



Environment Protection Authority

Guide to licensing

Under the *Protection of the Environment
Operations Act 1997*



A vertical decorative strip on the left side of the page featuring intricate Aboriginal patterns. These include concentric circles, wavy lines, and geometric shapes in various shades of blue and grey, typical of traditional Indigenous art.

Acknowledgement of Country

The NSW Environment Protection Authority acknowledges the Traditional Custodians of the land on which we live and work, honours the ancestors and the Elders both past and present and extends that respect to all Aboriginal people.

We recognise Aboriginal peoples' spiritual and cultural connection and inherent right to protect the land, waters, skies and natural resources of NSW. This connection goes deep and has since the Dreaming.

We also acknowledge our Aboriginal and Torres Strait Islander employees who are an integral part of our diverse workforce and recognise the knowledge embedded forever in Aboriginal and Torres Strait Islander custodianship of Country and culture.

Aboriginal artwork by Worimi artist Gerard Black

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1 Introduction

1.1 Aim of this document

This document is to help you decide if you are required to hold an environment protection licence and to understand how to apply for a licence under the *Protection of the Environment Operations Act 1997* (POEO Act). It is intended as a guide only and should be read in conjunction with the POEO Act and the Protection of the Environment Operations (General) Regulation 2022 (POEO General Regulation), as changes may have been made to the Act or the Regulation after the date of publication of this document.

You may also need to consult other Regulations under the POEO Act, or other legislation referenced or mentioned in this document. Details of the Act and the various Regulations can be found on the [EPA legislation page](#) and on the [NSW legislation website](#).

You should also seek legal advice if you're not sure about your obligations under the POEO Act or Regulations.

1.2 What this document covers

This document is a general guide to the EPA's environment protection licensing requirements. It provides details on:

- who needs to apply for a licence
 - how to apply for a licence
 - the cost of licence fees
 - what you need to do if you already hold a licence
 - what you may need to do even if you don't need a licence.
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1.3 Who should read this document

This document is for anyone who is:

- intending to carry out an activity for which they are required to hold a licence (see section 2 of this document)
- carrying out an activity and they do not currently hold a licence but may need to hold a licence that authorises them to carry out that activity (see section 2 of this document)
- carrying out an activity for which they are not required to be licensed under the POEO Act (see section 2 of this document), but for which the POEO Act and Regulations impose environment protection obligations (see section 10 of this document).

1.4 What is licensed under the POEO Act?

The EPA's licensing requirements apply to the whole of NSW and the POEO Act contains a core list of activities that require a licence issued by the EPA. These activities are listed in Schedule 1 of the POEO Act and can be accessed on the [NSW legislation website](#).

An activity listed in Schedule 1 is referred to as a 'scheduled activity'. Scheduled activities are divided into:

- premises-based activities (listed in Part 1 of Schedule 1 of the POEO Act)
- activities that are not premises-based (listed in Part 2 of Schedule 1 of the POEO Act).

Under the POEO Act, if work is to be undertaken at a premises to allow a scheduled activity to be carried out (referred to as 'scheduled development work'), then the person carrying out the work must hold a licence issued by the EPA. Scheduled development work is discussed further in section 2.1 of this document.

If you are the occupier of a premises where a scheduled activity or scheduled development works are being carried out and you do not hold a licence authorising you to carry out those activities or works, you will be committing an offence and you may be prosecuted (see section 9.9 of this document).

Licences may be issued for activities that are not listed in Schedule 1 of the POEO Act but are likely to cause water pollution. These activities are referred to as 'non-scheduled activities'.

Under the POEO Act, the EPA is the appropriate regulatory authority for all scheduled activities and scheduled development work. The EPA is the appropriate regulatory authority for non-scheduled activities in cases where those activities are subject to a licence or are carried on by a public authority. For most other non-scheduled activities, 'local authorities' are the appropriate regulatory authority. In nearly all cases, local authorities are local councils.

The POEO Act and Regulations provide for a load-based licensing scheme for some activities. Under the load-based licensing scheme, some licence holders are required to calculate and record the loads of assessable pollutants (specified in relation to an activity in Schedule 1 of the POEO General Regulation) released into the environment as a result of the activities and, in some cases, will be required to pay a load-based fee (see section 4.4 of this guide).

2 Environment protection licences

2.1 Who needs to apply for an environment protection licence?

You will need to refer to the list of activities in Schedule 1 of the POEO Act (at the [NSW legislation website](#)) to decide if you need to hold a licence. As stated in section 1.4 of this document, you will need to hold a licence to conduct any activity listed in Schedule 1 of the POEO Act.

It is your responsibility to decide if your activity is listed in Schedule 1. You may need a licence that authorises you to carry out more than one scheduled activity at your premises.

Licences for a premises-based activity are issued to the occupier of the premises – that is, the person or organisation who has overall management or control of the premises. Licences for activities that are not premises-based are issued to the person or organisation that is to carry out the activity. For more information on who can apply for a licence see section 2.2 of this guide.

Most activities in Schedule 1 of the POEO Act specify a threshold above which a licence is needed. For example, if you carry out the scheduled activity of ‘general animal products production’ and have the capacity to produce more than 5,000 tonnes of animal products annually at the premises, you will need to hold a licence as the threshold is ‘capacity to produce more than 5,000 tonnes of animal products per year’.

There are some exemptions from licensing. For example, a facility undertaking ‘cattle, sheep or horse accommodation’ can accommodate animals over the scheduled threshold for ‘drought or similar emergency relief’ without requiring a licence.

Thresholds and exemptions are included in the definition of each scheduled activity listed in Schedule 1 of the POEO Act.

If you are carrying out more than one scheduled activity on the premises, you must apply for a licence for all of the activities and the licence will need to authorise you to carry out each of those scheduled activities. If you are carrying out activities on the premises that are below the relevant threshold set out in Schedule 1, you must list those activities as ancillary activities on your licence application.

The licensing schedule is based upon the potential for environmental impact. Because production levels can vary from year to year, a number of the thresholds above which licensing is needed are based on ‘intended capacity’ or ‘capacity’ rather than actual activity levels. ‘Intended capacity’ is the amount of product that is physically able to be produced, obtained, etc., taking into account constraints such as:

- the size of the facilities, plant or equipment being used
- any expected maintenance time needed during the period specified in the threshold.

Capacity can be affected by legal constraints on the scale of activities that may be carried on at the premises, such as limits set through a development consent.

‘Intended capacity’ does not relate to any subjective intention or forecast of lower production levels by the licensee.

2.1.1 Scheduled development work

You will need to hold a licence if you have management or control of a premises where work is to be carried out to allow a scheduled activity to be carried on at the premises (called ‘scheduled development work’). It is important to note that holding a licence is different from and separate to holding a development consent issued by a planning authority such as the Department of Planning, Housing and Infrastructure (DPHI) or local council.

2.1.2 Non-scheduled activities

If you are not required to hold a licence under the POEO Act for the particular activity carried out at the premises, you may choose to apply for a licence to regulate water pollution from that activity.

The licence provides a defence against a pollution of waters offence for those pollutants specifically regulated under the licence, as long as the pollutants discharged to waters are within the limits specified in the licence.

