

Environment Protection Licence**Licence Details**

Number:	20322
Anniversary Date:	14-October

Licensee

Sydney International Container Terminals Pty Ltd

PO BOX 734

BOTANY NSW 1455

Premises

Sydney International Container Terminals Pty Ltd

Port Botany Gate, B150-153, Sirius Road, off Foreshore Road

BOTANY NSW 2019

<u>Scheduled Activity (Act)</u>	<u>Licensing Fee Category (Regulation)</u>	<u>Scale</u>
Chemical storage - General chemicals storage	General chemicals storage	0 - 5000 kL storage capacity

Environment Protection Licence



Contact Us

NSW EPA
6 Parramatta Square
10 Darcy Street
PARRAMATTA NSW 2150
Phone: 131 555
Email: info@epa.nsw.gov.au
Locked Bag 5022
PARRAMATTA NSW 2124

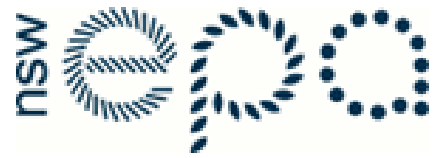
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Information about this licence

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);
- 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

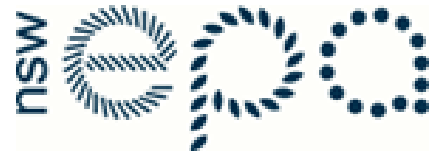
The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

Fees and information to be sent to the EPA

For each licence fee period you must pay:

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

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

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

A licence subject to load-based licensing (LBL) requires an Annual Return to be submitted to the EPA, comprising a Statement of Compliance for Load Based Fee Calculation for each assessable pollutant required by the licence. The Annual Return must be submitted by the “due date”, as defined in the dictionary at the end of the licence. Refer to the Annual Return reporting requirements under Section 6 “Reporting Conditions”.

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:

<u>Licensee</u>
Sydney International Container Terminals Pty Ltd
PO BOX 734
BOTANY NSW 1455

subject to the conditions which follow.



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 (Act) classification, Licensing Fee Category (Regulation) 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.

<u>Scheduled Activity (Act)</u>	<u>Licensing Fee Category (Regulation)</u>	<u>Scale</u>
Chemical storage - General chemicals storage	General chemicals storage	0 - 5000 kL storage capacity

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

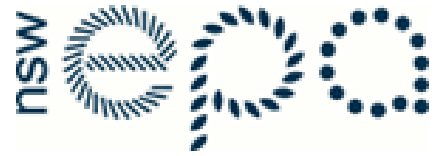
<u>Premises Details</u>
Sydney International Container Terminals Pty Ltd
Port Botany Gate, B150-153, Sirius Road, off Foreshore Road
BOTANY NSW 2019
LOT 200//DP1183399

A3 Other activities

A3.1 This licence applies to all other activities carried on at the premises, including:

<u>Ancillary activity</u>
Shipping Facilities

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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 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 Waste

L2.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

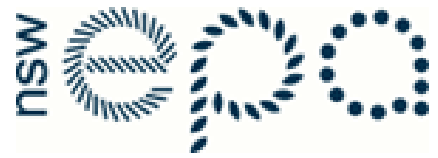
Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

This condition does not limit any other conditions in this licence.

Waste	Description	Activity	Other Limits
NA - Waste			NA
NA - General or Specific exempted waste			NA

L3 Noise limits

L3.1 Noise from the premises must not exceed the noise limits presented in the Table below. Note the limits represent the noise contribution at the nominated receiver locations in the table.

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Most Affected Residential Location	Day	Evening	Night	Night
-	LAeq(15minute)	LAeq(15minute)	LAeq(15minute)	LAeq(9 hrs)
Chelmsford Avenue	40	40	40	38
Dent Street	45	45	45	43
Jennings Street	36	36	36	35
Botany Road (north of Golf Club)	47	47	47	45
Australia Avenue	35	35	35	35
Military Road	42	42	42	40

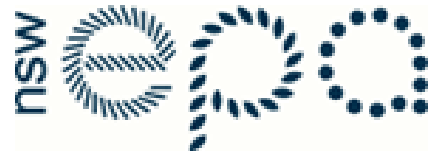
L3.2 Noise from the premises must not exceed the noise limits presented in the Table below. Note the limits represent the noise contribution at the nominated receiver locations in the table.

Most Affected Residential Location	Night
-	LA1(1 minute)
Chelmsford Avenue	53
Dent Street	59
Jennings Street	55
Botany Road (north of Golf Club)	59
Australia Avenue	57
Military Road	60

L3.3 For the purpose of Condition L3.1 and Condition L3.2:

Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays.

