

# Environment Protection Licence

Licence - 12426



## Licence Details

Number: 12426  
Anniversary Date: 13-April

## Licensee

AUSTRALAND CORPORATION (NSW) PTY LTD  
PO BOX A148  
SHELLHARBOUR NSW 2529

## Premises

SHELL COVE  
BASS POINT TOURIST ROAD  
SHELL COVE NSW 2529

## Scheduled Activity

Marinas and Boat Repairs

## Fee Based Activity

Boat mooring and storage

## Scale

Any handling capacity

## Region

Metropolitan - Illawarra  
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WOLLONGONG NSW 2500  
Phone: (02) 4224 4100  
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NSW 2520

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## Information about this licence

### Dictionary

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

### Responsibilities of licensee

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

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

### Variation of licence conditions

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

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

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

### Duration of licence

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

### Licence review

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

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

For each licence fee period you must pay:

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

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

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

## Transfer of licence

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

## Public register and access to monitoring data

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

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

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

## This licence is issued to:

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**AUSTRALAND CORPORATION (NSW) PTY LTD**

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**PO BOX A148**

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**SHELLHARBOUR NSW 2529**

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subject to the conditions which follow.

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## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2:

Construction of a Marina and associated Facilities.

A1.2 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
Marinas and Boat Repairs	Boat mooring and storage	Any handling capacity

A1.3 The licensee must not carry on any scheduled activities until the scheduled development works are completed, except as elsewhere provided in this licence.

A1.4 The conditions of this licence refer to scheduled development works for the construction of a Marina and associated works.

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

A2.1 The licence applies to the following premises:

Premises Details
<p>SHELL COVE                      BASS POINT TOURIST ROAD                      SHELL COVE                      NSW 2529</p> <p>LOT 206 DP 857030, LOT 22 DP 1010797, LOT 1 DP 1022866, LOT 2 DP 1022866, LOT 8032 DP 1072187</p> <p>THE PREMISES COVERED BY THIS LICENCE IS SHOWN IN FIGURE 1 (DWG4717-2-059, ISSUE E CONTAINED IN THE LICENCE APPLICATION. THE BOUNDARY OF THE PREMISES COVERED BY THIS LICENCE APPLICABLE FOR THE WORK OF STAGE 1 IS SHOWN IN THE "SHELL COVE BOATHARBOUR (STAGE 1) BOUNDARY OF BOATHARBOUR DEVELOPMENT PLAN", (DRG NO. 301015-01089-CS-DWG-0021).</p>

### 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.

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

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

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

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

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

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Dust deposition		Nearest residence at Boolwarroo Pde, Shellharbour Village
2	Dust deposition		Nearest residence on Mary, William or Sophia Streets
3	Dust deposition		Nearest residence on Whitsunday or Apollo Drives

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.

P1.3 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.

<i>Water and land</i>			
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
7	Surface water discharge and monitoring	Surface water discharge and monitoring	Surface Water Treatment Pond - Nominally consistent with the old tip excavation location
8	Near shore monitoring		In water - to ensure South Beach is not impacted - Surf Zone 100 metres south of the groyne location
9	Near shore monitoring		In water - to ensure South Beach is not impacted - Surf zone 100 metres north of Breakwall location
10	Surface water monitoring		Surface run-off into the premises from the West
11	Surface water monitoring		Surface run-off into the premises from the North.

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12 Surface Water Monitoring

Surface water flow leaving the premises to discharge into the near shore zone.

## 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 Water and/or Land Concentration Limits

#### POINT 7

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Nitrogen (ammonia)	milligrams per litre				2.3
Oil and Grease	milligrams per litre				10
pH	pH				4.0 to 8.5
Total suspended solids	milligrams per litre				50

Note: Any exceedence of the concentration limits specified in this licence for pH, turbidity and total suspended solids (TSS) or a volume limit for discharge of water from Point 7, identified in licence condition P1.3, is permitted if such a discharge occurs solely as a result of a "rainfall event" on the premises and that rainfall event exceeds the 5 year ARI rainfall event.

Note: The concentration limit for Nitrogen (Ammonia) at discharge point number 7 does not apply when the concentration of Nitrogen (Ammonia) in the remnant swamp is less than 2.3 mg/L. The sampling location for the remnant swamp is at the Boolwarroo Parade bridge.

Note: Discharge limits for other indicators may need to be added to discharge point 7, identified in licence condition P1.3, after initial monitoring if levels are at or near levels that could impact on the marine environment or be acutely toxic in the swamp environment.



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## L3 Waste

L3.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.