In general, the EPA will not issue a non-scheduled activity licence where there is a low likelihood of impact on waters and where pollution should not occur if the activity is carried out in a competent manner. If water pollution does occur as a result of the activity, the manner in which the activity was carried out will be an important consideration when deciding what action will be taken. Contact the EPA's Environment Line (info@epa.nsw.gov.au) for guidance material for some activities and industry sectors.

If you're not sure whether you should apply for a licence to regulate water pollution, contact the EPA for more information.

It is your responsibility to decide whether the activity you are involved in needs a licence.

2.1.3 Environmentally hazardous chemicals

You will need to hold a licence if you 'use' or 'manufacture' an industrial chemical that is listed in schedule 6 or 7 of the NSW Industrial Chemicals Environmental Management Standard Register (NSW IChEMS register) and you are carrying out any other scheduled activity, regardless of scale. This means that the thresholds for scheduled activities do not apply. For industrial chemicals, 'use' and 'manufacture' are defined in section 296 of the POEO Act.

You also need a licence for any activity regulated by a chemical control order in relation to a chemical.

2.2 Who can apply for a licence?

You can only apply for a licence if you are a legal entity. This means that an application for an environment protection licence must be lodged on behalf of a corporation (including a corporate trustee), body corporate, individual or other legal entity.

Legal entities commonly include individuals and registered corporations/companies. If your organisation name ends in Proprietary Limited (Pty Ltd or P/L), Limited or NL (which stands for No Liability), then it is a corporation. Some companies can get an exemption from having such words in their organisation name but are still a registered corporation if they have an Australian Company Number (ACN) or an Australian Registered Body Number (ARBN).

Body corporates are also legal entities that can hold a licence. They can include:

- incorporated associations
- co-operatives
- local councils
- other bodies set up under legislation that have this status (such as some statutory authorities, state-owned corporations, owners corporations, Aboriginal Land Councils, and statutory trusts).

Where a government department is not a body corporate, it can still be issued a licence if the licence is in the name of a body politic (such as 'the State of New South Wales') followed by the department name.

A licence cannot be issued to a partnership but can be issued jointly in the name of each and every individual member of the partnership, who all must sign the licence application.

A licence also cannot be issued to other non-legal entities such as joint ventures or unincorporated associations.

You cannot apply for an environment protection licence on behalf of a trust, unless it is a statutory trust that has been given body corporate status by the legislation under which the trust was created.

2.3 Is there anything I need to do before I apply for a licence?

If development consent has not been granted for the activity, you need to decide if development consent is necessary. Your local council – or, if necessary, the NSW Department of Planning, Housing and Infrastructure (DPHI) – will be able to help you decide this.

If development consent for the activity is necessary, the EPA cannot issue a licence until consent is granted. The consent authority (usually the local council or DPHI) can advise you about the development consent procedures and the application of the *Environmental Planning and Assessment Act 1979* (EP&A Act). For example, as part of the consent or approval process, you may need to prepare an environmental assessment, environmental impact statement or a statement of environmental effects.

2.4 What is integrated development and how will it affect me?

Integrated development is development (other than state significant development or complying development) that needs a development consent and one or more approvals under other legislation, such as an environment protection licence, in order for the development to be carried out. The relevant approvals for the purposes of integrated development are listed in section 4.46 of the EP&A Act. Integrated development assessment procedures streamline the approval process for developments that need consent under Part 4 of the EP&A Act and approvals, such as a licence, under other legislation.

Where an environment protection licence is needed for integrated development, the development will, in many cases, also be a **designated development**, in which case an environmental impact statement will need to accompany the development application. Before preparing the environmental impact statement, you will need to apply to the Planning Secretary for the **Secretary's environmental assessment requirements**. The EPA will be asked by the Planning Secretary to provide the EPA's requirements in relation to the environmental impact statement. You will then receive written notice of the Secretary's environmental assessment requirements, advising you of the information you will need to address in the environmental impact statement.

In some circumstances, integrated development may not be designated development, in which case you will need to prepare documentation needed in the approved form for the development. This may include a statement of environmental effects. You can request a pre-lodgement meeting with the local council and the EPA to make sure all necessary and relevant information is included in the development application.

The consent authority will provide the EPA with a copy of the development application and all documents accompanying it, including the environmental impact statement. After considering the information, the EPA will either:

- give written notice to the consent authority of the EPA's General Terms of Approval, or
- inform the consent authority that the EPA will not grant a licence authorising the carrying out of the proposed development.

If development consent is granted, the consent must be consistent with the general terms of approval. If, however, the EPA informs the consent authority it will not grant a licence for the proposed development, then the consent authority must refuse consent to the application.

If:

1. the EPA provides general terms of approval, and
2. a licence application is lodged within three years of consent being granted for the development, and
3. the consent has not lapsed or been revoked in that time,

then the EPA may issue a licence for the proposed activity with conditions that are not inconsistent with the development consent.

Until the first review of the licence, which must be within five years after the date of issue of the licence, a licence issued for integrated development can only be varied by the EPA if the variation is not inconsistent with the development consent.

2.5 State significant development and state significant infrastructure

The EP&A Act provides an assessment and approvals regime specifically tailored for state significant development (SSD) and state significant infrastructure (SSI) where the Independent Planning Commission or the Minister for Planning (or a delegate e.g. DPHI) is the consent/approval authority. While most development applications are assessed by local councils, the scale, significance or potential impacts from some developments mean they are classified as being of state significance.

A range of development types such as mines and manufacturing plants as well as waste, energy, tourist, education and hospital facilities are considered to be state significant developments if they are over a certain size or capital investment value, or are in a sensitive environmental area. Some projects may be considered to be SSD because they are located in precincts regarded as important by the NSW Government, including Sydney Olympic Park, Darling Harbour, the Bays Precinct and Barangaroo.

A full list of types of state significant developments and specified sites can be found in Schedules 1 and 2 of the State Environmental Planning Policy (Planning Systems) 2021 available at the [NSW legislation website](#).

State significant development projects are assessed by the Minister for Planning, the Independent Planning Commission, or a delegate of either (e.g. DPHI), with input from local council, other NSW Government agencies and the community as part of the assessment process.

Development that is not identified in Schedule 1 or 2 of the State Environment Planning Policy may be declared to be state significant development by the Minister for Planning and Public Spaces. This can only happen after the Minister gets, and makes publicly available, advice from the Independent Planning Commission as to the state or regional planning significance of the proposed development.

Major infrastructure proposals, in particular linear infrastructure such as roads, railway lines or pipes, which often cross a number of council boundaries, will generally be considered as state significant infrastructure. A development that does not need consent, but which could have a significant environmental impact or other development such as a port facility or major water supply system, are likely to be considered as state significant infrastructure.

These projects are also assessed by DPHI, with input from local council, other NSW Government agencies and the community as part of the assessment process.

If your development meets the definition of a state significant development or state significant infrastructure, the integrated development assessment process (described in section 2.4) does not apply and the development application is assessed by DPHI.

