

Environment Protection Licence

Licence - 21078

<u>Licence Details</u>	
Number:	21078
Anniversary Date:	14-August

<u>Licensee</u>
BIRDON PTY LTD
PO BOX 739
PORT MACQUARIE NSW 2444

<u>Premises</u>
SETTLEMENT SHORES ESTATE CANALS
PORT MACQUARIE NSW 2444

<u>Scheduled Activity</u>
Extractive activities

<u>Fee Based Activity</u>	<u>Scale</u>
Water-based extractive activity	> 30000-50000 m3 annual extractive capacity

<u>Region</u>
North - Hunter
Ground Floor, NSW Govt Offices, 117 Bull Street NEWCASTLE WEST NSW 2302
Phone: (02) 4908 6800
Fax: (02) 4908 6810
PO Box 488G NEWCASTLE NSW 2300



Environment Protection Licence

Licence - 21078

INFORMATION ABOUT THIS LICENCE	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
1 ADMINISTRATIVE CONDITIONS	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
2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND	7
P1 Location of monitoring/discharge points and areas	7
3 LIMIT CONDITIONS	8
L1 Pollution of waters	8
L2 Concentration limits	8
L3 Noise limits	9
L4 Hours of operation	10
L5 Potentially offensive odour	10
4 OPERATING CONDITIONS	10
O1 Activities must be carried out in a competent manner	10
O2 Maintenance of plant and equipment	10
O3 Emergency response	11
O4 Processes and management	11
O5 Other operating conditions	11
5 MONITORING AND RECORDING CONDITIONS	12
M1 Monitoring records	12
M2 Requirement to monitor concentration of pollutants discharged	13
M3 Testing methods - concentration limits	14
M4 Recording of pollution complaints	14
M5 Telephone complaints line	14
M6 Other monitoring and recording conditions	15

Environment Protection Licence

Licence - 21078



M7	Noise monitoring	15
6	REPORTING CONDITIONS	15
R1	Annual return documents	15
R2	Notification of environmental harm	16
R3	Written report	16
R4	Other reporting conditions	17
7	GENERAL CONDITIONS	17
G1	Copy of licence kept at the premises or plant	17
G2	Contact number for incidents and responsible employees	18
DICTIONARY		19
	General Dictionary	19

Environment Protection Licence

Licence - 21078



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 - 21078



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:

BIRDON PTY LTD
PO BOX 739
PORT MACQUARIE NSW 2444

subject to the conditions which follow.

Environment Protection Licence

Licence - 21078

1 Administrative Conditions

A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Extractive activities	Water-based extractive activity	> 30000 - 50000 m3 annual extractive capacity

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
SETTLEMENT SHORES ESTATE CANALS
PORT MACQUARIE
NSW 2444
SETTLEMENT SHORES ESTATE CANALS
TEN CANAL CHANNELS WITHIN SETTLEMENT SHORES ESTATE AS SHOWN COLOURED ON PLAN TITLED "PORT MACQUARIE SETTLEMENT SHORES - PLANS DESIGN SURFACE AND VOLUME COMPARISON" DATED 22/02/16. EPA REFERENCE DOC18/327250.

A3 Information supplied to the EPA

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

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

- 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
- the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

Environment Protection Licence

Licence - 21078



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.

P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Ambient water quality monitoring		Control Site - In canal waters unaffected by dredging, at least 200m upstream of the dredge when in operation or within a separate canal to the one being dredged.
2	Discharge quality monitoring Discharge to waters	Discharge quality monitoring Discharge to waters	Hydraulic or Mechanical Dredging - In waters of canal at the most affected point 50m downstream of the dredge when in operation.
3	Discharge quality monitoring Discharge to waters	Discharge quality monitoring Discharge to waters	Hydraulic Dredging - In canal waters at the most affected point 50m outside the silt curtain enclosing the return water discharge point from the hydrocyclone.
4	Discharge quality monitoring Discharge to waters	Discharge quality monitoring Discharge to waters	Hydraulic Dredging - At the most affected point within the silt curtain enclosing the return water discharge point from the hydrocyclone.
5	Discharge quality monitoring Discharge to waters	Discharge quality monitoring Discharge to waters	Hydraulic and Mechanical Dredging - Dredge spoil disposal location. Within canal waters 50 m from the waterline of the dredge spoil disposal location.
6	Discharge quality monitoring Discharge to waters	Discharge quality monitoring Discharge to waters	Mechanical Dredging - Waters within the bund containing onshore dredged material stockpiles.

