

Our Reference 3085768960
Contact William Dove
Date of Issue 12-Mar-2013



AGL UPSTREAM INVESTMENTS PTY LIMITED
ABN 58 115 063 744
LOCKED BAG 1837
ST LEONARDS NSW 2065

PENALTY NOTICE ADVICE

Dear Sir / Madam

Re: Failure to Maintain Plant and Equipment

It is alleged that on 04-Dec-2012 the following offence was committed:

Contravene any condition of licence - not noise - corporation by AGL UPSTREAM INVESTMENTS PTY LIMITED at the Rosalind Park Gas Plant, Medhurst Road, GILEAD, NSW, 2550 in contravention of Protection of the Environment Operations Act 1997 - 64(1). AGL Upstream Investments Pty Ltd exceeded the oxides of nitrogen continuous monitoring air emission concentration limit for Licensed Discharge Point 2 in September and November 2012 and Licensed Discharge Point 1 in November and December 2012. AGL did not comply with condition O2 '*Maintenance of Plant and Equipment*' of Environment Protection Licence 12003 which states: '*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*'

Your choices are, within 28 days of the date of issue to;

- a) Pay the amount in full by one of the payment methods listed.
- b) Elect to have the matter dealt with by a court, or
- c) Request a review of the circumstances by providing a written representation.

Your payment, court election or request for review must be received by the State Debt Recovery Office within 28 days to prevent further collection action taking place.

The *Fines Act 1996* prevents the State Debt Recovery Office from reducing a penalty, or extending the time for payment.

Yours sincerely

.....
William Dove
Head Regional Operations Unit
Metropolitan - Illawarra

Environment Protection Authority NSW
PO Box A290 SYDNEY SOUTH NSW 1232
59-61 Goulburn Street SYDNEY NSW 2000
Tel: (02) 9995 5000 Fax: (02) 9995 5900
TTY (02) 9211 4723
ABN 43 692 285 758
www.epa.nsw.gov.au

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Enc. Penalty Notice

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PENALTY NOTICE
PART A (General)

Full Name \ Company Name	AGL UPSTREAM INVESTMENTS PTY LIMITED		
Address	LOCKED BAG 1837 ST LEONARDS NSW 2065		
Date of Offence	04-Dec-2012	Date of Issue	12-Mar-2013

It is alleged that the following offence was committed:

Offence Code	Reg. Code	Short Title	Penalty Amount
14161	NUZ	Contravene any condition of licence - not noise - corporation	\$ 1,500.00

Name of officer		Issuing Authority			
William Dove		ENVIRONMENT PROTECTION AUTHORITY			
Client Code	100846	Client Edit Code	CE	Operation Code	C

Send this PART A notice to:
State Debt Recovery Office
PO Box 786, STRAWBERRY HILLS NSW 2012

Environment Protection Authority
PO Box A290 SYDNEY SOUTH NSW 1232
59-61 Goulburn Street SYDNEY NSW 2000
Tel: (02) 9995 5000 Fax: (02) 9995 5999
TTY (02) 9211 4723
ABN 43 692 285 758
www.environment.nsw.gov.au

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PENALTY NOTICE
PART B (General)

Full Name \ Company Name	AGL UPSTREAM INVESTMENTS PTY LIMITED		
Address	LOCKED BAG 1837 ST LEONARDS NSW 2065		
Date of Offence	04-Dec-2012	Date of Issue	12-Mar-2013

It is alleged that the following offence was committed:

Offence Code	Reg. Code	Short Title	Penalty Amount
14161	NUZ	Contravene any condition of licence - not noise - corporation	\$ 1,500.00

Name of officer		Issuing Authority			
William Dove		ENVIRONMENT PROTECTION AUTHORITY			
Client Code	100846	Client Edit Code	CE	Operation Code	C

Environment Protection Authority
PO Box A290 SYDNEY SOUTH NSW 1232
59-61 Goulburn Street SYDNEY NSW 2000
Tel: (02) 9995 5000 Fax: (02) 9995 5999
TTY (02) 9211 4723
ABN 43 692 285 758
www.environment.nsw.gov.au

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PENALTY NOTICE

PART C (General)

Full Name \ Company Name	AGL UPSTREAM INVESTMENTS PTY LIMITED		
Address	LOCKED BAG 1837 ST LEONARDS NSW 2065		
Date of Offence	04-Dec-2012	Date of Issue	12-Mar-2013
		Due date	09-Apr-2013

It is alleged that the following offence was committed:

Offence Code	Reg. Code	Short Title	Penalty Amount
14161	NUZ	Contravene any condition of licence - not noise - corporation	\$ 1,500.00

Authorised Officer

HOW TO FINALISE THIS PENALTY NOTICE:

(Further action will be taken if this notice is not finalised within 28 days of the date of issue)

A. Choose from the payment options below OR**B. See additional information on the reverse of this notice**

RETURN THIS SLIP WITH YOUR PAYMENT

**PAYMENT SLIP**

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PAYMENT OPTIONS

1. **Website** www.sdro.nsw.gov.au/payments
(Master Card and VISA)
2. **Phone** 1300 130 112
(Master Card and VISA)
3. **Post** the payment slip with cheque or money order made payable to the State Debt Recovery Office, PO Box 4444, PARRAMATTA NSW 2124

Due date

09-Apr-2013

Offence Code

14161

Penalty amount due

\$1,500.00

Amount paid

If making part payment, retain payment slip

Part C

What will happen if you do not act on this penalty notice by the due date?

You will receive a penalty reminder notice. If not actioned by the due date on the reminder notice, further action will be taken by the State Debt Recovery Office (SDRO). This will involve additional costs and may include driver licence or vehicle registration restrictions in Australia as well as restrictions on doing business with Australian traffic authorities.

How should you respond this penalty notice?

You must choose **one** of the following options and respond within 21 days (28 days for Protection of the Environment Operations Act 1997) of date of offence.

- Option 1** Pay the fine using one of the payment methods detailed over the page under payment options. If mailing your payment, the penalty number must be recorded.
- Option 2** If you wish to seek leniency based on certain circumstance, or if you believe an error has been made, information on requesting a review of your penalty notice is available at www.sdro.nsw.gov.au.
- Option 3** Have the matter determined by a court. To do this, complete and submit the court election form at www.sdro.nsw.gov.au. The law does not permit SDRO to send a court attendance to a PO Box. No other review will be conducted after the court election form has been received. Note: the court may impose additional cost.
- Option 4** If this offence carries demerit points and you were not the driver of the vehicle at the time of offence, provide full details of the driver by completing the statutory declaration which can be downloaded from www.sdro.nsw.gov.au. Do not send any payment as a new penalty notice will be issued to the person named in the statutory declaration. False nomination is a serious offence which carries additional penalties.

State Debt Recovery Office contact details



www.sdro.nsw.gov.au



1300 138 118
8:00 am to 5:30 pm
Mon. to Fri.

Overseas callers:
+612 4937 9207
Hearing or speech impaired users:
TTY 133 667
Speak and listen 1300 555 727



Postal correspondence only:
State Debt Recovery Office
PO Box 788
Strawberry Hills NSW 2012

Privacy statement

Information collected from you, for the purpose stated on this form, maybe provided to third parties with your consent or as required or permitted by law. OSR will correct or update your personal information at your request. Read more about privacy at www.sdro.nsw.gov.au