

# Environment Protection Licence



Licence - 12095

## Licence Details

Number:	12095
Anniversary Date:	15-July
Review Due Date:	15-Jul-2008

## Licensee

SYDNEY PORTS CORPORATION  
PO BOX 25  
MILLERS POINT NSW 2000

## Licence Type

Premises

## Premises

Berth 4 White Bay  
Robert Street  
BALMAIN NSW 2041

## Scheduled Activity

Shipping in bulk

## Fee Based Activity

Shipping in bulk

## Scale

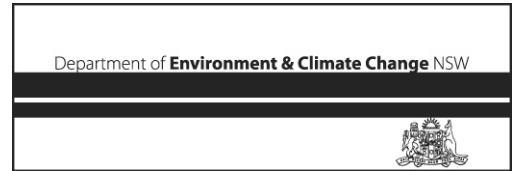
0 - 100000 T loaded and unloaded

## Region

Metropolitan  
Level 3, NSW Govt Offices, 84 Crown Street  
WOLLONGONG NSW 2500  
Phone: 02 4224 4100  
Fax: 02 4224 4110  
  
PO Box 513 WOLLONGONG EAST  
NSW 2520

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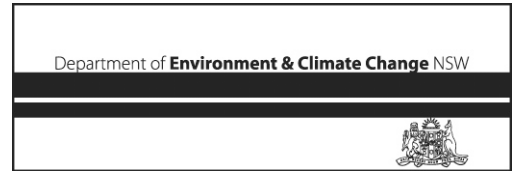
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## Information about this licence

### 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

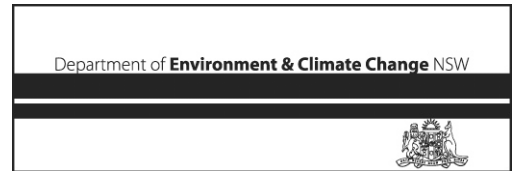
For each licence fee period you must pay:

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

The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees.

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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:

**SYDNEY PORTS CORPORATION**  
**PO BOX 25**  
**MILLERS POINT NSW 2000**

subject to the conditions which follow.

## 1 Administrative conditions

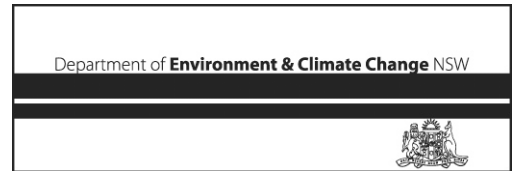
### A1 What the licence authorises and regulates

A1.1 Not applicable.

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.

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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
Shipping in bulk

Fee Based Activity	Scale
Shipping in bulk	0 - 100000 T loaded and unloaded

A1.3 Not applicable.

A1.4 The licence does not authorise the activity of shipping facilities (bulk) other than in respect of the following:

- (a) vegetable oils;
- (b) tallow; and
- (c) fatty acids.

## A2 Premises to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
Berth 4 White Bay
Robert Street
BALMAIN
NSW
2041

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## Premises Details

Those parts of Lot 1 and 4 DP875201 as shown as a red hatched area labelled "Area subject to environment protection licence" on the Sydney Ports Corporation drawing number SWGP256B titled "Premises subject to Environment Protection Licence Berth No. 4 White Bay", dated 24/06/05, and any vessel while it is berthed at that red hatched area.

### A3 Other activities

A3.1 Not applicable.

### A4 Information supplied to the EPA

A4.1 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:

- (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 Not applicable.

P1.2 Not applicable.

P1.3 Not applicable.



## 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 Load limits

L2.1 Not applicable.

L2.2 Not applicable.

### L3 Concentration limits

L3.1 Not applicable.

L3.2 Not applicable.

L3.3 Not applicable.

### L4 Volume and mass limits

L4.1 Not applicable.

### L5 Waste

L5.1 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.

### L6 Noise Limits

## 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 Special Noise Control**

Note: Conditions to be added after the completion of Pollution Reduction Program U1.1.

## **O4 Noise Control**

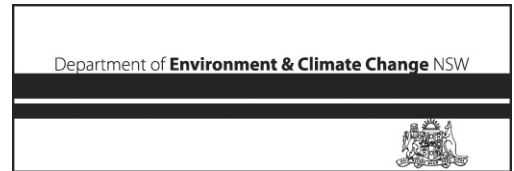
O4.1 The licensee must minimise noise emissions from the premises, including minimising noise emissions from berthing and unberthing ships at the premises.

