

Environment Protection Licence

Licence - 1741

Licence Details

Number:	1741
Anniversary Date:	01-July

Licensee

BEGA VALLEY SHIRE COUNCIL

PO BOX 492

BEGA NSW 2550

Premises

MERIMBULA SEWAGE TREATMENT PLANT

PRINCES HIGHWAY

MERIMBULA NSW 2548

Scheduled Activity

Sewage treatment

Fee Based Activity

Sewage treatment processing by small plants

Scale

> 219-1000 ML annual maximum
volume of discharge

Contact Us

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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 annual return to be sent to the EPA

For each licence fee period you must pay:

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



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

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

Transfer of licence

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

Public register and access to monitoring data

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

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

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

This licence is issued to:

BEGA VALLEY SHIRE COUNCIL
PO BOX 492
BEGA NSW 2550

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled 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
Sewage treatment	Sewage treatment processing by small plants	> 219 - 1000 ML annual maximum volume of discharge

A1.2 The objectives of this licence are to:

- prevent as far as practicable sewage overflows and sewage treatment plant bypasses;
- require proper and efficient management of the system to minimise harm to the environment and public health; and
- require practical measures to be taken to protect the environment and public health from sewage overflows and sewage treatment plant effluent.

A1.3 This licence is to be construed in a manner that will promote the objectives referred to in the condition above.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
MERIMBULA SEWAGE TREATMENT PLANT
PRINCES HIGHWAY
MERIMBULA
NSW 2548
LOT 4 DP 631151, LOT 1 DP 853245, LOT 1 DP 861737, LOT 2 DP 861737, LOT 3 DP 861737

A2.2 The premises also includes the reticulation system owned and operated by the licensee that is associated with the sewage treatment plant(s) identified in condition A2.1.

A3 Information supplied to the EPA

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

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

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

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

- P1.1 The following 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	Point where effluent discharges from ocean outfall at Merimbula Beach labelled "EPA ID #1" on map titled "Merimbula STP EPA IDs" submitted to the EPA on 4/06/2019 (DOC19/56318).
2		Discharge to utilisation area	Point where effluent crosses the property boundary to the golf course pump shed on Pambula Merimbula Golf Course labelled as "EPA ID #2" on map titled "Merimbula STP EPA IDs" submitted to the EPA on 4/06/2019 (DOC19/56318).
3	Volume monitoring		Flow meter at pumping station to ocean outfall or exfiltration ponds labelled as "EPA ID #3" on map titled "Merimbula STP EPA IDs" submitted to the EPA on 4/06/2019 (DOC19/56318).
4	Effluent quality monitoring		Sampling point at the STP pump station labelled as "EPA ID #4" on map titled "Merimbula STP EPA IDs" submitted to the EPA on 4/06/2019 (DOC19/56318).

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5	Volume monitoring		Flow meter between the STP effluent storage pond and Pambula Merimbula Golf Club labelled as "EPA ID #5" on map titled "Merimbula STP EPA IDs" submitted to the EPA on 4/06/2019 (DOC19/56318).
6	Ambient water monitoring		In the surf zone within 50 metres of ocean outfall pipe labelled as "EPA ID #6" on map titled "Merimbula STP EPA IDs" submitted to the EPA on 4/06/2019 (DOC19/56318).
7		Discharge to exfiltration ponds	Point where effluent discharges to Exfiltration Ponds located between the Princes Hwy and the ocean outfall labelled "EPA ID #7" on map titled "Merimbula STP EPA IDs" submitted to the EPA on 4/06/2019 (DOC19/56318).
8		Discharge to utilisation area	Point where effluent discharges into "Oaklands" effluent storage dam, labelled "EPA ID #8" on map titled "Merimbula STP EPA IDs" submitted to the EPA on 4/06/2019 (DOC19/56318).
9	Volume monitoring		Flow meter on pipe discharging from STP effluent storage pond to "Oaklands" effluent storage dam labelled "EPA ID #9" on map titled "Merimbula STP EPA IDs" submitted to the EPA on 4/06/2019 (DOC19/56318).
10	Volume monitoring		Flow meter at STP inlet works labelled as "EPA ID #10" on map titled "Merimbula STP EPA IDs" submitted to the EPA on 4/06/2019 (DOC19/56318).
11	Groundwater quality monitoring		Groundwater monitoring point at Merimbula Dunes, labelled as "BH10" on map titled "Merimbula STP EPA IDs" submitted to the EPA on 4/06/2019 (DOC19/56318).
12	Groundwater quality monitoring		Groundwater monitoring point at Merimbula Dunes, labelled as "PPK1" on map titled "Merimbula STP EPA IDs" submitted to the EPA on 4/06/2019 (DOC19/56318).
13	Groundwater quality monitoring		Groundwater monitoring point at Merimbula Dunes, labelled as "PPK3" on map titled "Merimbula STP EPA IDs" submitted to the EPA on 4/06/2019 (DOC19/56318).