However, a licence issued by the EPA will still be needed for any state significant development or state significant infrastructure that will involve scheduled activities. The EPA will be asked by DPHI to provide advice on the environmental assessment to be prepared by the applicant and publicly exhibited. The EPA will also provide a submission to DPHI on the environmental assessment and recommend conditions of approval, should the approval be granted.

If development approval is granted and a licence is subsequently applied for, the EPA cannot refuse to issue the licence. Licence conditions must be substantially consistent with the conditions of the development consent issued by DPHI until the first review of the licence.

3 Applying for a licence

3.1 How do I apply for an environment protection licence?

If you decide that you need a licence, licence applications can be lodged through the EPA's licensing portal at [eConnect EPA](#).

There are three types of licence applications:

- **Licence application – Scheduled activity premises based** (for premises-based scheduled activities and scheduled development works)
- **Licence application – Scheduled activity non-premises based** (for mobile waste processing, transporters of trackable waste, and environmentally hazardous chemicals – non premises-based)
- **Licence application – Non-scheduled activity.**

You only need to complete and submit one licence application for all activities managed or controlled by you that are to be carried out at the one premises. If your activities are carried out on separate premises, you will need to hold separate licences that authorise you to carry out those activities at each of the premises. You will need to complete and submit a separate application for each premises.

If you carry out premises-based scheduled activities as well as trackable waste transport and/or environmentally hazardous chemicals – non-premises based, or operate a mobile waste processor, you will need to complete and submit separate applications for each activity.

Your licence may regulate all types of environmental impact of your activity – including noise, air, waste and water pollution.

3.2 When should I apply for a licence?

You must apply for a licence before carrying out any scheduled activity or scheduled development work and after receiving any necessary development consents.

3.3 What else do I need to provide with my application?

A list of supporting documentation that must be included with your licence application is listed in the Appendix. As well as the documentation in that list, as part of the application you must also provide documentation or details as follows.

- If you or your corporation (where applicable) have ever:
 - been convicted or paid a penalty under a penalty notice for an offence under any environment protection legislation¹ or other relevant legislation²
 - had a licence or other authority suspended or revoked under any environment protection legislation or other relevant legislation
- If you are applying for licence as a corporation, has any director of the corporation ever:
 - been convicted or paid a penalty under a penalty notice for an offence under any environment protection legislation or other relevant legislation
 - had a licence or other authority suspended or revoked under any environment protection legislation or other relevant legislation
 - been a director of another corporation convicted, or paid a penalty infringement notice under any environment protection legislation or other relevant legislation
 - been a director of another corporation which had a licence or other authority suspended or revoked under any environment protection legislation or other relevant legislation.

Each application for a licence will be treated on its merits. The EPA will tell you if any further information is needed when your application has been submitted.

Making sure all the necessary information is provided in a timely manner will help avoid unnecessary delays in processing your application. Your application for a licence cannot be assessed if all necessary information is not provided or if you do not pay the application fee.

¹ 'Environment protection legislation' is defined in section 3 of the Protection of the Environment Administration Act 1991

² 'Other relevant legislation' in this section is defined in section 67 of the Protection of the Environment Operations (General) Regulation 2022

3.4 Licence application fee

3.4.1 When do I pay the application fee for my licence?

If you are applying for a new licence, you must pay a licence application fee when you submit your licence application.

If your licence application is refused, the EPA may refund all or part of your application fee on its own initiative or you can ask for a refund within 90 days of being notified that your application has been refused.

3.4.2 How much is the licence application fee?

Licence application fees are set out in section 21 of the POEO General Regulation. The application fee is calculated based on:

- whether the activity is mobile or premises-based
- the number of scheduled activities on the licence
- the highest number of administrative fee units for the scheduled activities on the licence
- the type of planning approval needed.

When you are lodging your licence application through the EPA's licensing portal at [eConnect EPA](#), your application fee will be calculated for you based on the information you provide according to the above criteria.

Note that:

- If the application for the activity was part of an integrated development application (see section 2.4 of this document), then the amount of the integrated development assessment fee paid to the EPA will be subtracted from the amount of the application fee.
- If the development is being carried out on land in an activation precinct³ that would be state significant development or state significant infrastructure (see section 2.5 of this document) if it were carried out outside the activation precinct, for the purposes of calculating the application fee, it is taken to be state significant development or state significant infrastructure (section 21(3) of the POEO General Regulation).

3.4.3 What is the method for calculating the application fee?

The application fee for the licence is calculated as follows:

Application fee = number of application fee units x application fee unit amount.

The steps for calculating the application fee are set out below.

Step 1: Identify all the scheduled activities, in Schedule 1 of the POEO Act, that apply for the activities to be carried out. There may be more than one.

Step 2: Identify the sub-activity that applies to the activity to be carried out, if the scheduled activity has a number of sub-activities. There may be more than one.

³ 'Activation Precinct' is defined in Chapter 3 of the State Environmental Planning Policy (Precincts – Regional) 2021.

- Step 3:** Identify the corresponding fee-based activity in Schedule 1 of the POEO General Regulation for each activity classification identified in Steps 1 and 2. Identify the applicable scale of each activity and the number of administrative fee units allocated to the scale.
- Step 4:** Determine the number of application fee units applicable for the licence, in accordance with section 21(1)(b) of the POEO General Regulation, which is summarised in the following table.

Note: the following table is only a summary of criteria set out in section 21(1)(b) of the POEO General Regulation at the time this document was published. Please refer to the POEO General Regulation for the current, specific requirements.

Table 1 Application fee units applicable to licences

Description	Application fee units
Premises-based activities	
1 or 2 scheduled activities AND where the administrative fee for each licensed activity is less than 50 fee units	37
3 or more scheduled activities OR where the highest administrative fee for any licensed activity is 50 fee units or more	88
State significant development or state significant infrastructure AND where the administrative fee for each licensed activity is less than 135 fee units	178
State significant development or state significant infrastructure AND where the administrative fee for each licensed activity is 135 fee units or more	223
Critical state infrastructure	227
Non-scheduled activity AND licence to regulate water pollution produced by the activity	37
Not premises-based activities	
Mobile waste processing	41
Transport of trackable waste	4

- Step 5:** Multiply the number of application fee units by the amount of one application fee unit.
- Under section 21(2) of the POEO General Regulation, the amount of an application fee unit is the same as the amount of an administrative fee unit for the applicable period. The administrative fee unit amount is set out in section 18 of the POEO General Regulation.

3.4.4 Examples of application fee calculations

Example 1: A cement production facility with an annual processing capacity of 40,000 tonnes

- Step 1:** The applicable scheduled activity under Schedule 1 of the POEO Act is 'Cement or lime works'.
- Step 2:** The applicable sub-activity classification in Schedule 1 of the POEO Act is 'Cement or lime production'.
- Step 3:** As shown in the table below, the applicable scale of activity for an annual processing capacity of 40,000 tonnes is 'More than 30,000 but not more than 100,000' tonnes and the number of administrative fee units applicable is 65.