O4.2 The licensee must implement all reasonably practicable measures to minimise noise impacts on the occupants of noise sensitive receivers, including but not limited to:

- (a) ensuring that the agent, and where practicable the master for any vessel, the subject of one or more noise complaints received directly or indirectly by the licensee:-
  - (i) are notified as soon as practicable after receiving the complaint the nature of each complaint, and
  - (ii) are required to undertake practicable measures to prevent a recurrence of the conditions that led to the complaint being made;
- (b) shielding noisy plant or equipment so as to minimise noise impacts on the occupants of noise sensitive receivers;
- (c) carrying out loading and unloading activities as far away as is practicable from noise sensitive receivers;
- (d) designing the layout of the premises and work processes and taking all such other practicable steps necessary to minimise vehicle movements that would activate audible reversing and movement alarms; and

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- (f) establishing a speed limit not greater than 20 kilometres per hour for the premises by installing and maintaining clearly visible speed limit signs at the vehicular entrance to the premises and at strategic locations throughout the premises.

## 05 Smoke and Odour Control

- 05.1 The licensee must ensure that every auxiliary power unit or generator on any ship, in or on the premises, is operated by such practicable means as may be necessary to prevent or minimise air air pollution.

Nevertheless smoke may be emitted for up to 30 consecutive seconds immediately after starting an auxiliary power unit or generator on a ship moored at the premises.

**Note:** This condition does not relieve the licensee of any other obligation under the POEO (Clean Air) Regulation 2002.

- 05.2 The licensee must not cause or permit the emission of any offensive odour from the premises.

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.

## 06 Waste

- 06.1 The licensee must assess, classify and manage any waste generated at the premises in accordance with the *Environmental Guidelines: Classification and Management of Liquid and Non-Liquid Wastes 1999 (Waste Guidelines)* prior to transporting the waste off the premises.

- 06.2 The licensee must ensure, if waste is transported from the premises, that the waste is:

- (a) transported by a waste transporter authorised to transport such waste; and
- (b) transported to a place that can lawfully accept that waste.

## 07 Ship Loading and Unloading

- 07.1 The licensee must ensure that bulk vegetable oil, fatty acids and tallow are only transferred between ship and shore via berth 4.

- 07.2 The licensee must ensure that appropriate spill response and clean up equipment are available at all times to respond to any spill of substances that include but are not limited to vegetable oil, tallow, fatty acids or fuel.

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The licensee must ensure that each person who handles vegetable oil, tallow or fatty acids at the premises has been adequately trained in spill response, including:

- (a) spill response procedures;
- (b) how to use sorbent material and other spill response equipment; and
- (c) who to notify when a spill has been discovered.

## 08 Tanker Truck Loading and Unloading

Note: conditions to be added after completion of Pollution Reduction Program U2.1.

## 09 Dust Control

- 09.1 The licensee must maintain the premises in a condition which prevents or minimises the emission of dust from the premises.

# 5 Monitoring and recording conditions

## M1 Monitoring records

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

## M2 Requirement to monitor concentration of pollutants discharged

- M2.1 Not applicable.



## **M3 Testing methods - concentration limits**

M3.1 Not applicable.

M3.2 Not applicable.

## **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 Conditions M5.1 and M5.2 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.



## M6 Requirement to monitor volume or mass

M6.1 Not applicable.

## M7 Special Monitoring and Recording

### M7.1 Noise monitoring

- (1) The licensee must arrange for an accredited acoustic consultant to undertake noise monitoring:
  - (a) the first time each ship berths at the premises after the commencement of this licence, for periods sufficient to determine the noise contribution from the ship whilst not engaged in unloading activities, and the noise contribution from the premises when cargo is being unloaded from the ship and removed from the premises. The activities occurring during the monitoring period shall be indicated and justified as representing normal maximum operations; and
  - (b) as directed by an authorised officer of the EPA.

**Note:** See Condition R4.1 for monitoring report requirements.

**Note:** monitoring referred to in paragraph (a) only applies to berthings after 15 October 2005.

- (2) The noise monitoring required to be undertaken by this condition must be undertaken:
  - (a) at the most affected residence or other representative location acceptable to the EPA;
  - (b) in accordance with the compliance monitoring guidance provided in the INP; and
  - (c) by monitoring methods that are capable of determining the activities occurring on the site in real time and the noise contribution from those activities.
- (3) Where the licensee can demonstrate, to the satisfaction of the EPA, that direct measurement of noise from the premises is impractical, the EPA may accept alternative means of determining compliance.