Environment Protection Licence



Licence - 21078

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 Concentration limits

L2.1 For each monitoring/discharge point or utilisation area specified in the table below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table.

L2.4 Water and/or Land Concentration Limits

POINT 2,3,5

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	milligrams per litre				10 and non-visible
pH	pH				6.5 - 8.5
Total suspended solids	milligrams per litre				50

L2.5 Turbidity Measurements

(a) The licensee may use turbidity measurements to determine compliance with the total suspended solids limit shown on this licence, provided the requirements of this condition "Turbidity Measurements" are complied with.

(b) If the licensee uses turbidity (NTU) in place of total suspended solids (TSS) to determine compliance with the TSS limits, the licensee must develop a statistical correlation which identifies the relationship between NTU and TSS for water quality at each dredging location in order to determine the NTU equivalent of 50 mg/L TSS prior to its use.

(c) The licensee must develop and implement a method to enable the ongoing verification of the

Environment Protection Licence



Licence - 21078

relationship between NTU and TSS.

(d) The licensee must provide the EPA with the results of the statistical relationship correlation required by this condition "Turbidity Measurements" prior to the use of NTU in place of TSS.

(e) The licensee must provide the EPA with any revised statistical correlation required by this condition "Turbidity Measurements".

L3 Noise limits

L3.1 Noise from the premises must not exceed 55dB(A) $L_{Aeq(15\text{ minute})}$ during the day.

Where "day" is defined as 7am to 6pm Monday to Friday and 8am to 1pm Saturdays.

Where L_{Aeq} means the equivalent continuous noise level – the level of noise equivalent to the energy-average of noise levels occurring over a measurement period.

L3.2 The noise emission limits identified in this licence apply under all meteorological conditions except:

- during wind speeds greater than 3m/s at 10 metres above ground level; or
- Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- Stability category G temperature inversion conditions.

L3.3 Determining Compliance

To determine compliance:

- with the $L_{Aeq(15\text{ minute})}$ noise limits in the Noise Limits table, the noise measurement equipment must be located:
 - approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
 - within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
 - within approximately 50 metres of the boundary of a National Park or a Nature Reserve.
- with the $LA1(1\text{ minute})$ noise limits in the Noise Limits table, the noise measurement equipment must be located within 1 metre of a dwelling façade.
- with the noise limits in the Noise Limits table, the noise measurement equipment must be located:
 - at the most affected point at a location where there is no dwelling at the location; or
 - at the most affected point within an area at a location prescribed by part (a) or part (b) of this condition.

Note: A non-compliance of the Noise Limits table will still occur where noise generated from the premises in excess of the appropriate limit is measured:

- at a location other than an area prescribed in part (a) and part (b); and/or
- at a point other than the most affected point at a location.

L3.4 For the purposes of determining the noise generated at the premises the modification factors in Noise Policy for Industry (2017) Fact Sheet C must be applied, as appropriate, to the noise levels measured by

Environment Protection Licence



Licence - 21078

the noise monitoring equipment.

L4 Hours of operation

- L4.1 Operations at the premises must only occur during the following hours:
- a) Monday to Friday – 7:00am to 6:00pm
 - b) Saturday - 8:00am to 1:00pm
 - c) No work on Sunday or Public Holidays

L5 Potentially offensive odour

- L5.1 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.
- L5.2 No condition of this licence identifies a potentially offensive odour for the purpose of the section 129 of the Protection of the Environment Operations Act 1997.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

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.
- O1.2 The storage and handling on the premises of fuels, oils and greases used or intended to be used in connection with the activities to which this licence applies, must be carried out in a manner that is not likely to cause harm to the environment.

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.