Table 2 Cement or lime production

Annual production capacity (tonnes)	Administrative fee units
Not more than 30,000	5
More than 30,000 but not more than 100,000	65
More than 100,000 but not more than 250,000	165
More than 250,000 but not more than 500,000	300
More than 500,000	420

- Step 4:** The number of application fee units applicable is 88 – as one scheduled activity is being carried out and the administrative fee for the activity is more than 50 fee units.
- Step 5:** The number of application fee units is multiplied by the amount of one application fee unit to find the application fee. For the 2025–26 fee period that is:
- $$= 88 \times \$157$$
- $$= \$13,816$$

Example 2: A livestock-processing facility with a capacity to process 20,000 tonnes of slaughtered material a year and capacity to produce 5,000 tonnes of rendered products a year

- Step 1:** The applicable scheduled activity under Schedule 1 of the POEO Act is 'Livestock processing activities'.
- Step 2:** The applicable sub-activity classifications in Schedule 1 of the POEO Act are 'Slaughtering or processing animals' and 'Rendering or fat extraction'.
- Step 3:** As shown in the table below, the applicable scale of activity for slaughtering or processing animals with a live-weight processing capacity of 20,000 tonnes is 'More than 750 but not more than 30,000' tonnes and the number of administrative fee units applicable is 5.

Table 3 Slaughtering or processing animals

Annual processing capacity (tonnes)	Administrative fee units
More than 750 but not more than 30,000	5
More than 30,000	15

As shown in the table below, the applicable scale of activity for capacity to produce 5,000 tonnes of rendered products a year is 'More than 4,000' tonnes and the number of administrative fee units applicable is 15.

Table 4 Rendering or fat extraction

Annual production capacity (tonnes)	Administrative fee units
More than 200 but not more than 4,000	5
More than 4,000	15

Step 4: The number of application fee units applicable is 37 – as two scheduled activities are being carried out and the administrative fee for each activity is less than 50 fee units.

Step 5: The number of application fee units is multiplied by the amount of one application fee unit to find the application fee. For the 2025–26 fee period that is:

$$= 37 \times \$157$$

$$= \$5,809$$

Example 3: A trackable waste transporter transporting 500 kilograms of category 1 trackable waste.

Step 1: The applicable scheduled activity under Schedule 1 of the POEO Act is 'Transportation of trackable waste'.

Step 2: The applicable sub-activity classification in Schedule 1 of the POEO Act is 'Transportation of category 1 trackable waste'.

Step 3: As shown in the table below, the number of administrative fee units applicable is 4.

Table 5 Transportation of category 1 trackable waste

Transportation amount in any load (kilograms)	Administrative fee units
More than 200	4

Step 4: The number of application fee units applicable is 4.

Step 5: The number of application fee units is multiplied by the amount of one application fee unit to find the application fee. For the 2025–26 fee period that is:

$$= 4 \times \$157$$

$$= \$628$$

3.5 How do I lodge my application?

Lodge your licence application through the EPA's licensing portal at [eConnect EPA](#).

You must pay the licence application fee at the same time you submit the licence application. You can pay by credit card or electronic funds transfer.

3.6 What does the EPA consider when determining a licence application?

The EPA will consider a range of matters when determining a licence application. These are set out in full in section 45 of the POEO Act. In summary, they are:

- any protection of the environment policies
- the statutory objectives of the EPA
- the pollution caused or likely to be caused by carrying out the proposed work
- the likely impact of that pollution on the environment
- practical measures that could be taken to prevent, control, abate or mitigate the pollution and protect the environment from the impact of that pollution
- any relevant green offset scheme, green offset works or tradeable emission scheme or other scheme involving economic measures
- whether the applicant is considered to be a fit and proper person
- the ‘environmental values of water’⁴ that may be affected by the activity or work, and the practical measures that could be taken to restore or maintain those values
- any documents accompanying the application
- any relevant environmental impact statement or species impact statement
- any waste strategy in force under the *Waste Avoidance and Resource Recovery Act 2001*
- public submissions related to the licence application or activity to which the application relates.

3.7 How long does it take to process a licence application?

The EPA should determine the licence application within 60 days of the receipt of the completed application. Each application will be determined by either granting or refusing the application. The EPA will only consider that a complete application has been received when you have provided the application fee along with all the necessary information and documents the EPA needs to assess the application.

It is important to note the applicant can appeal if the application is not determined within 60 days and that, for the purposes of that appeal, the application is deemed to be refused.

⁴ ‘Environmental values of water’ – as specified in the *Australian and New Zealand guidelines for fresh and marine water quality 2000* (Australian and New Zealand Environment and Conservation Council [ANZECC] 2000)

4 Licence fees

4.1 How much will my licence cost once it is issued?

As well as the application fee, all licences have an ongoing annual licence administrative fee. Some licences will also require an annual load-based fee.

The administrative fee is calculated according to:

- the scheduled activity
- the size and/or scale of the activity
- for premises-based and mobile plant licences, the environmental management performance of the licence holder.

Environmental management performance is not considered when calculating the licence administrative fee for trackable waste transport licences.

The load-based fees will depend on the number of assessable pollutants and the types of pollutants your activity releases into the environment, as well as the conditions in the receiving environment.

For each activity classification, the amount of the administrative fee units for the activity and the applicable assessable pollutants are set out in Schedule 1 of the POEO General Regulation.

4.2 What is a 'licence fee period'?

Licence fees are paid for each 'licence fee period' of the licence. The first licence fee period is the 12-month period from the date of issue of the licence. Each subsequent 12-month period after that is a licence fee period.

The licence fee period is not affected by any transfer of the licence. It comes to an end if the licence is revoked or surrendered (but not when it is suspended).

Once a licence is issued, the annual administrative fee (see section 4.3) is payable 120 days after the beginning of the licence fee period. This applies for all licence fee periods – the initial one, and then all subsequent ones.

If a load-based fee applies (see section 4.4), it is due within 120 days after the end of the licence fee period each year.

4.3 Licence administrative fees

4.3.1 When do I pay the licence administrative fee for my licence?

Once your licence is issued, the EPA will send you an invoice for the licence administrative fee for the first licence fee period.

The administrative fee must be paid in full and received within 120 days after the beginning of the licence fee period each year.

After the initial year the EPA will send you an annual licence invoice on the anniversary date of the licence.

4.3.2 What happens if I do not pay my licence administrative fee on time?

If you do not pay your licence administrative fee on time, you will have to pay a penalty of 5% simple interest a fortnight on the amount outstanding for each whole fortnight after the fee payment due date, until the amount is paid. If the licence administrative fee remains unpaid, your licence may be suspended or revoked. If this happens you will be committing an offence against the POEO Act if you continue to conduct the scheduled activity.

4.3.3 What are environmental management categories and how do they impact on my annual licence administrative fee?

For premises-based and mobile plant licences, the method of calculating your annual licence administrative fee considers the environmental management category determined for the licence.

The environmental management category is determined annually based on your environmental management performance relating to the licence. The assessment takes into account your compliance history, regulatory actions the EPA has taken to respond to any incidents and non-compliances as well as any environmental improvement programs initiated by the licensee. The assessment is used to determine an environmental management category: A, B, C, D or E, with category E being the poorest environmental performance. The method used to determine the environmental management category is detailed in the [Environmental Management Calculation Protocol](#).