P1.3 The use of the exfiltration ponds (EPA Identification No. 7) for the disposal of treated effluent is permitted to 31 March 2023.

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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.
- L1.2 The licensee may only discharge untreated or partially treated sewage from the sewage treatment plant and/or the reticulation system subject to the conditions of this licence, including Sections O1 and O2.

L2 Load limits

- L2.1 The actual load of an assessable pollutant discharged from the premises during the reporting period must not exceed the load limit specified for the assessable pollutant in the table below.
- L2.2 The actual load of an assessable pollutant must be calculated in accordance with the relevant load calculation protocol.

Assessable Pollutant	Load limit (kg)
BOD (Coastal Water)	3500.00
BOD (Enclosed Water)	
Nitrogen (total) (Coastal Water)	5000.00
Nitrogen (total) (Enclosed Water)	
Oil and Grease (Coastal Water)	2000.00
Oil and Grease (Enclosed Water)	
Phosphorus (total) (Coastal Water)	8000.00
Phosphorus (total) (Enclosed Water)	
Total suspended solids (Coastal Water)	8000.00
Total suspended solids (Enclosed Water)	

Note: The load limits referred to in condition L2.1 do not apply to discharges from the reticulation system.

- L2.3 For the purposes of Condition L2.1, where a load limit is specified in the table for a particular assessable pollutant in relation to Open Coastal Waters, that load limit is the total load limit that applies to discharges from the premises to Open Coastal Waters and Enclosed Waters for that particular pollutant. That is, the assessable pollutant may be discharged from the premises to Open Coastal Waters or Enclosed Waters (or a combination of both), provided that the load limit is not exceeded when the loads discharged from the premises to Open Coastal Waters and Enclosed Waters are combined.

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Note: An assessable pollutant is a pollutant which affects the licence fee payable for the licence.

L3 Concentration limits

- L3.1 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.
- L3.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.
- L3.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table/s.
- L3.4 Water and/or Land Concentration Limits

POINT 1,7

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		10		15
Faecal Coliforms	colony forming units per 100 millilitres				200
Nitrogen (ammonia)	milligrams per litre		2		5
Nitrogen (total)	milligrams per litre		10		15
Oil and Grease	milligrams per litre		2		10
pH	pH				6.5-8.5
Phosphorus (total)	milligrams per litre		13		
Total suspended solids	milligrams per litre		20		30

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L4 Volume and mass limits

- L4.1 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	4000
7	kilolitres per day	4000
9		N/A
10		N/A

- L4.2 Notwithstanding the volume limits specified in condition L4.1, the combined volume discharged from point(s) 1 and 7 shall not exceed 4000 kL/day.

L5 Waste

- L5.1 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.

