



# Environment Protection Licence

Licence - 7093

<b><u>Licence Details</u></b>	
Number:	7093
Anniversary Date:	01-July

  

<b><u>Licensee</u></b>
NEWCASTLE PORT CORPORATION
PO BOX 25
MILLERS POINT NSW 2000

  

<b><u>Premises</u></b>
WHARF 7 GLEBE ISLAND
SOMMERVILLE ROAD
GLEBE NSW 2037

  

<b><u>Scheduled Activity</u></b>
Shipping in bulk

  

<b><u>Fee Based Activity</u></b>	<b><u>Scale</u></b>
Shipping in bulk	> 100000-500000 T of annual capacity to load and unload

  

<b><u>Region</u></b>
Metropolitan Infrastructure
Level 13, 10 Valentine Ave
PARRAMATTA NSW 2150
Phone: (02) 9995 5000
Fax: (02) 9995 6900
PO Box 668
PARRAMATTA NSW 2124

# Environment Protection Licence

Licence - 7093



<b>INFORMATION ABOUT THIS LICENCE</b>	4
Dictionary	4
Responsibilities of licensee	4
Variation of licence conditions	4
Duration of licence	4
Licence review	4
Fees and annual return to be sent to the EPA	4
Transfer of licence	5
Public register and access to monitoring data	5
<b>1 ADMINISTRATIVE CONDITIONS</b>	6
A1 What the licence authorises and regulates	6
A2 Premises or plant to which this licence applies	6
A3 Information supplied to the EPA	6
<b>2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND</b>	7
P1 Location of monitoring/discharge points and areas	7
<b>3 LIMIT CONDITIONS</b>	7
L1 Pollution of waters	7
L2 Noise limits	7
<b>4 OPERATING CONDITIONS</b>	8
O1 Activities must be carried out in a competent manner	8
O2 Maintenance of plant and equipment	8
O3 Dust	8
O4 Waste management	9
O5 Other operating conditions	9
<b>5 MONITORING AND RECORDING CONDITIONS</b>	11
M1 Monitoring records	11
M2 Recording of pollution complaints	11
M3 Telephone complaints line	12
M4 Other monitoring and recording conditions	12
M5 Noise monitoring	12
<b>6 REPORTING CONDITIONS</b>	13
R1 Annual return documents	13
R2 Notification of environmental harm	14
R3 Written report	14

# Environment Protection Licence

Licence - 7093



R4	Other reporting conditions	15
7	<b>GENERAL CONDITIONS</b>	16
G1	Copy of licence kept at the premises or plant	16
G2	Other general conditions	17
8	<b>SPECIAL CONDITIONS</b>	18
E1	Noise Impact Assessment	18
	<b>DICTIONARY</b>	19
	General Dictionary	19

# Environment Protection Licence

---

Licence - 7093



## Information about this licence

### Dictionary

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

### Responsibilities of licensee

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

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

### Variation of licence conditions

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

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

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

### Duration of licence

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

### Licence review

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

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

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

# Environment Protection Licence

Licence - 7093



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:

NEWCASTLE PORT CORPORATION
PO BOX 25
MILLERS POINT NSW 2000

subject to the conditions which follow.

# Environment Protection Licence

Licence - 7093



## 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
Shipping in bulk	Shipping in bulk	> 100000 - 500000 T of annual capacity to load and unload

A1.2 The licence does not authorise the scheduled activity of shipping in bulk other than bulk loading and unloading of –  
  
a) common salt.

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

A2.1 The licence applies to the following premises:

Premises Details
WHARF 7 GLEBE ISLAND
SOMMERVILLE ROAD
GLEBE
NSW 2037
THE PREMISES IS DEFINED AS THAT PART OF LOT 10 IN DEPOSITED PLAN 1065973 SHOWN BY ORANGE SHADING AND IDENTIFIED AS 'SPC LICENCE AREA'; THE BERTH BOX OUTLINED BY BROKEN RED LINES AND DESIGNATED 'BERTH BOX 7'; AND THAT PART OF PART LOT 2 IN DEPOSITED PLAN 879549 SHOWN BY RED HATCHING AND OVERLAPPING THE ORANGE-SHADED AREA ALL AS SHOWN ON SYDNEY PORTS CORPORATION DRAWING SWGP073C DATED 29 JUNE 2009 TOGETHER WITH ANY STRUCTURE OVERHANGING AND ANY VESSEL IN BERTH BOX 7.