Evening is defined as the period from 6pm to 10pm on any day.



Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.

- L3.4** For the purposes of Conditions L3.1 and L3.2, noise from the premises must be measured or computed at the most affected point on or within the residential boundary, or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary, to determine compliance with the noise level limits in Conditions L3.1 and L3.2 unless otherwise stated.
- L3.5** Noise from the premises must be measured at 1m from the dwelling facade to determine compliance with the LA1(1minute) noise limits at Condition L3.2.
- L3.6** Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternative means of determining compliance (*see Chapter 11 of the NSW Industrial Noise Policy (INP)*).
- L3.7** The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the contributed noise level from the premises where applicable.
- L3.8** The noise limits specified at Conditions L3.1 and L3.2 apply under the following meteorological conditions:
- (a) wind speeds up to 3 m/s at 10 metres above ground level; and
 - (b) temperature inversion conditions of up to 1.5 C/100m.

3 Operating Conditions

O1 Activities must be carried out in a competent manner

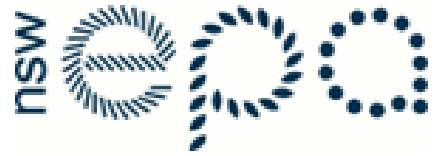
- O1.1** Licensed activities must be carried out in a competent manner.
This includes:
- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
 - b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated 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 Emergency response

- O3.1** 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 must develop an emergency response plan within three months of that date.

- O3.2** In relation to 4.1 Emergency Response: A Pollution Incident Response Management Plan (PIRMP) is the relevant document required.

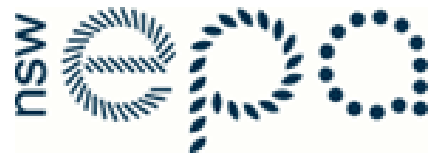
4 Monitoring and Recording Conditions

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 EPA point identification number for the point at which the sample was taken; and
 - d) the name of the person who collected the sample

M2 Recording of pollution complaints

- M2.1** 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.
- M2.2** 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.
- M2.3** The record of a complaint must be kept for at least 4 years after the complaint was made.
- M2.4** The record must be produced to any authorised officer of the EPA who asks to see them.



M3 Telephone complaints line

- M3.1** 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.
- M3.2** 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.
- M3.3** The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

5 Reporting Conditions

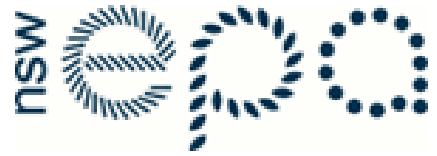
R1 Compliance, and annual reporting requirements

Compliance with licence conditions

- R1.1** The licensee must supply the EPA, via the EPA's online digital portal, the following details of any non-compliance with the conditions of the licence within 21 days after the licensee becomes aware of the non-compliance:
- the date the licensee became aware of the non-compliance;
 - the date(s) the non-compliance occurred, including if the non-compliance is continuing;
 - whether the non-compliance relates to air, water/land, noise or waste matters (if applicable);
 - whether the non-compliance relates to a pollution incident;
 - the licence condition(s) not complied with;
 - a summary of particulars of the non-compliance, including (if known):
 - the location where the non-compliance occurred;
 - the duration of the non-compliance;
 - if the non-compliance is continuing, the suspected end date of the non-compliance;
 - the cause or suspected cause of the non-compliance;
 - any action taken, or proposed to be taken, to mitigate the effects of the non-compliance; and
 - any action taken, or proposed to be taken, to prevent a recurrence of the non-compliance.
- R1.2** The EPA may make a written request for further details in relation to each non-compliance reported in accordance with Condition R1.1. The licensee must provide such further details to the EPA, via the EPA's online digital portal, within the time specified in the request.
- R1.3** Condition R1.1 does not apply where a non-compliance with a licence condition has been identified by the EPA as part of an EPA environmental compliance audit.

Reporting transition arrangements

- R1.4** By 05 August 2026, the licensee must supply to the EPA, via the EPA's online digital portal the details required in Condition R1.1 for any non-compliance with the conditions of the licence that occurred:
- after the date the licensee supplied their last Statement of Compliance - Licence Conditions to the EPA, and



- ii. before the date of the notice of variation of licence that added this condition to this Licence.