The annual licence administrative fees are calculated based on the number of administrative fee units applicable for the activity being carried out multiplied by the administrative fee unit amount and then multiplied by a factor associated with the environmental management category (given in the following table).

Table 6 Environmental management categories and corresponding environmental management factors

Environmental management category	Environmental management factor
A	0.95
B	1.0
C	1.3
D	1.6
E	2

4.3.4 How are licence administrative fees calculated?

The method for calculating the administrative fee for the licence is set out in section 24 of the POEO General Regulation.

The EPA will send you an invoice for your licence administrative fee for each licence fee period. Check the details are correct and contact the EPA if there are any errors.

Premises-based and mobile plant licences

For premises-based and mobile plant licences, the administrative fee for the licence is determined as follows:

Licence administrative fee = number of administrative fee units for the licensed activity (set out in Schedule 1 of the POEO General Regulation) **x administrative fee unit amount for the relevant**

fee period (set out in section 18 of the POEO General Regulation) **x the environmental management factor** (determined by the environmental management category for the licence).

The licence administrative fee will be calculated by the EPA according to the steps below:

Step 1: Multiply the amount of one administrative fee unit for the relevant fee period by the number of administrative fee units that apply to the activity authorised or controlled by the licence.

If the licence authorises or controls more than one activity, only the greatest number of administrative fee units specified in Schedule 1 for the activities applies.

Step 2: Determine the environmental management category (A, B, C, D or E) for the licence based on the licence holder's environmental performance, in accordance with the Environmental Management Calculation Protocol.

Step 3: Multiply the fee from Step 1 by the environmental management factor set out in the table in section 24(1) of the POEO General Regulation for the applicable environmental management category determined by the EPA.

Trackable waste transport licences

For trackable waste transport licences, the administrative fee for the licence is determined as follows:

Licence administrative fee = number of administrative fee units x administrative fee unit amount for the relevant fee period.

4.3.5 Examples of administrative fee calculations

Example 1: A cement production facility with an annual processing capacity of 40,000 tonnes and an environmental management category of 'A' for the 2025–26 financial year

Step 1: As shown in the table below, the number of administrative fee units applicable is 65

Table 7 Cement or lime production

Annual production capacity (tonnes)	Administrative fee units
Not more than 30,000	5
More than 30,000 but not more than 100,000	65
More than 100,000 but not more than 250,000	165
More than 250,000 but not mor than 500,000	300
More than 500,000	420

Step 2: As shown in the following table, the environmental management factor for environmental management category A is 0.95.

Table 8 Environmental management categories and corresponding environmental management factors

Environmental management category	Environmental management factor
A	0.95
B	1.0
C	1.3

Environmental management category	Environmental management factor
D	1.6
E	2

Step 3: Multiply the number of administrative fee units by the administrative fee unit amount for the licence fee period x environmental management factor:

$$= 65 \times \$157 \times 0.95$$

$$=\$9,694.75$$

The administrative fee is \$9,694.75.

Example 2: A waste transporter transporting 500 kilograms of category 1 trackable waste for the 2025–26 period.

Step 1: As shown in the following table, the number of administrative fee units applicable is 4.

Table 9 Transportation of category 1 trackable waste

Transportation amount in any load (kilograms)	Administrative fee units
More than 200	4

Step 2: Multiply the number of administrative fee units by the administrative fee unit amount for the licence fee period:

$$=4 \times \$157$$

$$= \$628$$

The administrative fee is \$628.

4.4 Load-based fees

A subset of licence holders is subject to the EPA's load-based licensing (LBL) scheme. Those licence holders are required to calculate the loads of assessable pollutants released into the environment as a result of the activities carried out. In some cases, they will be required to pay a load-based fee.

The load-based fee applies only to those activities that have assessable pollutants. To find out whether your activity has assessable pollutants, look up the fee-based activity classifications provided in Schedule 1 of the POEO General Regulation.

You will have already identified all the applicable fee-based activity classifications for the activities carried out at your premises in order to apply for your licence. As you will now be aware, there may be more than one applicable classification for your activities. Check to see which, if any, of the applicable activity classifications have assessable pollutants.

If your activities have assessable pollutants, you must use the EPA's Load Calculation Protocol available on the EPA website.

You must follow the instructions in the protocol to calculate the assessable load (in kilograms) of each assessable pollutant. You may need to collect data throughout the whole licence fee period.

Holders of load-based licences are required to submit an LBL annual return which will include load-calculation worksheets. The LBL annual return is submitted electronically via the EPA's licensing

portal at [eConnect EPA](#) and must be received by the EPA no later than 60 days after the anniversary date for your licence. See section 8.4 of this document for more information on LBL annual returns.

4.4.1 What if there are no assessable pollutants for my activity?

You will not have to calculate or pay a load-based fee if there are no assessable pollutants listed for the activities at your premises.

4.4.2 When do I pay the load-based fee?

Load-based fees must be paid within 120 days after the end of each licence fee period. When you submit your completed LBL annual return, the EPA will send you an invoice for the load-based fee payable.

You must calculate the actual load for each assessable pollutant discharged under your licence during each licence fee period, including the first licence fee period, in accordance with the [Load Calculation Protocol](#).

4.4.3 What happens if I do not pay my load-based fees on time?

If load-based fees are not received within 120 days after the end of the licence fee period, a penalty of 5% simple interest per fortnight on the amount outstanding will apply for each whole fortnight after the due date, until the amount is paid.

If the correct load-based fee has not been paid by the due date, your licence may be suspended or revoked. If your licence is suspended or revoked, you will be committing an offence against the POEO Act if you continue to conduct the activity.

5 Waste contributions and other waste requirements

5.1 What are waste contributions and who has to pay them?

Section 88 of the POEO Act requires occupiers of licensed waste facilities to pay a monthly waste contribution (often referred to as the waste levy). The Protection of the Environment Operations (Waste) Regulation 2014 (POEO Waste Regulation) outlines the type of facilities or waste that may be exempted from the contribution and the circumstances under which the holder of a licence may be exempt from the payment of monthly contributions.

The POEO Waste Regulation also outlines the circumstances under which the holder of a licence would be entitled to a rebate on any contributions made. For further information about waste contributions, you can view the forms and user guides on the EPA website at [Waste levy](#).

The waste levy applies to disposal facilities and other waste facilities, but they have different obligations on when the levy must be paid.

For more information see [the POEO Waste Regulation](#).

5.2 What is the regulated area that the waste levy applies to?

The regulated area is the area comprising the local government areas of Ballina, Bayside, Bellingen, Blacktown, Blue Mountains, Burwood, Byron, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Central Coast, Cessnock, Clarence Valley, Coffs Harbour, Cumberland, Dungog, Fairfield, Georges River, Hawkesbury, Hornsby, Hunters Hill, Inner West, Kempsey, Kiama, Ku-ring-gai, Lake Macquarie, Lane Cove, Lismore, Liverpool, Maitland, Mid-Coast, Mosman, Muswellbrook, Nambucca, Newcastle, North Sydney, Northern Beaches, Parramatta, Penrith, Port Macquarie-Hastings, Port Stephens, Randwick, Richmond Valley, Ryde, Shellharbour, Shoalhaven, Singleton, Strathfield, Sutherland, Sydney, The Hills, Tweed, Upper Hunter, Waverley, Willoughby, Wingecarribee, Wollondilly, Wollongong and Woollahra.