### 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.



# Environment Protection Licence

Licence - 7093

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

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

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

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

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

## 3 Limit Conditions

### L1 Pollution of waters

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

### L2 Noise limits

L2.1 Noise from the premises must not exceed the noise limits in the following tables.

Tables - Noise Limits Measured in dB (A)

L2.2 Day

The residence most affected by noise at	LA eq (15 minute)	LA eq (day)
Balmain/Rozelle	56	52
Pymont	Not applicable	Not applicable

L2.3 Evening

The residence most affected by noise at	LA eq (15 minute)	LA eq (evening)
---	-------------------	-----------------

# Environment Protection Licence

Licence - 7093

Balmain/Rozelle	56	46
Pymont	53	50

## L2.4 Night

The residence most affected by noise at	LA eq (15 minute)	LA eq (night)	LA 1 (1minute)
Balmain/Rozelle	52	45	62
Pymont	48	45	61

L2.5 For the purposes of the noise limit tables the terms 'day', 'evening' and 'night' have the same meaning as in the INP.

## 4 Operating Conditions

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

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

This includes:

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

### O2 Maintenance of plant and equipment

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

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

### O3 Dust

O3.1 All activities must be carried out in a manner that will prevent the emission of dust from the premises.

Dust includes particles of material –

- a) being unloaded from or onto a vessel on the premises,
- b) stockpiled on the premises,
- c) being loaded onto or from trucks on the premises, and
- d) being transported on the premises.



# Environment Protection Licence

Licence - 7093



## O4 Waste management

- O4.1 The licensee must not cause, permit or allow waste generated-
- a) outside the premises to be received at the premises, and
  - b) at the premises to be disposed of at the premises.
- O4.2 The licensee must assess, classify and manage any waste generated at the premises in accordance with the Waste Classification Guidelines Part 1 : Classifying Waste April 2008.
- O4.3 If waste is transported from the premises, licensee must ensure that the waste is transported-
- a) by a waste transporter authorised to transport that waste, and
  - b) to a place that can lawfully accept that waste.
- O4.4 The licensee must ensure waste is not incinerated at the premises.

## O5 Other operating conditions

### Noise Control

- O5.1 All work must be undertaken in a manner that will minimise the emission of noise from the premises.
- O5.2 The licensee must ensure that all practicable and reasonable noise mitigation and management measures are used, including the following measures -
- a) using least noisy ship unloading methods,
  - b) using least noisy truck loading methods,
  - c) using least noisy vehicles, plant and equipment,
  - d) carrying out loading and unloading activities as far away as is practicable from noise sensitive receivers,
  - e) ensuring all trucks enter and leave the premises in a forward direction, and
  - f) ensuring all trucks operate at the premises in a forward direction.
- O5.3 The licensee must ensure that cargo unloading from the vessel and outloading onto trucks ceases when:
- a) the noise limits specified in the noise limit tables in this licence are exceeded; and
  - b) a complaint has been received from a noise sensitive receiver.
- O5.4 The licensee must, before operating any front-end loader or other plant to load salt onto trucks, undertake a safety risk assessment of that operation to determine whether it is practicable to implement measures that would avoid the use of audible movement alarms.

If the safety risk assessment required by this condition determines that measures other than audible movement alarms are practicable without compromising safety, the licensee must implement those measures.

# Environment Protection Licence

Licence - 7093



- O5.5 If the safety risk assessment required by the previous condition determines that it is impracticable to avoid using audible movement alarms without compromising safety, before undertaking operations the subject of that assessment, the licensee must undertake a further safety risk assessment of those operations to determine whether it is practicable to use audible movement alarms of a type that would minimise the noise impact on surrounding noise sensitive receivers.

If the further safety risk assessment required by this condition determines that:

a) it would be practicable to use audible movement alarms of a type that would minimise the noise impact on surrounding noise sensitive receivers without compromising safety, the licensee must use that type of movement alarm whilst undertaking operations the subject of that further assessment; and

b) it would be impracticable to use audible movement alarms of a type that would minimise the noise impact on surrounding noise sensitive receivers without compromising safety, the licensee must not use a front-end loader or other plant to load salt onto trucks between the hours of:

- i) 6.00 pm and 7.00 am Monday to Friday, and
- ii) 6.00 pm and 8.00 am on any Saturday, Sunday or public holiday.

