

# Environment Protection Licence

Licence - 1329

## Licence Details

Number:	1329
Anniversary Date:	31-May

## Licensee

BARTTER ENTERPRISES PTY. LIMITED

PO BOX 90

BERESFIELD NSW 2322

## Premises

BARTTER ENTERPRISES PTY. LIMITED

HAWTHORNE STREET

BERESFIELD NSW 2322

## Scheduled Activity

Agricultural processing

Livestock processing activities

## Fee Based Activity

<u>Fee Based Activity</u>	<u>Scale</u>
General agricultural processing	> 250000 T annual processing capacity
General animal products production	0-100000 T annual production capacity
Slaughtering or processing animals	> 30000 T annual processing capacity

## Region

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 - 1329

<b>INFORMATION ABOUT THIS LICENCE</b>	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
<b>1 ADMINISTRATIVE CONDITIONS</b>	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
<b>2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND</b>	7
P1 Location of monitoring/discharge points and areas	7
<b>3 LIMIT CONDITIONS</b>	7
L1 Pollution of waters	7
L2 Concentration limits	8
L3 Volume and mass limits	8
L4 Waste	9
L5 Noise limits	9
L6 Potentially offensive odour	10
<b>4 OPERATING CONDITIONS</b>	11
O1 Activities must be carried out in a competent manner	11
O2 Maintenance of plant and equipment	11
O3 Dust	11
O4 Emergency response	11
O5 Processes and management	12
O6 Waste management	12
O7 Other operating conditions	12
<b>5 MONITORING AND RECORDING CONDITIONS</b>	12
M1 Monitoring records	12
M2 Requirement to monitor concentration of pollutants discharged	13
M3 Testing methods - concentration limits	13



# Environment Protection Licence

Licence - 1329

M4	Recording of pollution complaints .....	14
M5	Telephone complaints line .....	14
M6	Requirement to monitor volume or mass .....	14
<b>6</b>	<b>REPORTING CONDITIONS .....</b>	<b>15</b>
R1	Annual return documents .....	15
R2	Notification of environmental harm .....	16
R3	Written report .....	16
<b>7</b>	<b>GENERAL CONDITIONS .....</b>	<b>17</b>
G1	Copy of licence kept at the premises or plant .....	17
G2	Contact number for incidents and responsible employees .....	17
G3	Signage .....	17
G4	Other general conditions .....	17
<b>8</b>	<b>POLLUTION STUDIES AND REDUCTION PROGRAMS .....</b>	<b>18</b>
U1	PRS 7 - Investigation of saline wastewater management options .....	18
U2	PRP 8 - Wastewater treatment upgrade works .....	18
<b>9</b>	<b>SPECIAL CONDITIONS .....</b>	<b>19</b>
E1	Noise ameliorative actions .....	19
E2	Noise compliance assessment and report .....	19
<b>DICTIONARY</b>	<b>.....</b>	<b>21</b>
	General Dictionary .....	21

# Environment Protection Licence

---

Licence - 1329



## 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 - 1329



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:

<b>BARTTER ENTERPRISES PTY. LIMITED</b>
<b>PO BOX 90</b>
<b>BERESFIELD NSW 2322</b>

subject to the conditions which follow.

# Environment Protection Licence

Licence - 1329

## 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
Agricultural processing	General agricultural processing	> 250000 T annual processing capacity
Livestock processing activities	General animal products production	0 - 100000 T annual production capacity
Livestock processing activities	Slaughtering or processing animals	> 30000 T annual processing capacity

A1.2 The annual capacity of *General Agricultural Processing* (as defined in the Act) is limited to 416,000 tonnes per annual, as approved under DA2017/01483 granted by Newcastle City Council under the *Environmental Planning and Assessment Act 1979* on 31 May 2018.

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

A2.1 The licence applies to the following premises:

Premises Details
BARTTER ENTERPRISES PTY. LIMITED
HAWTHORNE STREET
BERESFIELD
NSW 2322
PREMISES MARKED AND SHOWN AS "NO. 35 ADDISON ST, BERESFIELD" ON PLAN TITLED "SITE PLAN- BARTER ENTERPRISES PTY LTD" PREPARED BY "LE MOTTEE GROUP" DATED 13/10/2014 2014 ( EPA REF: DOC 14/243390).