M7.2 The licensee must monitor and record the following for each vessel that berths at the premises:

- (a) the time and date of arrival and departure;
- (b) the name of the vessel as well as-
  - (i) details of the vessel's registration, and
  - (ii) the name of the vessel's master and name and contact details of the agent, and



- (iii) the parties responsible for loading or unloading the vessel;
- (e) the name and quantity (in tonnes) of each substance loaded or unloaded;
- (f) the time and date of commencing and ceasing loading and unloading of each substance referred to in (e);
- (g) the nature, scope, cause, and date and time of occurrence of any spillages (whether causing or likely to cause material harm to the environment or not) of any substance referred to in (e) and details of the remedial measures undertaken to manage the spilled cargo and to prevent a recurrence of cargo spillage;
- (h) the time, date, duration, nature and scope of loading or unloading shutdowns, including any occasion when cargo unloading is required to cease because of a requirement of this licence; and
- (i) the remedial action taken to permit a restart of loading or unloading that ceased because of a requirement of this licence.

## 6 Reporting conditions

### R1 Annual return documents

#### What documents must an Annual Return contain?

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.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before 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.

#### Period covered by Annual Return

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

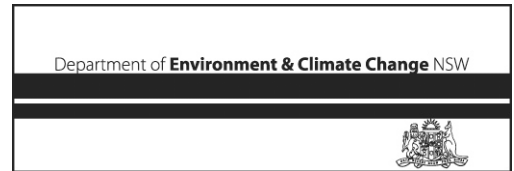
Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

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.

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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.

## Deadline for Annual Return

- 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').

## Notification where actual load can not be calculated

- R1.6 Not applicable.

## Licensee must retain copy of Annual Return

- R1.7 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.

## Certifying of Statement of Compliance and signing of Monitoring and Complaints Summary

- R1.8 Within the Annual Return, the Statement 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.

- R1.9 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

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

- R2.1 Notifications must be made by telephoning the EPA's Pollution 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.



## 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.

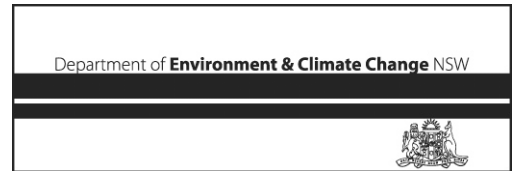
## R4 Special Reports

### R4.1 Noise monitoring reports

- (1) The acoustic consultant referred to in conditions M7.1 must prepare a report that includes:
- (a) details of the method and locations used, and the results obtained during noise monitoring referred to in condition M7.1;
  - (b) a thorough analysis of the monitoring results in respect of the noise goals referred to in condition U1.1 and the operating conditions imposed by this licence; and
  - (c) recommendations about feasible and reasonable noise impact mitigation measures that would be required at the premises:
    - (i) to reduce noise to levels that would not exceed the noise goals referred to in paragraph (b); and

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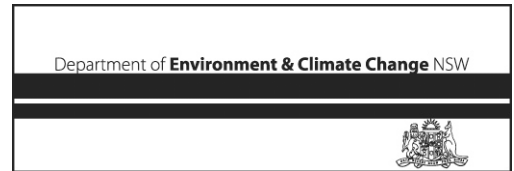
- (ii) to ensure compliance with conditions O4.1 and O4.2.
- (2) The licensee must ensure that reports required by this condition are provided to the EPA as follows:
- (a) monitoring referred to in condition M7.1 (1) (a) – not more than 21 days after that monitoring has been completed; and
  - (b) monitoring required by condition M7.1 (1) (b) – by 11.00 am on the day after that monitoring has been completed.

## R4.2 Complaints reports

- (1) Except where approved otherwise in accordance with condition R4.2 (3), the licensee must provide a complaints report in respect of any complaints received during the previous month, including a nil report when no complaints have been received during that month, to the EPA on or before the twentieth day of each month and that report must include:
- (a) details of each complaint received on the telephone complaints line referred to in condition M5.1;
  - (b) a graphical representation of the number of complaints received over the preceding 11 months as well as during the month the subject of the report with graphs showing-
    - (i) the total number of complaints received directly or indirectly by the licensee,
    - (ii) a breakdown, showing the number of complaints in each of the following categories, of the complaints referred to in (i)-
      - noise from shipboard auxillary power units or generators,
      - noise from sources other than shipboard auxillary power units or generators,
      - smoke,
      - odours,
      - dust,
      - water pollution, and
      - other.
- (2) The licensee must:
- (a) annually - publish on its web site a copy of the graphical representations required in sub-paragraphs (1) (b) (i) and (ii); and
  - (b) at each Environment Liaison Committee meeting – provide committee members with a copy of the graphical representations required in sub-paragraphs (1) (b) (i) and (ii) and not previously provided to those members.