Kyogle local government area is exempt from the levy area until 1 July 2027 (under clause 7 of the POEO Waste Regulation).

5.3 Waste reporting

All levy-liable licensed waste facilities are required to keep records and report monthly to the EPA on their waste inputs and outputs from the facility. For further information, see the [Waste levy](#) page on the EPA website.

5.4 Weighbridge to record waste inputs and outputs

All levy-liable licensed waste facilities are required to install a weighbridge to accurately measure all waste brought into the facility and taken out of the facility. For more information see the [POEO Waste Regulation](#).

6 Other important legislative requirements

6.1 Publishing pollution monitoring data

Some licence holders have conditions on their licence that require monitoring by the licensee. If your licence has such conditions, you must publish any pollution monitoring data collected in compliance with those conditions (section 66(6) of the POEO Act). You must publish the data in accordance with the EPA's [Requirements for publishing pollution monitoring data](#).

6.2 Pollution incident response management plans

All licence holders must prepare a pollution incident response management plan before starting activities. For details on what must be included in the plan, see the [Guideline: Pollution Incident Response Management Plans](#).

7 After I receive my licence

Once you receive your licence, you should make yourself aware of all its conditions. These are aimed at preventing or minimising the environmental impacts from the licensed activity. The conditions could, for example, limit the amount of noise that can be emitted by your licensed activity, require you to monitor pollutants, or make sure your operating procedures are environmentally acceptable. In some cases, you may be required by the conditions of your licence to develop and implement a pollution reduction program, the aim of which is to reduce the environmental impact of your activity over time.

It is an offence to fail to comply with your licence conditions. The EPA can issue penalty notices of \$30,000 for a corporation or \$15,000 for an individual who fails to comply with the conditions of their licence. For second or subsequent offences relating to failure to comply with licence conditions, the penalty notice amount is \$45,000 for a corporation and \$22,500 for an individual. The courts can impose fines of up to \$2,000,000 for a corporation (with a further penalty of \$240,000 for each day the offence continues) and \$500,000 for an individual (with a further penalty of \$120,000 for each day the offence continues).

If your activity involves assessable pollutants (see Schedule 1 of the POEO General Regulation), you must begin collecting information in relation to assessable pollutants at the start of the licence fee period in accordance with the EPA's [Load Calculation Protocol](#). This protocol may be updated from time to time, so check the EPA's website for the latest version. This information will be needed by you to calculate your load-based fee using the load-calculation worksheets provided in the LBL annual return.

8 Reporting requirements

8.1 What are the reporting requirements for my licence?

All holders of premises-based licences and mobile waste processing licences are required to report non-compliance information (see section 8.2).

Licence holders who have conditions on their licence that require them to undertake monitoring are required by their licence to submit an annual summary of monitoring data (see section 8.3).

Holders of load-based licences are also required by their licence to submit an LBL annual return (see section 8.4).

8.2 What non-compliance information do I need to report?

All holders of premises-based licences and mobile waste processing licences must report any non-compliances to the EPA within 21 days of becoming aware of the non-compliance. Report non-compliances electronically via EPA's licensing portal at [eConnect EPA](#).

For each non-compliance you report you must provide the following information:

- the date you became aware of the non-compliance
- the date(s) the non-compliance occurred, including if the non-compliance is continuing
- whether the non-compliance relates to air, water/land, noise or waste matters (if applicable)
- whether the non-compliance relates to a pollution incident
- the licence condition(s) not complied with
- a summary of particulars of the non-compliance, including (if known)
 - the location where the non-compliance occurred
 - the duration of the non-compliance
 - if the non-compliance is continuing, the suspected end date of the non-compliance
- the cause or suspected cause of the non-compliance
- any action taken, or proposed to be taken, to mitigate the effects of the non-compliance
- any action taken, or proposed to be taken, to prevent a recurrence of the non-compliance.

All non-compliances must be reported via eConnect within 21 days even if the non-compliance is continuing or has been rectified.

When a non-compliance is reported you will receive an acknowledgement email with a unique report number and the following information will be uploaded to the EPA's public register:

- the date of the non-compliance
- the licence condition number not complied with
- a summary of the non-compliance.

(See further information about the public register in section 9.7.)

8.3 What monitoring data do I need to report?

Licence holders who have conditions on their licence that require them to undertake monitoring are required to submit an annual summary of monitoring data to the EPA. Report monitoring data electronically via the EPA's licensing portal at [eConnect EPA](#).

The summary of monitoring data must be provided in the agreed format, with the following column headings:

- EPA point identification number
- pollutant
- unit of measure
- number of samples required
- number of samples collected and analysed
- lowest sample value
- mean of sample values
- highest sample value.

You will need to submit your annual summary of monitoring data to the EPA within 60 days after the end of the licence reporting period. If the licence has been transferred during the licence reporting period, each person who held the licence during the licence reporting period must submit an annual summary of monitoring data for the part of the licence reporting period for which they held the licence, within 60 days of the end of the period that they held the licence.

If your annual monitoring summary has not been lodged within the required time, you will have breached your licence conditions and may be subject to regulatory action by the EPA.

8.4 What are the additional annual reporting requirements if I hold a licence under the load-based licence scheme?

Holders of licences that are part of the load-based licensing scheme must also lodge an LBL annual return for each reporting period. The LBL annual return must be supplied in the approved form comprising a Statement of Compliance for Load Based Fee Calculation and must be certified and signed by:

- the licensee
- or
- by a person approved in writing by the EPA to sign on behalf of the licensee.

The LBL annual return must be lodged with the EPA within 60 days after the end of the licence reporting period. If the licence has been transferred during the licence reporting period, each person who held the licence during the licence reporting period must submit an LBL annual return for the part of the licence reporting period for which they held the licence, within 60 days of the end of period that they held the licence.

If your LBL annual return has not been lodged within the required time, you will have breached your licence conditions and may be subject to regulatory action by the EPA.

LBL annual returns are lodged through the EPA's licensing portal at [eConnect EPA](#).

9 Other licensing questions

9.1 How long does a licence last?

Once a licence is issued, it comes into force and remains in force until it is surrendered by the licence holder or is revoked or suspended by the EPA. This means you will not have to renew your licence each year. However, annual administrative fees and reporting requirements continue to apply while the licence is in force, and the EPA may, after giving you the required period of notice, change the conditions of your licence at any time. Annual administrative fees also continue to apply while a licence is suspended.

Your licence will be reviewed at least once every five years. The EPA is required to give public notice of its intention to review a particular licence.

9.2 How are licences transferred?

A licence may need to be transferred to another person in certain circumstances, such as when a business is bought or sold.

To transfer the licence, complete an application form, have it signed by both the current and proposed licence holder, and submit it through the EPA's licensing portal at [eConnect EPA](#). Along with the form, send a transfer application fee (equal to two administrative fee units, set out in section 18 of the POEO General Regulation). If the transfer is approved, it takes effect on the date nominated in the application.