- O5.6 The licensee must investigate noise and vibration complaints about activities at the premises from the occupants of residences:

- a) within 1 hour of receiving any such complaint; or
- b) in accordance with any prior complaint management agreement the licensee may have made with the complainant.

1) The licensee must ensure that any investigation referred to in this condition includes an express offer to the complainant to undertake attended noise monitoring at their premises. If the occupant of a residence accepts the offer of attended noise monitoring the licensee must undertake that attended monitoring-

- a) as soon as practicable, or
- b) at a time agreed with the complainant.

2) The licensee must-

- a) advise the complainant of the results of its investigation of their complaint and any proposed remedial action,
- b) include in the advice referred to in paragraph (a) the noise monitoring results reported against the noise limits in condition L6.1.

For the purposes of this condition and any noise monitoring undertaken in accordance with this condition, vehicle and plant movement alarms are deemed to generate noise that is –

- a) both tonal and intermittent if the alarms are pure tone alarms, and
- b) intermittent if the alarms are not pure tone alarms.

- O5.7 The licensee must ensure that maintenance or repairs undertaken on any vessel moored at the premises is only undertaken between the hours of 7.00 am and 6.00 pm Monday to Saturday where noise generated by that maintenance or repairs would be audible at any noise sensitive receiver.

# Environment Protection Licence

Licence - 7093



If the maintenance or repair work referred to in this condition involves hammering, needle guns or grinders, or generates or is likely to generate low-frequency, tonal, impulsive or intermittent noise, that work must only be undertaken over continuous periods not exceeding 3 hours and between the hours of-

- a) 8.00 am and 12.00pm Monday to Saturday, and
- b) 2.00 pm and 5.00 pm Monday to Friday.

'continuous' means any period during which there is less than an uninterrupted 60 minute respite between temporarily halting and recommencing any of the work referred to in this condition.

## 5 Monitoring and Recording Conditions

### M1 Monitoring records

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

### M2 Recording of pollution complaints

- M2.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M2.2 The record must include details of the following:
  - a) the date and time of the complaint;
  - b) the method by which the complaint was made;
  - c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
  - d) the nature of the complaint;
  - e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
  - f) if no action was taken by the licensee, the reasons why no action was taken.
- M2.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

# Environment Protection Licence

Licence - 7093



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 : the date of the issue of this licence.

## **M4 Other monitoring and recording conditions**

- M4.1 The licensee must monitor and record the following for each vessel that berths at the premises:
- a) the time and date of arrival and departure,
  - b) the name of the vessel, the name of the vessel's master and details of the vessel's registration,
  - c) the time and date of commencing and ceasing cargo unloading,
  - d) the nature and scope of any spillages of cargo, and details of remedial measures undertaken to manage the spilled cargo and to prevent a recurrence of spillage,
  - e) the time, date, duration, nature and scope of cargo unloading shutdowns required by condition O5.3.

## **M5 Noise monitoring**

- M5.1 The licensee must arrange for an accredited acoustic consultant to monitor noise from the premises to determine whether the activities at the premises comply with the noise limits specified in the noise limit tables in this licence.

The licensee must ensure that the monitoring required by this condition is undertaken at the most affected noise sensitive receiver, identified in the impact assessment report required by condition PS.1, in -

- a) Balmain/Rozelle, and
- b) Pyrmont.

The licensee must ensure that noise monitoring is undertaken-

- a) in accordance with AS 2659 and the compliance monitoring guidance provided in the INP,
- b) the first time each vessel berths at the premises,
- c) annually, the first time each vessel berths at the premises following the licence anniversary date,
- d) during the period inclusive of each berthing of a vessel referred to in paragraphs (b) and (c) and the removal from the premises of the cargo discharged by that vessel, and
- e) at such other times and locations as may be directed by an authorised officer of the EPA.

# Environment Protection Licence

Licence - 7093

The noise monitoring undertaken during the attendance of a vessel at the premises must be undertaken over a period of sufficient duration to ensure representative monitoring results from all activities and combinations of activities that would be expected to occur at the premises, including the out loading of the discharged cargo on trucks.