## L4 Noise limits

L4.1 For any exceedance of the background noise level by more than 10 dB(A) the licensee must undertake community liaison and consultation in order to identify and implement any additional reasonable and feasible noise mitigation options.

L4.2 5dB(A) must be added to the measured noise levels if the noise is substantially tonal or impulsive in character.

L4.3 Where vibration resulting from construction and operation at the premises cannot be limited to the evaluation criteria presented in British Standard BS6472 for low probability of adverse comment, at any affected residential dwelling, the licensee must:

- a) implement all feasible and practical measures to minimise the impact on affected residents, and
- b) provide information to potentially affected residents about times when vibration is planned to occur, and
- c) monitor vibration levels in accordance with the noise monitoring conditions of this licence, and
- d) provide the results of vibration monitoring to the affected residents.

## L5 Blasting

L5.1 The use of explosives is prohibited.

## L6 Hours of operation

L6.1 All work at the premises must be conducted between the following hours: 7am to 6pm Mondays to Fridays, 7am to 5pm Saturdays, no construction on Sundays and Public Holidays.

L6.2 Exemptions to standard construction hours

The four categories of works that may be undertaken outside the standard hours of operation permitted by this license are:

- a) the delivery of oversized plant or structures that police or other authorised authorities determine require special arrangements to transport along public roads;
- b) emergency work to avoid the loss of lives or property, or to prevent environmental harm;
- c) works that are not more than 5 dB(A) over the rating background level at the nearest noise sensitive receiver as assessed by acoustic investigation.

The licensee must notify the EPA within 24 hours of undertaking any works referred to in this Condition as well as providing the EPA with a copy of the results of any acoustic investigation made in relation to this Condition within 24 hours.

d) works conducted on Shellharbour South Beach to take advantage of access at low tide conditions

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and/or low wave conditions.

## **L7 Potentially offensive odour**

L7.1 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

## **4 Operating Conditions**

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

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

This includes:

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

### **O2 Maintenance of plant and equipment**

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

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

### **O3 Dust**

O3.1 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust.

O3.2 Areas of the premises not currently engaged in site operations or activities must be stabilised and maintained in a condition that does not emit dust.

O3.3 Measures must be installed to prevent the carry over of mud or dirt onto public roads beyond the premises boundary.

### **O4 Effluent application to land**

#### **Leachate contamination**

O4.1 Leachate in the leachate storage tank may be re-used on site to supplement the irrigation of the revegetated surface of the Shell Cove Waste Containment Cell.

O4.2 The Temporary Sedimentation Basin shown in DWG 001-FIG1 Rev C (titled Waste Containment Cell:

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Stage 1 – Cell Construction) must be maintained and operated to collect surface discharges from Shell Cove Waste Containment Cell while leachate is used in irrigation.

## **O5 Processes and management**

### ***Stormwater Management***

- O5.1 Any crossings of 'clean water channels' must be constructed in a manner that prevents erosion and prevents sediment from washing into the channels.
- O5.2 Diversions must be installed to prevent storm water from outside the premises entering the site works. Prior to construction of diversions the licensee must provide the EPA Channel size specifications and stabilisation treatments together with design criteria.
- O5.3 Existing water courses used to bypass stormwater around the boat harbour must be lined with a non-erodible liner if their channels or banks are disturbed by the licensee.
- O5.4 Temporary and permanent constructed drainage around the site must be stabilised immediately.
- O5.5 Temporary vegetative restabilisation techniques must be applied to any disturbed soil to prevent areas remaining bare for more than 28 days.
- O5.6 Stockpiles must not be placed within 30 metres of any watercourse.

### ***Sediment Traps***

- O5.7 An effective combination of sediment control measures must be installed to service all disturbed areas of the premises. (Design documentation for each measure must be retained and produced to an authorised officer under the POEO Act if requested. Measures installed that do not have design calculations and sizing information will be considered a breach of this licence condition.  
Note: As a minimum standard the licensee should refer to the LANDCOM - Managing Urban Stormwater: Soils and Construction ('Blue Book') for options to combine treatments and measures into a sediment control strategy).
- O5.8 Sediment traps must be cleaned out when their capacity is reduced by 30 per cent.

### ***Dredging***

- O5.9 Dredge spoil for beach nourishment must be placed in a manner that minimises the pollution of waters. Where practical the dredge spoil outlet pipe should be positioned at the maximum distance practicable from the high water mark and treated with a dewatering structure to minimise turbidity in the surf zone.

### ***Breakwall and Groyne***

- O5.10 For purposes of turbidity control, only clean rock may be used for break wall and groyne construction.

### ***Acid Sulphate Soil***

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O5.11 Any acid sulphate soils disturbed during the project must be managed in accordance with the document titled "ACID SULPHATE SOIL MANUAL, ASSMAC 1998".