### 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:

# Environment Protection Licence



Licence - 1329

- 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 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	Discharge to waters Effluent quality monitoring	Discharge to waters Effluent quality monitoring	Overflow from final pond via 200MM pipe labelled as 1- Licenced waste water discharge point EPA 1 titled "Site plan, Barter Enterprises Pty Ltd, Beresfield " submitted to the EPA 19/10/2014.

P1.3 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.

#### *Air*

EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
2		Emission to air	Gas powered boiler stack labelled as "2" on Site plan- Barter Enterprises Pty Ltd" . Beresfield site.

## 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

# Environment Protection Licence

Licence - 1329

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\&s 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\&s.
- L2.4 Water and/or Land Concentration Limits

### POINT 1

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Biochemical oxygen demand	milligrams per litre	40	60		80
pH	pH				6.5 - 8.5
Temperature	degrees Celsius				30
Total suspended solids	milligrams per litre	50	90		100

## L3 Volume and mass limits

- L3.1 For each discharge point or utilisation area specified below (by a point number), the volume/mass of:
- liquids discharged to water; or;
  - solids or liquids applied to the area;
- must not exceed the volume/mass limit specified for that discharge point or area.

Point	Unit of Measure	Volume/Mass Limit
1	kilolitres per day	2300



# Environment Protection Licence



Licence - 1329

## L4 Waste

- L4.1 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.
- L4.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence.

## L5 Noise limits

- L5.1 Noise generated from the premises must not exceed the noise limits specified in the table below.

Location	Noise Limit (LAeq, 15 minute), Day	Noise Limit (LAeq, 15 minute), Evening	Noise Limit (LAeq, 15 minute), Night	Noise Limit (LA1, 1 minute), Night
R1 - Beresfield (inside the Urban/Industrial interface)	51	49	46	59
R1 - Beresfield (outside the Urban/Industrial interface)	47	45	40	54
R2 - Woodberry	47	45	40	54
R3 - Woodberry	47	45	40	54
R4 - Thornton	50	48	43	53

Note: The locations of the receptors in the table above are identified in Figure 12 of the document titled 'Environmental Impact Statement - increase in Feed Production, Beresfield Poultry Feed Mill, NSW' prepared by PSA Consulting (Australia) Pty Ltd, dated 20 November 2017 (EPA reference DOC17/637825-01).

Note: The noise limits in the table above are interim limits, and are subject to review by the EPA following the receipt of the Noise Compliance Assessment and Report required under the licence.

L5.2 For the purpose of the Noise Limits table above:

- "Day" is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holidays;
- "Evening" is defined as the period 6pm to 10pm; and
- "Night" is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and Public Holidays.

L5.3 The noise limits set out in the Noise Limits table above apply under all meteorological conditions except for the following:

# Environment Protection Licence



Licence - 1329

- a) Wind speeds greater than 3 metres/second at 10 metres above ground level; or
- b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- c) Stability category G temperature inversion conditions.

For the purposes of this condition:

- a) Data recorded by the meteorological station on the premises must be used to determine meteorological conditions; and
- b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.

## L5.4 Determining Compliance

To determine compliance:

- a) with the Leq(15 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located:
  - i) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
  - ii) 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
  - iii) within approximately 50 metres of the boundary of a National Park or a Nature Reserve.
- b) with the LA1(1 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located within 1 metre of a dwelling façade.
- c) with the noise limits in the Noise Limits table, the noise measurement equipment must be located:
  - i) at the most affected point at a location where there is no dwelling at the location; or
  - ii) 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:

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

L5.5 For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

## L5.6 Definition of Terms

- NSW Industrial Noise Policy - the document titled "New South Wales Industrial Noise Policy" published by the EPA in January 2000.
- Noise - "sound pressure levels" for the purposes of conditions L5.1 to L5.5.

## L6 Potentially offensive odour

L6.1 No condition of this licence identifies a potentially offensive odour for the purposes of Section 129 of the Protection of the Environment Operations Act 1997.