Code	Waste	Description	Activity	Other Limits
NA	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under Clause 92 of the Protection of the Environment Operations (Waste) Regulation 2014	As specified in each particular resource recovery exemption	NA
NA	Waste	Any waste received on site that is below licensing thresholds in Schedule 1 of the POEO Act, as in force from time to time	-	NA
K130	Sewage sludge & residues	Septic tank sludge	Waste storage Sewage Treatment	NA
K110	Grease trap waste	As defined in Schedule 1 of the POEO Act, as in force from time to	Waste processing (non-thermal treatment)	NA

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NA	Effluent	time As defined in Schedule 1 of the POEO Act, as in force from time to time	Sewage Treatment	NA
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L5.2 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 Potentially offensive odour

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

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

4 Operating Conditions

O1 Activities must be carried out in a competent manner

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

This includes:

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

Note: The requirements of O1.1 apply to the whole of the premises, including the reticulation system.

O1.2 Biosolids at the premises must be stored, treated, processed, classified, transported and disposed in accordance with the Biosolids Guidelines, or as otherwise approved in writing by the EPA.

O2 Maintenance of plant and equipment

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

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

Note: The requirements of O2.1 apply to the whole of the premises, including the reticulation system.

O3 Emergency response

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- O3.1 In the event of an overflow or bypass that harms or is likely to harm the environment, the licensee must use all practicable measures to minimise the impact of the overflow or bypass on the environment and public health. These measures are to be implemented as soon as practical after the licensee or one of the licensee's employees or agents becomes aware of the overflow or bypass.

O4 Processes and management

- O4.1 Sewage or effluent must not be discharged from Point(s) 1 and 7 unless it has been treated in accordance with the requirements of the table below.

The flows noted in the table below are the inflows to the premises' sewage treatment plant(s).

Required treatment process	Flow range
Screening, aerobic secondary treatment and chlorine disinfection	All flows

O5 Other operating conditions

Discharge Limitations

- O5.1 Wastes must not be discharged via the ocean outfall except between the hours of 8:00pm and 6:00am on a daily basis.

5 Monitoring and Recording Conditions

M1 Monitoring records

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

M2 Requirement to monitor concentration of pollutants discharged

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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 4

Pollutant	Units of measure	Frequency	Sampling Method
Biochemical oxygen demand	milligrams per litre	Monthly	Grab sample
Chlorophyll a	milligrams per litre	Special Frequency 1	Grab sample
Faecal Coliforms	colony forming units per 100 millilitres	Monthly	Grab sample
Nitrogen (ammonia)	milligrams per litre	Monthly	Grab sample
Nitrogen (total)	milligrams per litre	Monthly	Grab sample
Oil and Grease	milligrams per litre	Monthly	Grab sample
Phosphorus (total)	milligrams per litre	Monthly	Grab sample
Total suspended solids	milligrams per litre	Monthly	Grab sample

POINT 6

Pollutant	Units of measure	Frequency	Sampling Method
Faecal Coliforms	colony forming units per 100 millilitres	Special Frequency 2	Grab sample

POINT 11,12,13

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as calcium carbonate)	milligrams per litre	Quarterly	Representative sample
Ammonia	milligrams per litre	Quarterly	Representative sample
Calcium	milligrams per litre	Every 6 months	Representative sample
Chloride	milligrams per litre	Every 6 months	Representative sample
Conductivity	millisiemens per centimetre	Quarterly	Representative sample
Depth	metres	Quarterly	Representative sample
Dissolved Oxygen	milligrams per litre	Quarterly	Representative sample
Enterococci	colony forming units per 100 millilitres	Quarterly	Representative sample
Faecal Coliforms	colony forming units per 100 millilitres	Quarterly	Representative sample
Magnesium	milligrams per litre	Every 6 months	Representative sample
Nitrate	milligrams per litre	Quarterly	Representative sample
Nitrite	milligrams per litre	Quarterly	Representative sample
Nitrogen (total)	milligrams per litre	Quarterly	Representative sample
Orthophosphate	milligrams per litre	Quarterly	Representative sample