O5.12 From the time when the acid sulphate soil is exposed to the atmosphere:

a) the licensee must complete a log of odour observations. These observations must continue for a duration of 20 consecutive days and be used to assess compliance with the odour condition/s of this licence and to assess the risks of odours impacting residential areas under worst-case wind conditions.

b) the licensee has 30 days to submit the log of odour observations to the EPA together with an assessment of actual and potential odour impacts on the nearest residential areas.

O5.13 If the assessment identifies a likely risk of odours impacting residential areas, the licensee must:

a) minimise the handling of odorous materials near to residential areas, and

b) locate odorous stockpiles away from residential areas, and

c) cover stockpiles to reduce the escape of odours to the atmosphere, and

d) apply odour suppressants such as lime.

## **Chemical Storage**

O5.14 All fuels, oils, paints and other chemicals stored on site must be contained in a bunded area constructed to comply with the requirements of:

a) Australian Standard AS 1940B1993: The Storage and Handling of Flammable and combustible Liquids

b) Australian Standard AS 4452B1997: The Storage and Handling of Toxic Substances

c) the Dangerous Goods Act 1975.

## **Sewage**

O5.15 Sewage effluent must not be disposed of on-site.

## **5 Monitoring and Recording Conditions**

### **M1 Monitoring records**

M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.

M1.2 All records required to be kept by this licence must be:

a) in a legible form, or in a form that can readily be reduced to a legible form;

b) kept for at least 4 years after the monitoring or event to which they relate took place; and

c) produced in a legible form to any authorised officer of the EPA who asks to see them.

M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:

a) the date(s) on which the sample was taken;

b) the time(s) at which the sample was collected;

c) the point at which the sample was taken; and

d) the name of the person who collected the sample.

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## M2 Requirement to monitor concentration of pollutants discharged

### M2.1 Air Monitoring Requirements

#### POINT 1,2,3

Pollutant	Units of measure	Frequency	Sampling Method
Total Solid Particles	grams per square metre per month	Monthly	Composite sample

### M2.2 Water and/ or Land Monitoring Requirements

#### POINT 7

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium (dissolved)	micrograms per litre	Daily during any discharge	Grab sample
Arsenic (dissolved)	micrograms per litre	Daily during any discharge	Grab sample
Biochemical oxygen demand	milligrams per litre	Daily during any discharge	Grab sample
Copper (dissolved)	micrograms per litre	Daily during any discharge	Grab sample
Iron (dissolved)	micrograms per litre	Daily during any discharge	Grab sample
Lead (dissolved)	micrograms per litre	Daily during any discharge	Grab sample
Nitrate	milligrams per litre	Daily during any discharge	Grab sample
Nitrogen (ammonia)	milligrams per litre	Daily during any discharge	Grab sample
Oil and Grease	milligrams per litre	Daily during any discharge	Grab sample
pH	pH	Daily during any discharge	Grab sample
Total suspended solids	milligrams per litre	Daily during any discharge	Grab sample
Turbidity	nephelometric turbidity units	Daily during any discharge	Probe
Zinc (dissolved)	micrograms per litre	Daily during any discharge	Grab sample

#### POINT 8,9,12

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Pollutant	Units of measure	Frequency	Sampling Method
Colour (apparent)	Visible	Special Frequency 1	Visual Inspection

**POINT 8**

Pollutant	Units of measure	Frequency	Sampling Method
Turbidity	nephelometric turbidity units	Special Frequency 1	Probe

**POINT 9**

Pollutant	Units of measure	Frequency	Sampling Method
Turbidity	nephelometric turbidity units	Special Frequency 1	Probe

**POINT 10,11,12**

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

Note: Special Frequency 1 means weekly in dry weather, daily in wet weather\* and/or during break out\*\*.

\* 'wet weather' is defined as 20mm or more rainfall in 24 hours at the weather monitoring location defined in this licence.

\*\* 'Break out' means there is water flowing from the premises into the surf zone.

## M3 Testing methods - concentration limits

M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:

- a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
- b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
- c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2010* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

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M3.2 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 Weather monitoring

M4.1 Rainfall must be measured and recorded in millimetres per 24 hour period, at 9am each day. For the purpose of this licence the Shell Cove project office is considered an acceptable rainfall monitoring location.

## M5 Recording of pollution complaints

M5.1 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.

M5.2 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.

M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M6 Telephone complaints line

M6.1 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.

M6.2 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.

M6.3 The preceding two conditions do not apply until 3 months after:

- a) the date of the issue of this licence or
- b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.