# Environment Protection Licence

---



Licence - 1329

L6.2 The licensee must not cause or permit the emission of offensive odour beyond the boundary of 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.

## 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 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

O3.2 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.

O3.3 Trucks entering and leaving the premises that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading.

### O4 Emergency response

O4.1 The licensee must maintain, and implement as necessary, a current emergency response plan for the premises. The licensee must keep the emergency response plan on the premises at all times. The emergency 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. If a current emergency response plan does not exist at the date on which this condition is attached to the licence, the licensee

# Environment Protection Licence



Licence - 1329

must develop an emergency response plan within three months of that date.

## O5 Processes and management

O5.1 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.

O5.2 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.

## O6 Waste management

O6.1 The licensee must ensure that any liquid and/or non liquid waste generated and/or stored at the premises is assessed and classified in accordance with the EPA's Waste Classification Guidelines as in force from time to time.

O6.2 The licensee must ensure that waste identified for recycling is stored separately from other waste.

## O7 Other operating conditions

O7.1 The licensee must ensure that activities are conducted in an environmentally satisfactory manner. So as to minimise and prevent the pollution of air and water the licensee must:

- (a) Ensure that vehicles or containers prior to leaving the premises are clean and sealed in a manner that will not cause materials or wastes used in conducting the activities at the premises to be tracked, thrown from, blown, fall, or cast from any vehicle or container onto a public road.
- (b) Have in place and implement procedures to ensure that vehicles and containers exiting the premises are in a condition to ensure that materials are not tracked, thrown, blown, fall or cast onto a public road.

# 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

# Environment Protection Licence

Licence - 1329

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.

M1.4 If an incident report or complaint is received stating that odours are detectable beyond the boundary of the premises, the licensee must promptly investigate the source of the incident or complaint, including an assessment of the character and strength of the odour at the address the odour is reported to be detectable.

## 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

Pollutant	Units of measure	Frequency	Sampling Method
Biochemical oxygen demand	milligrams per litre	Fortnightly	Representative sample
Nitrogen (ammonia)	milligrams per litre	Fortnightly	Representative sample
Nitrogen (total)	milligrams per litre	Fortnightly	Representative sample
pH	pH	Fortnightly	Representative sample
Phosphorus (total)	milligrams per litre	Fortnightly	Representative sample
Total suspended solids	milligrams per litre	Fortnightly	Representative sample

## 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.

# Environment Protection Licence

---



Licence - 1329

## **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 single telephone number for the purpose of the EPA contacting the licensee to provide immediate assistance or response during emergencies or any other incidents at the premises. The telephone number must be current at all times.  
The nomination must be provided to the EPA's Director Hunter at [hunter.region@epa.nsw.gov.au](mailto:hunter.region@epa.nsw.gov.au) or PO Box 488G, Newcastle NSW 2300.  
Note: This condition does not apply until two (2) weeks after the date of issue of the Notice adding this condition to the licence.

## **M6 Requirement to monitor volume or mass**

- M6.1 For each discharge point or utilisation area specified below, the licensee must monitor:
- a) the volume of liquids discharged to water or applied to the area;
  - b) the mass of solids applied to the area;
  - c) the mass of pollutants emitted to the air;
- at the frequency and using the method and units of measure, specified below.

# Environment Protection Licence



Licence - 1329

## POINT 1

Frequency	Unit of Measure	Sampling Method
Continuous	kilolitres per day	Electronic level sensor and continuous logger

## 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.

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.

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:

# Environment Protection Licence

---



Licence - 1329

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

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.

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

## **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



# Environment Protection Licence

---



Licence - 1329

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.

## 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 Contact number for incidents and responsible employees

G2.1 The licensee must provide the EPA with up to date contact details to enable the EPA:

- a) to contact either the licensee or a representative of the licensee who can respond at all times to incidents relating to the premises, and
- b) to 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 document required under licence.

G2.2 The contact details required by Condition G2.1 above must include:

- a) the full name and title of the authorised representatives and the scope of their respective authorisations; and
- b) the direct telephone number, mobile number, pager number, fax number, email address and postal address for contacting each authorised representative.