If activities generate noise deemed by condition O5.6 to be low-frequency, tonal, impulsive or intermittent, 'modifying factor' adjustments described in INP Chapter 4 must be applied to the measured noise level in accordance with the principles outlined in the INP.

The licensee may apply to the EPA to discontinue annual noise monitoring, required by paragraph (c) above, when the EPA is satisfied that activities are being undertaken at the premises in a manner that is unlikely to cause non-compliance with the noise limits specified in the noise limit tables in this licence.

## 6 Reporting Conditions

### R1 Annual return documents

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

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

At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

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

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

R1.3 Where this licence is transferred from the licensee to a new licensee:

- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

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

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must

# Environment Protection Licence

Licence - 7093



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**

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

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

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

## **R3 Written report**

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

- a) where this licence applies to premises, an event has occurred at the premises; or
- b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;

# Environment Protection Licence

Licence - 7093



- 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 reporting conditions

### Noise monitoring reports

R4.1 The licensee must submit a report of any noise monitoring undertaken in accordance with the requirements of the Noise monitoring condition in this licence.

a) A preliminary report must be submitted to the EPA by 2.00 pm on the afternoon following the noise monitoring and must include-

- i) numeric and graphical representation of the monitoring results, and
- ii) details of any non-compliance with the noise limits specified in the noise limit tables in this licence

b) a follow-up report must be submitted to the EPA within 5 days of the monitoring having been undertaken, unless otherwise approved in the particular case by the EPA, and must include-

- i) confirmation that noise monitoring has been undertaken in accordance with AS2659 and the compliance monitoring guidance provided in the INP,
- ii) a map of the monitoring location in relation to the noise source, including relevant distances,
- iii) numeric and graphical representation of the monitoring results,
- iv) an interpretative analysis of the monitoring results, and
- v) details of any remedial action taken, including the reasons when a decision is made to take no remedial action.

### Activity monitoring reports

R4.2 The licensee must prepare a progressive report of the details required by condition M4.1 and submit the report to the EPA within 2 days of a request from an authorised officer of the EPA.

### Daily complaints report

R4.3 The licensee must submit, by 2.00 pm each day, a report to the EPA that provides details of all complaints received on the telephone complaints line required by condition M3.1.

The report must-



# Environment Protection Licence

Licence - 7093



- a) be submitted to the email address nominated from time to time by the EPA,
- b) include a unique identifier number for each complaint together with the details required by condition M2.2,
- c) include the time and date, as supplied by the complainant, of the event the subject of the complaint, and
- d) include the complaints received between 12.00 pm on that day and 12.00 pm on the previous day.

The licensee is not required to submit a report for any reporting period during which no complaints were received.

## Monthly complaints statistics

R4.4 The licensee is required to submit to the EPA a monthly complaints statistics report on or before the twentieth day of each month and that report must:

(1) provide a graphical representation of the number of complaints received over the preceding 11 months as well as the month the subject of the report, with graphs showing –

- (a) the total number of complaints received directly or indirectly by the licensee,
- (b) a breakdown showing the number of complaints in each of the following categories, of the complaints referred to in paragraph (a) above -

- noise from shipboard auxillary power units,
- noise from sources other than shipboard auxillary power units,
- smoke
- water pollution, and
- other.

The licensee is not required to submit a report for any reporting period during which no complaints were received but nevertheless must identify that no complaints were received for that reporting period in the next complaints statistics report required by this condition.

(2) the licensee must –

- (a) annually publish on its web site a copy of the graphical representations required by condition R4.4 (1), and
- (b) provide at each Environment Liaison Committee meeting a copy of the current graphical representations required by condition R4.4 (1) to each committee member.

## 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.



# Environment Protection Licence

Licence - 7093



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**

### **Environment liaison committee**

G2.1 1) the licensee must establish a community environment liaison committee, comprising of representatives of the local community and the licensee, that meets at least once in every 3 months commencing not later than 30 days after the date of issue of this licence.

Where the committee agrees unanimously that there is insufficient business to discuss, it may instead hold meetings at intervals of longer than 3 months but not longer than 12 months. If two or more committee members submit written notice to the chairperson that urgent business has arisen since any decision to extend the interval between committee meetings, the chairperson must convene a meeting to consider that business within 14 days of that notice.