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Note: The EPA will, following the licence anniversary date, review the frequency of complaints reporting if requested by the licensee.

R4.3 The licensee must prepare a monthly report of the details required to be recorded by condition M7.2.

The licensee must ensure that the report required by this condition:

- (a) includes all the details required to be recorded by condition M7.2;
- (b) incorporates a spreadsheet table which includes each monthly sub total and annual rolling total for the year during which the activities occurred in respect of the following-
  - (i) number of ships that have berthed at the premises,
  - (ii) the quantity (in tonnes) of each substance transferred to or from any ship that moored at the premises, and
  - (iii) the number of spills that occurred at the premises, including any ship moored at the premises; and
- (c) is provided to the EPA within 7 days of a request from an authorised officer of the EPA.

## General conditions

### G1 Copy of licence kept at the premises

- 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 Community Liaison

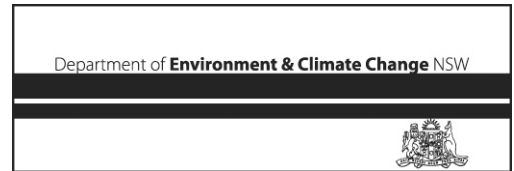
#### G2.1 Environment liaison committee

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

Where the committee agrees unanimously that there is insufficient business to discuss, it may instead hold meetings at intervals of longer than 3 months but not longer than 12 months. If two or

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more committee members submit written notice to the chairperson that urgent business has arisen since any decision to extend the interval between meetings, the chairperson must convene a meeting to consider that business within 14 days of that notice.

The purposes of the committee must include:

- (a) to provide a forum for committee members to discuss issues concerning the environmental impact of activities at the premises on the surrounding community; and
  - (b) to seek to develop mutually satisfactory solutions to the issues mentioned in paragraph (a).
- (2) The licensee must:
- (a) invite community nominations for membership of the environment liaison committee by advertising on at least 2 occasions in a newspaper distributed regularly in the surrounding community;
  - (b) convene meetings at a time acceptable to the majority of community members of the committee;
  - (c) provide an appropriate local meeting venue;
  - (d) invite all committee members to submit agenda items for each meeting;
  - (e) distribute the agenda for each meeting to all committee members not less than 7 days beforehand; and
  - (f) prepare and distribute minutes of each meeting, to all members of the committee and the EPA, within 14 days of that meeting having been held.
- (3) The licensee may incorporate the committee required by this condition into a broader community liaison committee provided that the requirements of clauses (1) and (2) to this condition are satisfied in all other respects.

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

## G2.2 Community information web site

- (1) The licensee must:
- (a) establish and maintain a community information web site within 3 months of the date of the issue of this licence; and
  - (b) notify the community of the opening of the web site by notice in a local newspaper circulating regularly in the surrounding community and once every 12 months thereafter.
- (2) The web site required by clause (1) to this condition must provide ready access to:
- (a) licensee contact information, including how to register environmental complaints;
  - (b) details of the activities carried out at the premises;

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- (c) a copy of the noise compliance monitoring reports required by this licence;
  - (d) the graphical representations required by condition R4.2; and
  - (d) details of current berthings and expected berthings, including details of the ship, berthing date and time of arrival and departure.
- (3) The web site may be:
- (a) shared with other licensees and stevedores operating within the area covered by the *Glebe Island and White Bay Master Plan* published by Sydney Ports Corporation in November 2000; or
  - (b) incorporated in the Sydney Ports Corporation web site.

## Pollution studies and reduction programs

### U1 Pollution Study and Reduction Program

#### U1.1 Noise pollution study

Not applicable

#### U2.1 Spill prevention strategy

- (1) The licensee must ensure that all tanker trucks used to transport vegetable oil, animal fat or fatty acid to and from the premises are loaded and unloaded within an imperviously floored and bunded loading court to be installed at the premises.

This condition comes into force on and from 15 July 2006.

#### U3.1 Revised Noise Impact Mitigation and Management Strategy

The licensee must submit a Revised Noise Impact Mitigation and Management Strategy for the licensed premises to the DEC's Manager Metropolitan Infrastructure, Level 7, 79 George Street, Parramatta, NSW, 2150 by not later than 31 January 2007.