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Oxidised nitrogen	milligrams per litre	Quarterly	Representative sample
pH	pH	Quarterly	Representative sample
Phosphorus (total)	milligrams per litre	Quarterly	Representative sample
Potassium	milligrams per litre	Every 6 months	Representative sample
Redox potential	millivolts	Quarterly	Representative sample
Sodium	milligrams per litre	Every 6 months	Representative sample
Sulfate	milligrams per litre	Every 6 months	Representative sample
Temperature	degrees Celsius	Quarterly	Representative sample

M2.3 Special Frequency 1 means collect sample at the same time as Biochemical Oxygen Demand or Total Suspended Solids samples and store monthly. If Biochemical Oxygen Demand or Total Suspended Solids 100 percentile concentration limit is exceeded as per condition L3.3, then analyse the stored sample for chlorophyll a and report results to the EPA as soon as the results become available.

Special Frequency 2 means weekly/at least weekly, during the months of November, December, January, February and March.

M2.4 The monitoring at point(s) 4 required by condition M2.1 is conducted to determine compliance with limits specified for discharge to point(s) 1 and 7 respectively.

M3 Testing methods - concentration limits

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

M4 Testing methods - load limits

Note: Division 4 of the *Protection of the Environment Operations (General) Regulation 2022* requires that monitoring of actual loads of assessable pollutants listed in L2.2 must be carried out in accordance with the relevant load calculation protocol set out for the fee-based activity classification listed in the Administrative Conditions of this licence.

M5 Recording of pollution complaints

M5.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M5.2 The record must include details of the following:

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

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complainant; and

f) if no action was taken by the licensee, the reasons why no action was taken.

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

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

M6 Telephone complaints line

M6.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M6.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

M6.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

M6.4 For the purpose of condition M6.1, operating hours are defined as twenty-four hours a day, seven days a week.

M6.5 The public notification referred to in condition M6.2 must include specific reference to the fact that the complaints line may be used by the community for the reporting of overflows.

M7 Requirement to monitor volume or mass

M7.1 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.

POINT 3

Frequency	Unit of Measure	Sampling Method
Daily	kilolitres per day	Magnetic flow meter

POINT 5

Frequency	Unit of Measure	Sampling Method
Daily	kilolitres per day	Magnetic flow meter

POINT 9

Frequency	Unit of Measure	Sampling Method
Daily	kilolitres per day	Magnetic flow meter

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POINT 10

Frequency	Unit of Measure	Sampling Method
Daily	kilolitres per day	Magnetic flow meter

M7.2 In the event that the licensee cannot comply with a volume monitoring method as required by this licence solely due to the failure or malfunction of essential monitoring equipment, volume may be estimated using another agreed method approved in writing by the EPA. This provision only applies for the duration of the failure or malfunction. The licensee is to rectify the failure or malfunction as soon as practicable.

M7.3 The licensee must:

- a) submit in writing to the EPA a proposal for a method of volume estimation; or
- b) use a method of volume estimation already approved in writing by the EPA,

to be used in the event that essential monitoring equipment referred to in the previous condition has failed or malfunctioned.

M8 Requirement to record bypass incidents from sewage treatment plants

M8.1 The licensee must record the following details in respect of each bypass of any of the appropriate treatment processes required by condition O4.2 which may be reasonably expected to adversely affect the quality of the final discharge:

- a) the EPA point identification number through which the bypass discharged;
- b) the date, estimated start time and estimated duration of the bypass;
- c) the estimated volume of the bypass;
- d) the level of treatment of the sewage at the STP prior to discharge;
- e) the probable cause of the bypass;
- f) any actions taken to stop the bypass happening; and
- g) any actions taken to prevent the bypass happening again.

M8.2 Given the arrangements at Merimbula STP for high flows, for the purpose of this condition "bypass" also means a situation where a wet weather event activates a high level switch and the plant enters an extended settlement phase where the decant weirs are lowered to allow the effluent to pass through the plant.