2) The licensee must –

- a) invite community nominations for membership of the environment liaison committee by advertising on at least 2 occasions in a newspaper distributed regularly in the surrounding community,
- b) convene meetings at a time acceptable to the majority of community members of the committee,
- c) provide an appropriate local meeting venue,
- d) invite all committee members to submit agenda items for each meeting,
- e) distribute the agenda for each meeting to all committee members not less than 7 days beforehand, and
- f) prepare and distribute minutes of each meeting to all committee members and the EPA within 14 days of that meeting having been held.

3) the licensee may incorporate the committee required by this conditions into a broader community liaison committee provided that requirements of clauses (1) and (2) to this condition are satisfied in all other respects.

**Note:** Members of any broader community liaison committee may also be members of the committee required by this condition.

### **Community information web site**

G2.2 The licensee must publish on the Sydney Ports Corporation web site –

- a) licensee contact information, including how to register environmental complaints about activities at the premises,
- b) details of the activities permitted to be undertaken at the premises,
- c) a copy of the noise compliance monitoring reports required by this licence, and
- d) the graphical representations required by condition R4.4 (2).

# Environment Protection Licence

Licence - 7093



## 8 Special Conditions

### E1 Noise Impact Assessment

#### Ongoing activity - impact assessment report

E1.1 The licensee must prepare a noise impact assessment report of proposed ongoing activities at the premises.

The report must be undertaken not more than 30 days after the date of re-commencing licensed activities (comprising the first attendance of a vessel) on the premises, following the hiatus of activities required due to wharf repairs during 2009.

The licensee must notify the EPA as soon as practicable of the date on which licensed activities (comprising the first attendance of a vessel) re-commenced following the hiatus of activities required due to wharf repairs undertaken during 2009.

The report must –

- a) be consistent with the underlying principles and approaches adopted by the INP in respect of guidance material provided for noise impact assessment,
- b) all noise monitoring results obtained during the first attendance of a vessel at the premises including the out loading and trucking operation associated with the cargo discharged by that vessel
- c) provide a thorough analysis of noise monitoring results reported against the noise limits specified in condition L6.1, including detailed justification of any proposal to vary any limit specified in that condition,
- d) include tabular and graphical representation of all noise monitoring results obtained during the noise impact assessment
- e) include maps showing –

- noise contours of noise measured,
- the location of each of the most affected noise sensitive receivers in Balmain, Rozelle and Pyrmont, including distance from the premises,

f) details of the monitoring method and locations used, and monitoring results obtained,

g) details of any dominant noise source at the premises, and

h) details of proposed practicable and reasonable noise impact mitigation measures to ensure that -

- noise is minimised at the premises, and
- activities do not generate noise levels above the noise limits specified in the noise limit tables in this licence measured at the most affected noise sensitive receivers in Balmain/Rozelle and Pyrmont.

# Environment Protection Licence

Licence - 7093

## Dictionary

### General Dictionary

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

# Environment Protection Licence

Licence - 7093

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

# Environment Protection Licence

Licence - 7093



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

Ms Debbie Maddison

Environment Protection Authority

(By Delegation)

Date of this edition: 03-August-2000

# Environment Protection Licence

Licence - 7093



End Notes	
1	Licence varied by correction to EPA Sub Region data record, issued on 20-Sep-2002, which came into effect on 20-Sep-2002.
2	Licence varied by Correction to EPA LGA data record, issued on 11-Jun-2003, which came into effect on 11-Jun-2003.
3	Licence varied by notice 1028783, issued on 22-Aug-2003, which came into effect on 22-Aug-2003.
4	Licence varied by change to record due to LGA amalgamation, issued on 08-Nov-2004, which came into effect on 08-Nov-2004.
5	Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
6	Licence varied by notice 1102072, issued on 13-Oct-2009, which came into effect on 13-Oct-2009.
7	Licence varied by notice 1523091 issued on 30-Jun-2014
8	Licence transferred through application 1523189 approved on 30-Jun-2014 , which came into effect on 01-Jul-2014
9	Licence fee period changed by notice 1566401 on 28-Jun-2018