The Revised Noise Impact Mitigation and Management Strategy must:

- (i) take into account the results of all relevant noise monitoring conducted in accordance with a condition of this licence at any time in the period between 15 July 2005 and 31 December 2006; and
- (ii) review the cost and effectiveness of all options assessed in the Noise Impact Mitigation and Management Strategy submitted to the DEC on 19 January 2006 by taking into account the results of the noise monitoring specified in (i) and other relevant information; and



- (iii) include a Revised Noise Impact Mitigation Action Plan; and
- (iv) clearly identify any noise sensitive receivers that are predicted to still be impacted by noise levels above the noise goals in Table U1 following the complete implementation of the Revised Noise Impact Mitigation Action Plan, referred to in (iii), and the extent and nature of impact.

**Table U1 - Noise Goals Measured in dB(A)**

Location	Night		
	L <sub>Aeq</sub> (15 min)	L <sub>Aeq</sub> (night)	L <sub>A</sub> (max)
Balmain and Rozelle	49	41	59
Pymont and Glebe	41	not applicable	51

**Explanatory Notes for Table U1:**

1. L<sub>A</sub>(max) means the maximum A-weighted sound pressure level measured on fast time weighting during the time over which sound is measured.
2. All other acoustic terms, including 'night', have the same meaning as in the INP.
3. **not applicable:** In instances where the amenity criteria [L<sub>Aeq</sub> (night)] has been determined to be a higher number than the intrusive criteria [L<sub>Aeq</sub> (15min)], that is the amenity criteria is less stringent than the intrusive criteria, then the amenity criteria becomes 'not applicable'. This is because compliance with the intrusive criteria will ensure compliance with the amenity criteria.

Note: Following completion of the Revised Noise Impact Mitigation and Management Strategy required in U3.1, the EPA may negotiate a further Pollution Reduction Program for the implementation of the Revised Noise Impact Mitigation Action Plan

## Special conditions

## Dictionary

### General Dictionary

In this licence, unless the contrary is indicated, the terms below have the following meanings:

**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

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<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<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 1998
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<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 1998.
<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>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>industrial waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>inert 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 1998
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997

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<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>reprocessing of 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>solid 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> .
<b>treatment of waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<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 code</b>	Means the waste codes listed in Appendix 5 of the EPA document A Guide to Licensing Part B.

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**waste type**

Means Group A, Group B, Group C, inert, solid, industrial or hazardous waste

## Special Dictionary

## Special Dictionary

<b>AS 2659</b>	means Australian Standard AS2659.1 – 1988 : guide to the use of sound measuring equipment – Portable sound level meters.
<b>Feasibility</b>	has the same meaning as in the INP.
<b>Feasible and reasonable measures</b>	has the same meaning as in the INP.
<b>INP</b>	means the New South Wales Industrial Noise Policy published by the EPA in January 2000.
<b>Marine authority</b>	has the same meaning as in the Dictionary of the Protection of the Environment Operations Act 1997.
<b>Master of a vessel</b>	means the person having the command or charge of the vessel, but does not include a pilot.
<b>Noise sensitive receiver</b>	means any dwelling, unit for aged persons, nursing home, educational establishment, child care centre, hospital, place of worship, boarding-house, or motel all of which have the same meaning as in the Environmental Planning and Assessment Model Provisions 1980.
<b>Reasonableness</b>	has the same meaning as in the INP.
<b>Set interval</b>	means an interval of time calculated to be no longer than the time required during normal operation to fill one twentieth of the volume of the bunded area of the loading court were a spillage to occur due to equipment failure or supervisor inattention.

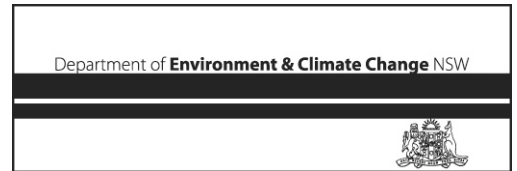
Mr David Featherston

Environment Protection Authority

(By Delegation)

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Date of this edition - 12-Sep-2006

## End Notes

- 1 Licence varied by notice 1054586, issued on 16-Dec-2005, which came into effect on 10-Jan-2006.
- 2 Licence varied by notice 1058356, issued on 14-Jul-2006, which came into effect on 14-Jul-2006.
- 3 Licence varied by notice 1063302, issued on 28-Jul-2006, which came into effect on 28-Jul-2006.
- 4 Licence varied by updating references to the Clean Air Reg, issued on 12-Sep-2006, which came into effect on 12-Sep-2006.