G2.3 The licensee is to inform the EPA in writing of the appointment of any subsequent contact persons, or changes to the person's contact details as soon as practicable and in any event within fourteen days of the appointment or change.

### G3 Signage

G3.1 Each monitoring and discharge point must be clearly marked by a sign that indicates the EPA point identification number.

### G4 Other general conditions

#### G4.1 Completed Programs

# Environment Protection Licence



Licence - 1329

Program	Description	Completed Date
Pollution Reduction Study (PRS) 1 - Report on chemical handling, storage and spill management	Report on chemical handling, storage and spill management. To reduce the risk of soil and water contamination.	21-December-2007
Pollution Reduction Program (PRP) 2 - Bunding and Spill Management of Oil Tank Farm	Bunding and spill management of Oil Tank Farm. To reduce the risk of soil and water contamination.	22-April-2009
PRS 3 - Investigate options for reducing the volume of wastewater discharged	Investigate options for reducing volume and concentrations of pollutants discharged into receiving waters.	01-May-2008
PRS 4 - Test air emissions of boilers against new regulation limits	Test air emissions of boilers against new POEO (Clean Air) Amendment (Industrial and Commercial Plant and Activities) Regulation 2002. To reduce atmospheric emissions of air pollutants if necessary.	01-April-2008
PRS 5 - Investigate Options to reduce volume of wastewater discharged	Investigate and report on options to reduce the total volume of effluent discharged from the wastewater treatment plant into Woodberry Swamp	30-June-2017
PRS 6 - Investigate Options to reduce the concentration of pollutants in discharges to Woodberry Swamp	Investigate and report on option(s) to reduce the concentration of pollutants in to the daily discharges from the wastewater treatment plant into Woodberry Swamp	30-June-2017

## 8 Pollution Studies and Reduction Programs

### U1 PRS 7 - Investigation of saline wastewater management options

- U1.1 The licensee must investigate and provide a report on options to manage (i.e. treat and/or dispose) salt from the proposed Advanced Wastewater Treatment Plant (AWTP) to reduce the salinity of the wastewater discharged to Woodberry Swamp.

The report must be provided to the EPA's Director - Hunter at PO Box 488G, Newcastle NSW 2300, or emailed to [hunter.region@epa.nsw.gov.au](mailto:hunter.region@epa.nsw.gov.au), by 2 September 2019.

### U2 PRP 8 - Wastewater treatment upgrade works

- U2.1 The licensee must upgrade the existing wastewater treatment facility at the premises to reduce the concentration of pollutants in wastewater discharged from the premises to Woodberry Swamp.

The quality of wastewater discharged from the premises to Woodberry Swamp must achieve the following 100 percentile concentration limits.

# Environment Protection Licence

Licence - 1329



- (a) Ammonia: 2.3mg/L
- (b) Biochemical oxygen demand (BOD): 30mg/L
- (c) Oil and grease: 10mg/L
- (d) pH: 6.5-8.5
- (e) Temperature: <30 degrees Celsius
- (f) Total Nitrogen: 20mg/L
- (g) Total Phosphorous: 5mg/L
- (h) Total suspended solids: 50mg/L

Within one month of commissioning, a report must be provided to the EPA's Director - Hunter at PO Box 488G, Newcastle NSW 2300, or emailed to [hunter.region@epa.nsw.gov.au](mailto:hunter.region@epa.nsw.gov.au), detailing the date the new plant came into normal operations and providing any results of monitoring of the new plant.

Date for completion: 31 August 2020.

Notes:

- (i) The upgrade works may include, but are not limited to, two Sequential Batch Reactors (SBRs).
- (ii) If development consent is required for the upgrade works under the *Environmental Planning and Assessment Act 1979*, this must first be obtained.

## 9 Special Conditions

### E1 Noise ameliorative actions

E1.1 Prior to increasing production of the feed mill at the premises (under DA2017/01483), the licensee must implement the following ameliorative actions to reduce/mitigate noise from the activities at the premises.

- (a) Place shipping containers between the decommissioned hatchery buildings to shield residences located to the south of the premises;
- (b) Cover the existing roller door on the southern side of the grinding room with solid core doors;
- (c) Close all doors to the grinding room;
- (d) Fit doors with automatic door closers and erect appropriate signage; and
- (e) Provide acoustic attenuation to the grinder area.

