Licence - 13012

Licence Details		
Number:	13012	
Anniversary Date:	13-July	

Licensee

GUNLAKE QUARRIES PTY LIMITED

PO BOX 1665

DOUBLE BAY NSW 1360

Premises

GUNLAKE QUARRIES

715 BRAYTON ROAD

MARULAN NSW 2579

Scheduled Activity

Extractive activities

Resource recovery

Waste storage

Fee Based Activity

Extractive activities

Recovery of general waste

Waste storage - other types of waste

Contact Us

NSW EPA

4 Parramatta Square

12 Darcy Street

PARRAMATTA NSW 2150

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Locked Bag 5022

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<u>Scale</u>
> 2000000 T annually extracted or processed
Any general waste recovered
Any other types of waste stored



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Information about this licence

Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

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



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The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

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

Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

This licence is issued to:

GUNLAKE QUARRIES PTY LIMITED

PO BOX 1665

DOUBLE BAY NSW 1360

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
Extractive activities	Extractive activities	> 2000000 T annually extracted or processed
Resource recovery	Recovery of general waste	Any general waste recovered
Waste storage	Waste storage - other types of waste	Any other types of waste stored

A1.2 The licensee must not carry on any scheduled activities until the scheduled development works are completed, except as elsewhere provided in this licence.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details	
GUNLAKE QUARRIES	
715 BRAYTON ROAD	
MARULAN	
NSW 2579	
LOT 13 DP 1123374	

A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

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2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

		Air	
EPA identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Dust Monitoring		Dust Deposition Gauge labelled DDG 1 on map titled "Figure A- Receptor and DDG locations- July 2009 " provided to DECC on 3 July 2009 (DOC09/31859)
2	Dust Monitoring		Dust Deposition Gauge labelled DDG 2 on map titled "Figure A- Receptor and DDG locations- July 2009 " provided to DECC on 3 July 2009 (DOC09/31859)
3	Dust Monitoring		Dust Deposition Gauge labelled DDG 3 on map titled "Figure A- Receptor and DDG locations- July 2009 " provided to DECC on 3 July 2009 (DOC09/31859)
4	PM 10 Monitoring		High Volume Air Sampler labelled R1 - HVAS on map titled "Figure A - Receptor and DDG locations - July 2009" provided to DECC on 3 July 2009 (DOC09/31859)
11	PM10 Monitoring		High Volume Air Sampler labelled R4 - HVAS on map titled "Figure 2 - Gunlake Quarry Environmental Monitoring Sites" submitted with licence variation application to EPA on 29 May 2018(DOC18/375566)

- 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 Identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description		
7	Groundwater Monitoring		Bore labelled as 'GM 6' on Figure 2 in the document titled 'Groundwater and Surface Water Monitoring Program' received by DECC 15 June 2009 (DOC09/28459)		

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Groundwater Monitoring



Bore labelled as 'GM 13' on Figure 2 in the document titled 'Groundwater and Surface Water Monitoring Program' received by DECC 15 June 2009 (DOC09/28459)

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	General or Specific exempted waste	Cured concrete waste from a batch plant as defined in Section 49 Definitions of waste classifications, in Schedule 1 of the Protection of the Environment Operations Act 1997, as in force from time to time.	As specified in each particular resource recovery exemption	No more than 30,000 tonnes per year imported to the site. No more than 2,500 tonnes at any one time.

L3 Noise limits

L3.1 Noise generated at the premises must not exceed the noise limits presented in the table below:

Noise Assessment Location	Day	Evening	Night	Night
	LAeq(15 minute)	LAeq(15 minute)	LAeq(15 minute)	LA1(1 minute)



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R7	38	38	38	45
R8	37	37	37	45
All other privately owned residences	35	35	35	45

Note: For the purpose of the above table, the following definitions apply:

- Day the period from 7.00am to 6.00pm Monday to Saturday; or 8.00am to 6.00pm on Sundays and Public Holidays
- Evening the period from 6.00pm to 10.00pm
- Night the remaining periods

The locations referred to in the above table represent noise assessment locations as indicated in Appendix 3 'Noise Assessment Locations' in the document titled "ANNEXURE 'A' OF S34 AGREEMENT FILED 30 JUNE 2017 IN PROCEEDINGS NO: 108663 OF 2017 CONDITIONS OF CONSENT"

L3.2 To determine compliance with these noise limits, noise from the project is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary.

The noise limits apply under meteorological conditions of:

• wind speed up to 3m/s at 10m above the ground level;

• temperature inversion conditions of up to 3 degrees c/100m and wind speed up to 2m/s at 10m above the ground;

• where the wind velocity and temperature gradients are determined to be relevant to the project site in accordance with the NSW industrial Noise Policy.

L4 Blasting

- L4.1 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. 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 120dB (Lin Peak) at any time. 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 5mm/sec for more than five per cent of the total number of blasts over each reporting period. 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 10mm/sec at any time. 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.