9.3 What happens if I change the type or scale of my activity?

Your licence conditions relate to the type and scale of activity described in your licence. If you change the nature of your activity, you will need to complete an application form to have your licence varied. Variation of your licence comes into effect when the EPA issues the notice of variation of licence.

Submit licence variation application forms through the EPA's licensing portal at [eConnect EPA](#).

- If the change to your **type** of activity means you no longer need a licence, you will need to apply to surrender your licence (see section 9.5 of this guide).
- If the **scale** of your activity changes, you may need to apply for a variation to the scale of the activity specified in your licence and adjustments may need to be made to the last administrative fee you have paid.

You may have to supply additional supporting information when applying for a licence variation that relates to a change in the type or scale of activity described in your licence. The Appendix lists additional supporting information.

9.4 What if I do not need a licence anymore?

If you think you no longer need a licence, you should complete an application for surrender of licence form. Submit the licence surrender application form through the EPA's licensing portal at [eConnect EPA](#).

The EPA will notify you in writing whether your licence surrender application has been approved. If it has been approved, we will advise the relevant local council, which will then be responsible for regulating your activity.

9.5 I hold a licence and my company name has changed. Is there anything I need to do?

If your company name changes but your ACN/ABN stays the same, you should notify the EPA in writing and provide a **certificate of registration of change of name** (available from the Australian Securities Investment Commission) to ensure your licence is updated. You can notify the EPA by email to poeo.licensing@epa.nsw.gov.au.

If your company name and ACN/ABN changes, you need to complete a **licence transfer** application form. See section 9.2 of this document for details on applying for a transfer of licence.

9.6 Can I appeal against a licensing decision?

Under the POEO Act, you may appeal licensing decisions, including decisions to revoke or suspend a licence and refusals to approve an application to surrender a licence, transfer a licence or vary the conditions of a licence.

You may send a written request to the EPA for a statement of reasons for its decision to refuse to issue, transfer or vary a licence. The EPA will provide you with a statement outlining the significant environmental or other issues, and the environmental outcomes, standards or requirements (if relevant) that it took into consideration in making its decision.

Licence holders or potential licence holders may appeal to the Land and Environment Court against licensing decisions within 21 days of being issued with the notice of decision.

Note: Licence variation notices take effect from the date of the decision or the day otherwise specified by the EPA, which means action may be required within the appeal period. However, the recipient may apply to the court for a stay of the notice, in which case (if granted) the variation notice will not take effect until the stay ceases to have effect, the court confirms the stay or the appeal is withdrawn, whichever occurs first.

If the EPA does not determine your application within 60 days, you may appeal to the court as if your application had been refused.

Note: If you are required to provide information to the EPA, the time taken for you to do so is not taken into account when calculating this 60-day period.

9.7 Will information about my licence will be available to the public?

The EPA maintains the POEO Public Register, which provides information on a range of licensing activities carried out by the EPA. .

The full list of information and matters that must be published on the EPA public register is set out in section 308 of the POEO Act and section 156 of the POEO General Regulation. These matters are summarised below.

The EPA's public register includes a copy of each licence issued, information on the licence application and any decisions made by the EPA regarding the application.

In relation to each licence issued by the EPA, the public register also contains:

- licence conditions and any variation of licence conditions
- licence applications
- any decisions to suspend, revoke or approve the surrender of a licence
- certain load-based licensing information, including any load-reduction agreements
- the details of any court-enforceable undertakings
- the date of completion of each licence review, which is available on the licence record.

As well as the above, the EPA's public register contains the following information:

- environment protection notices (clean-up, prevention and prohibition notices) or noise control notices issued by the EPA
 - any exemptions granted under the POEO Act or Regulations
 - enforceable undertakings entered into under the POEO Act
 - penalty notices issued to licence holders for breaches of environment protection legislation
 - convictions in prosecutions by the EPA under the POEO Act
 - results of civil proceedings before the Land and Environment Court by or against the EPA
 - details of each mandatory environmental audit and summaries of the conclusions of audit reports relating to mandatory environmental audits supplied to the EPA
 - certain monitoring data supplied to the EPA by the licence holder
 - summary of information on non-compliance with licence conditions, supplied to the EPA by the licence holder.
-

9.8 What happens if I am the occupier of a premises and carry out a scheduled activity but do not hold a licence?

If you need to hold a licence but do not hold one, you will be liable to prosecution. This could result in fines as high as \$2,000,000 (for corporations) or \$500,000 (for individuals). For a continuing offence, you could be fined a further \$240,000 (in the case of a corporation) or \$120,000 (in the case of an individual) for each day the offence continues. Penalty notices can also be issued for these offences.

10 What to do if you don't need a licence

If you decide that you do not need a licence, you still have responsibilities under the POEO Act. Other environmental laws may still apply to your activity. For example, under the POEO Waste Regulation, certain environment protection requirements apply to:

- non-licensed transporters of waste
- activities involving the transport and disposal of asbestos waste
- activities involving the disposal of clinical waste.

There are also reporting requirements for non-licensed landfill sites. These are sites where waste disposal is carried out for non-commercial purposes or where only virgin excavated natural material is received. Before a non-licensed landfill site begins operation, the EPA must be notified of the:

- location of the landfill site
- name and address of the occupier of the landfill site.

The EPA is not required to be notified if the landfill site only receives virgin excavated natural material.

The occupier of a non-licensed landfill site must report certain information to the EPA as required under the Regulations.

The maximum penalty for a breach of these requirements is \$22,000 for a corporation and \$11,000 for an individual. EPA and local council officers may issue penalty notices for breaches of environment protection requirements for non-licensed waste activities and transporters.

Contact the EPA if further information is needed.

11 Further information

If you need help to complete your application for a licence or have any technical enquiries, contact the EPA at info@epa.nsw.gov.au or on 131 555.

Appendix: Supporting documentation required when applying for an environment protection licence

Premises-based activities

You must supply the following information, where applicable, with your licence application for scheduled development work, scheduled activity and/or non-scheduled activity likely to cause water pollution.

More complex applications may require more detailed information than what is set out below.

You may also be required to supply supporting information if you apply for a variation of your licence due to a change in the type or scale of activity described in your licence.

If you have recently been through a planning process such as integrated development or state significant development, the information below may have been provided in your application in the form of an environmental impact statement or statement of environmental effects and other supporting reports.

You do not need to duplicate information listed below if it is included in any attached supporting documents.

Contact the EPA if you need clarification on what information you must supply with your application.