Within two weeks of the completion of the above ameliorative actions, the licensee must provide written notification to the EPA's Director - Hunter at PO Box 488G, Newcastle NSW 2300, or by email to [hunter.region@epa.nsw.gov.au](mailto:hunter.region@epa.nsw.gov.au), advising the completion of the works.

### E2 Noise compliance assessment and report

E2.1 Within three months of increasing production of the feed mill at the premises, the licensee must undertake a noise compliance assessment. The assessment must be prepared by a suitably qualified and experienced person.

# Environment Protection Licence

---

Licence - 1329



The assessment must monitor noise from the premises and assess compliance with the noise limits set out in the licence.

The assessment must consider the characteristics of the noise and apply the modifying factor adjustments as required under Chapter 4 of the NSW Industrial Noise Policy.

- E2.2 Within three months of increasing production of the feed mill at the premises, a report detailing the noise monitoring and compliance assessment required in the condition above must be prepared and provided to the EPA's Director - Hunter at PO Box 488G, Newcastle NSW 2300, or emailed to [hunter.region@epa.nsw.gov.au](mailto:hunter.region@epa.nsw.gov.au).

The report must detail: activities being undertaken at the premises at the time; activities occurring and production rates occurring at the feed mill at the time; the monitoring undertaken; provide the monitoring results; make an assessment of compliance; detail the effectiveness of the noise ameliorative actions taken; make recommendations for any changes to the licensed noise limits; determine the boundary of the "urban/industrial interface"; and, make recommendations to address any identified issues or non compliances.

# Environment Protection Licence

Licence - 1329

## 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

# Environment Protection Licence

Licence - 1329

<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> .

# Environment Protection Licence



Licence - 1329

<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 Mitchell Bennett

Environment Protection Authority

(By Delegation)

Date of this edition: 24-October-2000

# Environment Protection Licence



Licence - 1329

## End Notes

- 1 Licence varied by notice 1003036, issued on 05-Dec-2000, which came into effect on 13-Dec-2000.
- 2 Licence varied by notice Prem. Change, issued on 08-Mar-2001, which came into effect on 08-Mar-2001.
- 3 Licence transferred through application 140193, approved on 08-Mar-2001, which came into effect on 23-Aug-2000.
- 4 Licence varied by notice 1005020, issued on 15-Mar-2001, which came into effect on 09-Apr-2001.
- 5 Licence varied by notice 1007725, issued on 22-May-2001, which came into effect on 16-Jun-2001.
- 6 Licence varied by notice 1009520, issued on 09-Aug-2001, which came into effect on 03-Sep-2001.
- 7 Licence varied by notice 1015884, issued on 26-Jun-2002, which came into effect on 21-Jul-2002.
- 8 Licence varied by notice 1019852, issued on 15-Aug-2002, which came into effect on 09-Sep-2002.
- 9 Licence varied by notice 1028040, issued on 12-Nov-2003, which came into effect on 07-Dec-2003.
- 10 Licence varied by notice 1054495, issued on 25-Jan-2006, which came into effect on 19-Feb-2006.
- 11 Licence varied by notice 1062987, issued on 16-Feb-2007, which came into effect on 16-Feb-2007.
- 12 Licence varied by notice 1071976, issued on 01-May-2007, which came into effect on 01-May-2007.
- 13 Licence varied by notice 1098510, issued on 30-Mar-2009, which came into effect on 30-Mar-2009.
- 14 Licence varied by change to Scheduled Activity name, issued on 10-Feb-2011, which came into effect on 10-Feb-2011.
- 15 Licence varied by notice 1524833 issued on 31-Oct-2014
- 16 Licence format updated on 18-Dec-2015
- 17 Licence varied by notice 1547218 issued on 20-Jan-2017
- 18 Licence varied by notice 1566137 issued on 31-Jul-2018
- 19 Licence varied by notice 1571520 issued on 05-Dec-2018



# Environment Protection Licence

---

Licence - 1329



---

20 Licence varied by notice 1578831 issued on 26-Apr-2019

---