Pollution monitoring data summary

R1.5 If the licensee undertakes monitoring as a result of a licence condition, the licensee must supply to the EPA a summary of the results of the pollution monitoring data in respect of each reporting period. The summary must be provided as a Microsoft Excel file, formatted with the following column headings:

- a. EPA point identification number;
- b. pollutant;
- c. unit of measure;
- d. number of samples required;
- e. number of samples collected and analysed;
- f. lowest sample value;
- g. mean of sample values; and
- h. highest sample value.

The pollution monitoring data summary for the reporting period must be supplied to the EPA via the EPA's online digital portal by the "due date", as defined in the dictionary at the end of this licence.

R2 Notification of environmental harm

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

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

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

R3 Written report

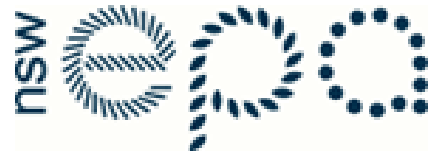
R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- 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.

6 General Conditions

G1 Copy of licence kept at the premises or plant

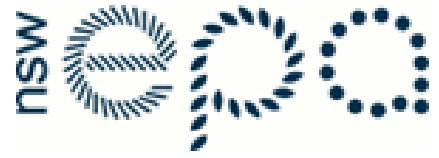
- G1.1** A copy of this licence must be kept at the premises to which the licence applies.
- G1.2** The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3** The licence must be available for inspection by any employee or agent of the licensee working at the premises.

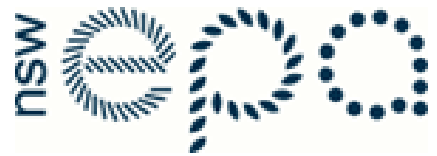
7 Special conditions

E1 Noise Monitoring and Compliance Reporting

- E1.1** The Licensee must undertake noise monitoring:
- (a) the noise monitoring must be undertaken within the first 6 months of commencement of operations;
 - (b) the noise monitoring must verify the assumptions and noise limits as outlined in the Port Botany Container Terminal Expansion Noise Assessment (2003), part of the Environmental Impact Statement submitted to the Department of Planning and Infrastructure in accordance with the Environmental Planning and Assessment Act 1979 for the approved container terminal development, and Conditions L3.1 and L3.2 of this licence.
- E1.2** Every 6 months, the Licensee must undertake a periodic noise monitoring program consisting of attended and unattended monitoring and provide a report within one month after completion of monitoring to the EPA's Manager, Sydney Industry at PO Box 668 Parramatta NSW 2124 containing the following information:
- (a) unattended monitoring data for a continuous period of no less than 2 weeks;
 - (b) attended monitoring data during the period outlined in subsection (a);
 - (b) monitoring data from a minimum of 3 locations;
 - (c) an assessment of the noise levels against Condition L3 including a trend analysis;
 - (d) details of any feasible and reasonable noise mitigation measures that have been, or are proposed to be implemented to further reduce noise levels below the limits prescribed in this licence.

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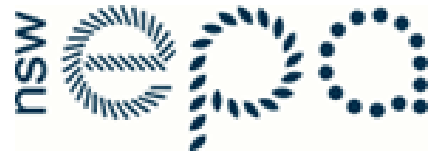


Dictionary

General Dictionary

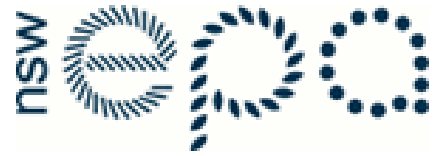
3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2022
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2022
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2022
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

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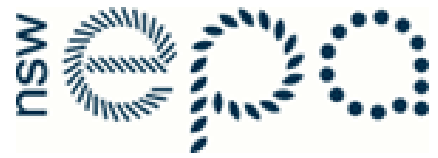
COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
due date	Means: <ul style="list-style-type: none"> i) not later than 60 days after the end of each reporting period; or ii) in the case of a transferring licence - not later than 60 days after the date the transfer was granted.
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means the Environment Protection Authority of New South Wales.
EPA Online digital portal	Means eConnect EPA
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
Licensing Fee Category (Regulation)	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2022.
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2022

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local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 of the Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
Percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution incident	Has the same meaning as in the Protection of the Environment Operations Act 1997
Pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.

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restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	Together with a number, means a test method of that number prescribed by the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.
TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste
wellhead	Has the same meaning as in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2022

Stephen Beaman

Executive Director Regulatory Operations

NSW Environment Protection Authority

Environment Protection Licence



End Notes

Licence varied by notice POEO-3307, issued on 11-06-2026

Licence varied by notice 1543811 issued on 01-Sep-2016

Licence varied by notice 1522168 issued on 17-Jun-2014