The activity – general information

- A copy of the development consent or other relevant planning approval(s). For new or recent planning approvals, provide documentation that was used to support the planning approval. This may include an environmental impact statement, a statement of environmental effects, and associated technical reports.
- Compliance with waste strategy in force under the *Waste Avoidance and Resource Recovery Act 2001* and any other relevant EPA policies and strategies.
- A detailed description of:
 - a. the current and/or proposed activities and operations (including start and finish dates of all stages of development work)
 - b. the production process (if any), including the types of materials used (i.e. all solid, liquid and gas inputs), any reuse of recycled materials, and the nature of the finished product and all intermediates. Include a flow diagram of the process, showing all emission and/or discharge points for pollutants, pollution control equipment, raw material stockpiles and raw material input points. Add a piping and instrument diagram where appropriate
 - c. the finished product (if any) (tonnes/year), and capacity (tonnes/year)
 - d. details of materials, wastes and substances to be received, processed, managed and/or disposed of

- e. all pollutants (air, water, noise) and waste products that will be generated, stored discharged and/or emitted
- f. methods of storing the inputs, outputs, pollutants and waste, including what material is stored, volumes and whether there are above or underground tanks
- g. the proposed treatment, mitigation, and/or disposal methods for pollutants, including any discharges after treatment and/or mitigation and disposal
- h. all pollution control equipment
- i. a list of any industrial chemicals that are listed in Schedule 6 or 7 of the NSW IChEMS register and are used at the site, in accordance with the definition of 'use' in section 296 of the POEO Act.

Details of discharges of pollutants to air and air impacts

- For pollutants to be emitted or discharged, both before and after treatment:
 - a. composition of flue gases on a dry basis moisture content in flue gases
 - b. volumetric flow rate (cubic metres per hour) corrected to 0°C and 101.3 kilopascals
 - c. temperature of flue gases
 - d. pollutant concentrations (parts per million) and mass emission rate (grams per second)
 - e. exit velocity of flue gases from each discharge point
 - f. concentrations and size ranges of particulate matter
 - g. dispersion modelling for pollutants (including odours) used in determining chimney heights. Include all assumptions, air quality criteria and background ambient levels used.
- A detailed assessment of fugitive emissions from the activity on the premises, including location of fugitive emissions, source of emissions, and mitigation measures for these emissions.

Details of discharges of pollutants to water and water impacts

- A full justification for any proposed discharges. This must include a description of best management practices and cleaner production techniques to be used, and an assessment of what wastewater can be beneficially reused in preference to being discharged to waters.
- Plans and cross-sectional drawings of proposed works, including inlet and outlet points, baffles or other works to be installed at the discharge point.
- A longitudinal section drawing along the outfall drainpipe or diffuser for the disposal of effluent to waters.
- A schematic flow diagram of the treatment and disposal process proposed, including a piping and instrument diagram where appropriate.
- The average flow rate (kilolitres per day) of liquid to be discharged/irrigated from the proposed discharge point.
- The maximum flow rate (kilolitres per day) of liquid to be discharged/irrigated from the proposed discharge point.
- Proposed methods for measuring flow rates to be discharged/irrigated, and details of major items of equipment (for example aerators, diffusers, sprinkler types, pumps).

- The location of proposed monitoring points.
- A detailed description of the concentration of pollutants both before and after treatment, in terms of the following characteristics:
 - a. temperature
 - b. pH
 - c. biological oxygen demand (BOD)
 - d. total suspended solids
 - e. faecal coliforms
 - f. metals
 - g. radioactivity
 - h. oil, grease and floating solids
 - i. infectious or contagious materials
 - j. nutrient content
 - k. salinity
 - l. any prescribed matter for the definition of water pollution.

The description must take into consideration the characteristics and hydrology of the receiving waters. Consideration must be given to the cumulative effects of a number of pollutants.

Details of discharges of pollutants to land and land impacts

Soil and land characteristics

- a. Type and description
- b. Permeability, infiltration and percolation potential
- c. Soil profile: strata type at each depth
- d. Types of vegetation or crops
- e. Subsoil nutrient and salinity status

Topography

- a. Ground slope
- b. Description of adjacent land
- c. Erosion potential
- d. Flood potential

Climate

- a. Precipitation analysis (monthly distribution)
- b. Storm intensities
- c. Evapotranspiration (monthly distribution)
- d. Prevailing wind

Ground water

- a. Depth to ground water
- b. Location of existing wells: on site, and/or adjacent to site
- c. Current use of ground water
- d. Whether the site is a groundwater recharge area groundwater chemistry and hydrology

Surface waters

- a. Proximity
- b. Current use
- c. Flow characteristics

Proximity to dwellings and roads

- Irrigation system
 - a. A schematic diagram of the system controls, including pipes, pumps, valves, timers and alarms
 - b. Description of the type of irrigation system: flood, spray, trickle or furrow
- A hydraulic water balance, including calculations developed in accordance with Environmental guidelines: Use of effluent by irrigation (NSW Department of Environment and Conservation, 2004)

Waste-related activities

- For licence applications relating to landfilling activities, provide details of how the proposal will meet the minimum standards specified in the Environmental guidelines: solid waste landfills (EPA 2016)

Environmental outcomes

- A detailed assessment of the expected environmental goals or outcomes to be achieved in conducting the activity. This should include, at a minimum:
 - a. reuse options for the wastewater
 - b. pollutant emission loads on a yearly basis
 - c. potential impacts on regional air quality, including odour modelling
 - d. noise levels at the nearest receptors, and any mitigation measures needed to make sure noise levels are within acceptable limits
 - e. a 'cradle to grave' flow diagram for all waste generated by the development works and/or activity.
- The assessment must refer to any relevant standard, guideline or policy that formed the basis of any environmental goal or outcome to be achieved (e.g. World Health Organization Goals; Australian and New Zealand Environment and Conservation Council Guidelines; or the adoption of best management technology or demonstration that it is being used).

Site contamination

- Details of any contamination present on the premises, including:
 - a. the nature and extent of any contamination
 - b. any actual or proposed remediation to be carried out
 - c. any actual or proposed validation of the remediation carried out.

Locality and site plan

- Locality and site plan drawn to scale showing:
 - a. contours
 - b. existing and proposed facilities, site boundaries, adjacent residential areas (existing and proposed development), and other noise-sensitive areas such as schools, hospitals and aged-care centres
 - c. nearest affected or isolated residences within the area likely to be affected by the activity
 - d. other adjoining premises (commercial and/or industrial)
 - e. all sensitive ecological receivers, including nearby creeks and wetlands.

Auditing compliance

- Proposed means of auditing compliance with licence conditions.
-

Not premises-based activities – mobile waste processing

You must supply the following information with your licence application for mobile waste processing.

- A detailed assessment of the expected environmental goals or outcomes to be achieved in conducting the activity. This should include at a minimum, where applicable:
 - a. details of potential discharges and reuse options for the wastewater
 - b. pollutant emission loads on a yearly basis
 - c. potential impacts on regional air quality, including odour modelling
 - d. noise levels at the nearest receptors, and any mitigation measures required to make sure noise levels are within acceptable limits
 - e. a 'cradle to grave' flow diagram for all waste products resulting from the development works and/or activity.

The assessment must refer to any relevant standard, guideline or policy that formed the basis of any environmental goal or outcome to be achieved (e.g. World Health Organization Goals; Australian and New Zealand Environment and Conservation Council Guidelines; or the adoption of best management technology or the demonstration that it is being used).

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TTY users:
Phone 133 677, then ask for 131 555

Speak and listen users:
Phone 1300 555 727, then ask for 131 555

Email:
info@epa.nsw.gov.au

Website:
epa.nsw.gov.au

Report pollution and
environmental incidents

Environment Line:
131 555 (NSW only) or
info@epa.nsw.gov.au

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