Environment Protection Licence

Licence - 21078



O3 Emergency response

- O3.1 The licensee must ensure that an appropriate number of spill kits are accessible and available on the premises in order to contain, capture and clean up spills that occur on the premises and to prevent water pollution
- O3.2 The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The licensee must keep the incident response plan on the premises at all times. The incident response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. The licensee must develop a Pollution Incident Response Management Plan in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO regulations.

O4 Processes and management

- O4.1 All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.
- O4.2 Bunds must:
- a) have walls and floors constructed of impervious materials;
 - b) be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed);
 - c) have floors graded to a collection sump; and
 - d) not have a drain valve incorporated in the bund structure,

or be constructed and operated in a manner that achieves the same environmental outcome.

O5 Other operating conditions

Hydraulic Dredging

- O5.1 The outlet discharging water from the return water pipeline from the hydrocyclone into the adjacent water body must be enclosed in a silt curtain to contain fines.
- O5.2 The silt curtain must not be removed until such time as water quality testing at Point 4, within the silt curtain, demonstrates that the limits of the licence will be met at Point 3.

Mechanical Dredging

- O5.3 Silt curtains must be installed and remain in place during all mechanical dredging operations.
- O5.4 Onshore stockpiles of mechanically dredged material must be placed within a bunded area capable of retaining water for sampling. The quality of this water must be verified by sampling at Point 6 to ensure that when these waters are released the waters at Point 5 of this licence will comply with the limits

Environment Protection Licence

Licence - 21078



relevant to Point 5.

Acid Sulphate Soil Management

- O5.5 An Acid Sulphate Soil Management Plan must be developed that details a testing frequency and testing methodology for dredge spoil and hydrocyclone fines.

The plan must detail the methodology for trials to determine dosing rates for lime or other ameliorants, should the testing determine this is necessary.

- O5.6 Dredge spoil and hydrocyclone fines must be tested in accordance with relevant Acid Sulphate Soil Guidelines and actions taken to prevent oxidation that will result in water quality impacts in the short or long term.
- O5.7 Where testing of dredge spoil or hydrocyclone fines reveals that ameliorative measures are necessary to prevent water quality impacts, the licensee must, within 7 days of receiving the soil test results, provide a report to the EPA detailing the location of sample and the actions that have been, or will be, taken to prevent adverse water quality impacts in the short or long term.

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:
- in a legible form, or in a form that can readily be reduced to a legible form;
 - kept for at least 4 years after the monitoring or event to which they relate took place; and
 - 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:
- the date(s) on which the sample was taken;
 - the time(s) at which the sample was collected;
 - the point at which the sample was taken; and
 - the name of the person who collected the sample.
- M1.4 The licensee and its employees must ensure that visual surveillance of dredging operations is undertaken whenever possible while dredging is occurring, at a minimum frequency of every two hours, to assist in a timely identification of any threat or harm to the environment. In addition, a log is to be maintained of these visual surveys when dredging is occurring to record the following:
- time and date of observations;
 - name and position of observer;
 - direction and visibility of any discoloured water (eg SE quarter, discoloured plume travelled 50m from dredge); and
 - results and/or actions taken (eg turbidity measured at point 1 and a reading of x ntu was recorded).
- These records are to be maintained as per Condition M1 of this licence.

Environment Protection Licence

Licence - 21078

M2 Requirement to monitor concentration of pollutants discharged

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

M2.2 Water and/ or Land Monitoring Requirements

POINT 1,2,3,4,5

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	Visible	Special Frequency 1	Visual Inspection
pH	pH	Special Frequency 1	Probe
Total suspended solids	milligrams per litre	Special Frequency 2	Grab sample
Turbidity	nephelometric turbidity units	Special Frequency 1	Probe

POINT 6

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	Visible	Special Frequency 3	Visual Inspection
pH	pH	Special Frequency 3	Probe
Turbidity	nephelometric turbidity units	Special Frequency 3	Probe

M2.3 For the purposes of the above tables:

- "Special Frequency 1" means that sampling is to be undertaken daily when the dredge is operating or a discharge is occurring. The sampling must to be undertaken between 1 hour and 1.5 hours of the dredge commencing operations.
- "Special Frequency 2" means that sampling must be undertaken at a minimum weekly during discharge. See also Condition M2.4.
- "Special Frequency 3" means that sampling must be undertaken prior to any discharge.