M8.3 The licensee must record the following details in relation to each observed or reported overflow from the reticulation system and from the sewage treatment plant:

- a) the location of the overflow;
- b) the date, estimated start time and estimated duration of the overflow;
- c) the estimated volume of the overflow;
- d) a description of the receiving environment of the overflow;
- e) classification as a dry or wet weather overflow;
- f) the probable cause of the overflow;
- g) any actions taken to stop the overflow happening;
- h) any actions taken to clean up the overflow; and
- i) any actions taken to prevent the overflow happening again.

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M9 Other monitoring and recording conditions

M9.1 Biosolids at the premises must be recorded, monitored and classified in accordance with the Biosolids Guidelines, to the extent that those Guidelines are applicable, or as otherwise approved in writing by the EPA.

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 notification that the Annual Return is due.

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

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

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

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

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

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

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

R1.5 The Annual Return for the reporting period must be supplied to the EPA 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

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later than 60 days after the date the transfer was granted (the 'due date').

- R1.6 Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date. The notification must specify:
- the assessable pollutants for which the actual load could not be calculated; and
 - the relevant circumstances that were beyond the control of the licensee.
- 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.
- R1.8 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- the licence holder; or
 - by a person approved in writing by the EPA to sign on behalf of the licence holder.

R2 Notification of environmental harm

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

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:
- where this licence applies to premises, an event has occurred at the premises; or
 - 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:
- the cause, time and duration of the event;
 - the type, volume and concentration of every pollutant discharged as a result of the event;
 - the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
 - the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making

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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 Other notifications

R4.1 When the licensee notifies the Department of Health or NSW Shellfish Program of a bypass or overflow incident, the licensee must also notify the EPA by telephoning its Pollution Line Service on 131 555. Notifications are to be given as soon as practical after the licensee or one of the licensee's employees or agents becomes aware of the incident, and must include all relevant information including the information required under condition M8.

R5 Annual system performance report

R5.1 The licensee must supply to the EPA an Annual System Performance Report not later than 60 days after the end of each reporting period.

R5.2 The report is to supplement the Annual Return and must include but need not be limited to:

- a) the 50 percentile, 90 percentile, 100 percentile and 3DGM values calculated from the monitoring data required by this licence for the reporting period for each pollutant which has corresponding concentration limits specified in this licence;
- b) the total amounts of biosolids, as classified in the Biosolids Guideline, disposed of on-site, off-site and to landfill during the reporting period;
- c) a diagram showing the major process elements, discharge points and monitoring points at the premises' sewage treatment plant(s), where there has been any significant change since the previous reporting period or this information has not been provided previously to the EPA;
- d) the number of dry and wet weather bypasses recorded over the reporting period (recorded in accordance with condition M8);
- e) a breakdown of the total number of complaints received by the licensee during the reporting period in relation to the premises into categories of "odours – sewage treatment plant", "odours – reticulation system", "water pollution – sewage treatment plant", "water pollution – reticulation system" and any other category indicated by the complaints;
- f) a summary of observed, reported or recorded wet weather overflows and observed, reported or recorded dry weather overflows and sewage treatment plant bypasses. These data are to be for the current reporting period and for the four previous twelve-month periods, for which data has been collected. Any significant actions taken to address bypasses or overflows are to be noted; and
- g) the amount of rainfall measured at a rain gauge at the STP, or at the rain gauge closest to the centre of the catchment of the sewage treatment system, for each month of the reporting period

R5.3 The Annual System Performance Report must be presented in a format approved in writing by the EPA.

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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 operate 24-hour telephone contact lines for the purpose of enabling the EPA to directly contact one or more representatives of the licensee who can:
 - a) respond at all times to incidents relating to the premises; and
 - b) contact the licensee's senior employees or agents authorised at all times to:
 - i) speak on behalf of the licensee; and
 - ii) provide any information or document required under this licence.
- G2.2 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 The location of all licensed discharge and monitoring points under Condition P1.2 of this licence must be clearly marked by signs that indicate the point identification number used in this licence and be located as close as practical to the point.

