise limits	The licensee is to determine noise limits for the premises in accordance with the INP or otherwise as consistent with the project approval and develop a compliance monitoring program to assess compliance with those limits	30-June-2017
Particulate Matter Control Best Practice Implementation – Wheel Generated Dust	Implementation of particulate matter best management practices to address wheel-generated dust.	15-August-2014
Particulate Matter Control Best Practice Implementation – Disturbing and Handling Overburden under Adverse Weather Conditions	Implementation of particulate matter best management practices to address the handling of overburden during adverse weather.	15-August-2014
Particulate Matter Control Best Practice Implementation - Wheel Generated Dust	Implementation of particulate matter best management practices to address wheel-generated dust.	15-August-2014
Particulate Matter Control Best Practice – Disturbing and Handling Overburden under Adverse Weather Conditions	Implementation of particulate matter best management practices to address the handling of overburden during adverse weather	15-August-2014
Particulate Matter Control Best Practice - Trial of Best Practice Measures for Disturbing and Handling Overburden	Investigation to establish best practice measures for the handling of overburden	30-July-2014
Coal Mine Wind Erosion of Exposed Land Assessment	Assessment of predicted vs actual exposed lands.	30-March-2015
Particulate Matter Control Best Practice Implementation - Rix's Creek North	Implementation of particulate matter best management practices to address wheel-generated dust in Rix's Creek North area.	20-June-2016
South Sewage Treatment Plant Upgrade	Upgrade the South Sewage Treatment Plant with Chlorine disinfection to meet irrigation criteria	30-June-2020



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Dictionary

General Dictionary

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

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



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

Mr Mitchell Bennett

Environment Protection Authority

(By Delegation)

Date of this edition: 21-August-2000



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End Notes		
1	Licence varied by notice	1003033, issued on 06-Dec-2000, which came into effect on 23-Dec-2000.
2	Licence varied by notice	1003580, issued on 03-Jan-2001, which came into effect on 03-Jan-2001.
3	Licence varied by notice	1006347, issued on 30-Jul-2001, which came into effect on 30-Jul-2001.
4	Condition HRSTS Non Dis Note - Credit Holder in "the Scheme" varied by notice issued on	<issue date> which came into effect on <effective date>
5	Licence varied by notice	1013328, issued on 07-Dec-2001, which came into effect on 01-Jan-2002.
6	Licence varied by notice	1024226, issued on 10-Feb-2003, which came into effect on 07-Mar-2003.
7	Licence varied by notice	1027971, issued on 11-Jun-2003, which came into effect on 06-Jul-2003.
8	Licence varied by notice	1039165, issued on 13-Oct-2004, which came into effect on 07-Nov-2004.
9	Licence varied by notice	1105339, issued on 27-Nov-2009, which came into effect on 27-Nov-2009.
10	Licence varied by notice	1122201, issued on 03-Mar-2011, which came into effect on 03-Mar-2011.
11	Licence varied by notice	1501491 issued on 28-Sep-2011
12	Licence varied by notice	1502468 issued on 02-Dec-2011
13	Licence varied by notice	1506559 issued on 09-Nov-2012
14	Licence varied by notice	1510492 issued on 28-Mar-2013
15	Licence varied by notice	1516536 issued on 08-Oct-2013
16	Licence varied by notice	1524153 issued on 13-Aug-2014
17	Licence varied by notice	1524946 issued on 16-Oct-2014
18	Licence varied by notice	1527269 issued on 05-Feb-2015
19	Licence varied by notice	1530039 issued on 27-Apr-2015
20	Licence varied by notice	1536540 issued on 21-Dec-2015
21	Licence varied by notice	1543469 issued on 19-Dec-2016
22	Licence varied by notice	1550914 issued on 05-Apr-2017
23	Licence varied by notice	1552351 issued on 30-Aug-2017



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24	Licence varied by notice	1575248 issued on 23-Apr-2019
25	Licence varied by notice	1585069 issued on 21-Nov-2019
26	Licence varied by notice	1591074 issued on 20-Apr-2020
27	Licence varied by notice	1598886 issued on 15-Dec-2020
28	Licence varied by notice	1650336 issued on 20-Aug-2025