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L5 Hours of operation

L5.1 The licensee must comply with the operating hours listed in the below table:

Activity	Day	Time
Overburden removal/emplacement and drilling	Monday-Saturday	7.00am to 6.00pm
	Sunday and Public Holidays	None
Blasting	Monday-Friday	9.00am to 5.00pm
	Saturday, Sunday and Public Holidays	None
Quarrying operations (excluding overburden removal/emplacement and drilling)	Monday-Saturday	24-hours but not between 6.00pm Saturday to 2.00am Monday.
	Sunday and Public Holidays	None
Maintenance	Monday-Saturday Sunday and Public Holidays	Any time provided that the activity is not audible at any privately-owned residence
Loading and dispatching	Monday-Saturday	24-hours but not between 6.00pm Saturday to 2.00am Monday.
	Sunday and Public Holidays	None
Construction	Monday-Friday	7.00am to 6.00pm
	Saturday	8.00am to 1.00pm
	Sunday and Public Holidays	None

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.

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O3 Dust

O3.1 The plant must be maintained in a condition which minimises or prevents the emission of dust from the plant.

5 Monitoring and Recording Conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
 - a) in a legible form, or in a form that can readily be reduced to a legible form;
 - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
 - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
 - a) the date(s) on which the sample was taken;
 - b) the time(s) at which the sample was collected;
 - c) the point at which the sample was taken; and
 - d) the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

- M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:
- M2.2 Air Monitoring Requirements

POINT 1,2,3

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Monthly	Australian Standard 3580.10.1-2003

POINT 4,11

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Special Frequency 1	AS/NZS 3580.9.6:2003





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M2.3 For the purposes of the table(s) above Special Frequency 1 means the collection of samples on a one day in six cycle using a HVAS fitted with size selective inlet for PM10.

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.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2021* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

M4 Recording of pollution complaints

- M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M4.2 The record must include details of the following:

a) the date and time of the complaint;

b) the method by which the complaint was made;

c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;

d) the nature of the complaint;

e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and

f) if no action was taken by the licensee, the reasons why no action was taken.

- M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M5 Telephone complaints line

- M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M5.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

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M5.3 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 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.
- 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.



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- R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:a) the licence holder; or
 - b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R2 Notification of environmental harm

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.
- Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
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.

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7 General Conditions

G1 Copy of licence kept at the premises or plant

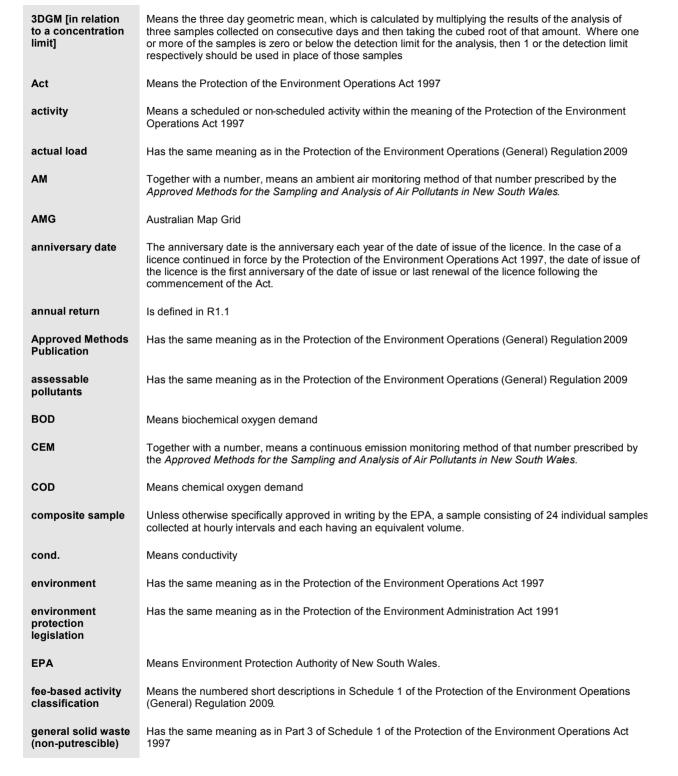
- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.



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Dictionary

General Dictionary







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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 Environmen t 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	
тм	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.	



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

Mr Julian Thompson

Environment Protection Authority

(By Delegation) Date of this edition: 09-July-2009

End Notes				
2	Licence varied by notice	1516660 issued on 16-Sep-2013		
3	Licence transferred througe effect on 01-May-2014	gh application 1521128 approved on 23-Apr-2014 , which came into		
4	Licence varied by notice	1522524 issued on 27-Oct-2014		
5	Licence varied by notice	1532111 issued on 10-Aug-2015		
6	Licence varied by notice	1565848 issued on 12-Jul-2018		
7	Licence varied by notice	1588001 issued on 11-Dec-2019		
8	Licence varied by notice	1613290 issued on 03-Dec-2021		