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## **M7 Requirement to record overflow or bypass incidents**

- M7.1 When stormwater bypasses and/or overtops any pollution control or erosion and sediment control measure, the licensee must, within 5 days of the incident, provide a brief report to the EPA:
- outlining the circumstances that led to the failure, and
  - explaining why the measure was not effective, and
  - advising the remediation works carried out to prevent a recurrence of the bypass or overtopping.

## **M8 Other monitoring and recording conditions**

### ***Noise Monitoring***

- M8.1 The LA10 noise level must be measured or computed at the nearest affected residential boundary over a period of 15 minutes using "FAST" response on the sound level meter. So that noise is measured in a minimum of two locations, a location must be chosen in Shellharbour Village and a separate location chosen in Shellcove.
- M8.2 Vibration monitoring must be carried out in accordance with the guidance provided in the Environmental Noise Management Assessing Vibration: A Technical Guideline, published by the Department of Environment and Conservation, February 2006.

### ***Beach Monitoring***

- M8.3 Daily during any discharge to the beach, the licensee must carry out visual inspections of the near shore waters including at points 8, 9 and 12. If any visual signs of water pollution appear to extend from the licensed premises to these monitoring locations, all discharges from the premises must be immediately stopped.

Discharges from the premises may only resume when waters at points 8 and 9 are unaffected by the activities of the premises.

Note: This condition does not apply to the natural run-off entering the premises through upstream boundaries and flowing through the premises in "clean water" bypass channels.

### ***Monitoring of Pollution Control Measures***

- M8.4 All soil erosion and sediment controls, and other water pollution control measures, on the premises must be inspected to ensure they function to their maximum capability, as follows:
- within two days of the cessation of any rainfall event that results in 20 mm, or more, of rain falling on the premises in any 24 hour period; and
  - daily during periods of extended rainfall; and
  - weekly during dry weather periods.
- M8.5 From these scheduled inspections of the works, the licensee must record the following information:
- The date and time of the inspection.
  - Details of the use of any flocculants.



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- c) Dates and times when sediment collection measures had the sediment cleaned-out.
- d) Whether any water pollution structures have had their design exceeded.
- e) Any maintenance requirements.

M8.6 The contents of the temporary Sedimentation Basin shown in DWG 001-FIG1 Rev C (titled Waste Containment Cell: Stage 1 – Cell Construction) must be sampled and tested monthly to confirm the absence of contamination by leachate.

## 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:  
a) a Statement of Compliance; and  
b) a Monitoring and Complaints Summary.  
At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

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

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

R1.3 Where this licence is transferred from the licensee to a new licensee:  
a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and  
b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

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

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must 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 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 Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

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- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R1.8 A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.

## R2 Notification of environmental harm

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

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

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

## R3 Written report

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

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

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

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

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

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## R4 Notification of bypass or overflow incidents

R4.1 The licensee must immediately notify the EPA Environment Line (Telephone 131555) of any failure and/or over-topping of any erosion or sediment control measure or stormwater management measure.

## R5 Other reporting conditions

### *Applicable Background Noise Levels*

R5.1 The licensee must submit the background noise levels applicable at the noise monitoring locations to the EPA prior to the commencement of any earthmoving.

### *Planned Flooding of the Boat Harbour*

R5.2 Thirty days prior to opening the boat harbour to the sea, the licensee must submit a report outlining the opening procedure aimed at minimising the turbidity plume at the beach during the initial tidal exchanges.

### *Monthly Report*

R5.3 A report summarising the results of air, noise and water monitoring required by this license must be forwarded to the EPA no later than the 7th day of each month.

## 7 General Conditions

### G1 Copy of licence kept at the premises or plant

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

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

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

### G2 Other general conditions

G2.1 Completed Pollution Studies and Reduction Programs (PRPs)

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PRP	Description	Completed Date
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**PRP 1 - Assessment & Control of Odours from the exposure of Old Landfill**

The aim of this PRP is to determine whether there is a potential odour problem for nearby residential areas and if so to design and implement measures to minimise the impacts of the odours.

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30-October-2007

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## Dictionary

### General Dictionary

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

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

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

Mr Paul Wearne

Environment Protection Authority

(By Delegation)

Date of this edition: 13-April-2006

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## End Notes

- 1 Licence varied by notice 1067984, issued on 17-Jan-2007, which came into effect on 17-Jan-2007.
  - 2 Licence varied by notice 1074555, issued on 21-Aug-2007, which came into effect on 21-Aug-2007.
  - 3 Licence varied by notice 1110458, issued on 31-Mar-2010, which came into effect on 31-Mar-2010.
  - 4 Licence varied by notice 1504261 issued on 20-Feb-2012
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