M2.4 If the daily turbidity monitoring at any site / monitoring point records a concentration greater than 25 ntu, the licensee must collect a grab sample at that site and have that sample analysed for total suspended solids.

Note: This condition does not apply to Monitoring Points 4 and 6, which are within pollution controls prior to release of waters to the environment.

M2.5 If the licensee uses in situ measures of field turbidity (NTU) in lieu of Total Suspended Solids, the

Environment Protection Licence

Licence - 21078



licensee must submit the NTU equivalent of 50mg/L TSS and the methods used for measuring NTU for approval by the EPA prior to use of NTU.

M3 Testing methods - concentration limits

M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 Recording of pollution complaints

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

M4.2 The record must include details of the following:

- a) the date and time of the complaint;
- b) the method by which the complaint was made;
- c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- d) the nature of the complaint;
- e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken by the licensee, the reasons why no action was taken.

M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M5 Telephone complaints line

M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M5.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

M5.3 The preceding two conditions do not apply until 3 months after the date of the issue of this licence.

M5.4 The licensee must nominate to the EPA a representative of the company that is available at all times and is capable of providing immediate assistance or response during emergencies or any other incidents at the premises. The name of the nominated representative and their contact details, including their telephone number, must be current at all times. The nomination and contact details must be provided to the EPA's Director - Hunter at PO Box 488G, Newcastle NSW 2300.

Environment Protection Licence

Licence - 21078



Note: This condition does not apply until two (2) weeks after the date of issue of the variation notice to include this condition.

M6 Other monitoring and recording conditions

Requirement to Monitor Dredging Activities

- M6.1 The licensee must keep the following records:
- (a) date and time the dredge operates; and
 - (b) date and time of any discharges.

The record of dredging activities must be kept for at least 4 years, and be produced to any authorised officer of the EPA who asks to see it.

M7 Noise monitoring

- M7.1 Should the EPA or the licensee receive noise complaints regarding dredging operations or any activities associated with the dredging operation, the EPA may require the licensee to conduct noise monitoring in accordance with the licence. All noise complaints received by the licensee must be reported to the EPA within 24 hours of receipt, including the details of any actions taken by the licensee to address the noise concerns.

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

Environment Protection Licence



Licence - 21078

Annual Return until after the end of the reporting period.

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

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

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

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

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,

Environment Protection Licence



Licence - 21078

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:
- the cause, time and duration of the event;
 - the type, volume and concentration of every pollutant discharged as a result of the event;
 - 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;
 - 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;
 - action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
 - 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

Water Quality Reporting

- R4.1 If the Total Suspended Solids or pH concentrations fall outside the limits shown on this licence, the licensee must provide a report within 7 days of the non-compliance becoming known. The report must detail:
- the location of the sample shown on a plan;
 - the date the sample was taken;
 - the corresponding results obtained at Point 1 on the same day;
 - the reason for the non-compliance;
 - the actions taken in relation to the non-compliance; and
 - a table of all monitoring results for that point since monitoring began in Microsoft Excel format showing in highlight any results that fall outside of the licence limits.

The report must be provided to the EPA's Director Hunter at hunter.region@epa.nsw.gov.au

7 General Conditions

G1 Copy of licence kept at the premises or plant

Environment Protection Licence

Licence - 21078



G1.1 A copy of this licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

G2 Contact number for incidents and responsible employees

G2.1 The licensee must operate 24-hour telephone contact lines for the purpose of enabling the EPA to directly contact one or more representatives of the licensee who can:

- a) respond at all times to incidents relating to the vessel and dredging activities; and
- b) contact the licensee's senior employees or agents authorised at all times to:
 - i) speak on behalf of the licensee; and
 - ii) provide any information or documents required under this licence.

Environment Protection Licence

Licence - 21078

Dictionary

General Dictionary

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

Environment Protection Licence

Licence - 21078

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

Environment Protection Licence

Licence - 21078

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

Mr Peter Jamieson

Environment Protection Authority

(By Delegation)

Date of this edition: 14-August-2018

End Notes

- 1 Licence transferred through application 1580288 approved on 11-Jun-2019 , which came into effect on 10-Jun-2019