8 Pollution Studies and Reduction Programs

U1 Effluent management strategy for Merimbula STP

- U1.1 The licensee must, by 31 July 2024:
 - a) Have completed the Environmental Impact Statement (EIS) and Concept Design for a deep water ocean outfall and STP upgrade for the disposal of treated effluent from the premises.
- U1.2 The licensee must, by 31 May 2026:
 - a) Have obtained the necessary approvals, constructed and commissioned a deep water ocean outfall for the disposal of treated effluent from the premises; and

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b) Have obtained the necessary approvals, constructed and commissioned upgrades to the STP to ensure that the treated effluent quality is commensurate with the standards required in condition 'a)' above

U2 Effluent Sampling Program - Characterisation of Effluent Quality in the Effluent Storage Pond

U2.1 The Licensee is to undertake, by 31 December 2023, additional sampling of the treated effluent in the Merimbula STP Effluent Storage Pond to characterise pollutant concentrations. Sampling frequency is to be fortnightly, coinciding with existing licence sampling times, for a period of three months.

Grab samples of treated effluent are to be taken at the following locations in the effluent storage pond:

- Sample Point 1 - entrance of the effluent storage pond
- Sample Point 2 - middle of the effluent storage pond
- Sample Point 3 - last quarter of the effluent storage pond, prior to the ocean outfall wet well.

Effluent from the ocean outfall pipe where it discharges to the beach is also to be sampled on a frequency determined by council.

The effluent is to be analysed for the following parameters at a NATA accredited laboratory:

- Faecal coliforms
- Total Nitrogen
- Ammonia
- Total Phosphorus
- BOD
- pH
- Total Suspended Solids
- Chlorophyll-a

Council must also undertake free and total chlorine analysis at each sampling point using a field meter, including from the ocean discharge pipe and at the existing EPA sampling locations.

A final report and copies of the sample results are to be provided to the EPA by 31 January 2024.

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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 2009
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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

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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 to the Protection of the Environment Operations (General) Regulation 2021.

Mr Terry Knowles

Environment Protection Authority

(By Delegation)

Date of this edition: 31-March-2000

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End Notes

- 1 Licence varied by notice V/M upgrade, issued on 08-Jul-2000, which came into effect on 08-Jul-2000.
- 2 Licence varied by notice 1003022, issued on 19-Feb-2001, which came into effect on 16-Mar-2001.
- 3 Licence varied by notice 1012329, issued on 20-Mar-2002, which came into effect on 14-Apr-2002.
- 4 Licence varied by notice 1028900, issued on 14-Aug-2003, which came into effect on 08-Sep-2003.
- 5 Licence varied by notice 1030826, issued on 22-Apr-2004, which came into effect on 17-May-2004.
- 6 EPA Condition ID S40934 amended 13-08-04
- 7 Licence varied by notice 1043987, issued on 07-Feb-2005, which came into effect on 04-Mar-2005.
- 8 Licence varied by notice 1045329, issued on 15-Apr-2005, which came into effect on 10-May-2005.
- 9 Licence varied by change to DEC Region allocation, issued on 24-Feb-2006, which came into effect on 24-Feb-2006.
- 10 Licence varied by notice 1060659, issued on 28-Jun-2006, which came into effect on 28-Jun-2006.
- 11 Licence varied by correction to DEC file number, issued on 07-Mar-2007, which came into effect on 07-Mar-2007.
- 12 Licence varied by notice 1071509, issued on 12-Apr-2007, which came into effect on 12-Apr-2007.
- 13 Licence varied by notice 1072185, issued on 27-Apr-2007, which came into effect on 27-Apr-2007.
- 14 Licence varied by notice 1077859, issued on 24-Sep-2007, which came into effect on 24-Sep-2007.
- 15 Licence varied by notice 1079234, issued on 17-Oct-2007, which came into effect on 17-Oct-2007.
- 16 Licence varied by notice 1079816, issued on 01-Nov-2007, which came into effect on 01-Nov-2007.
- 17 Licence varied by notice 1083716, issued on 21-May-2008, which came into effect on 21-May-2008.
- 18 Licence varied by notice 1090100, issued on 09-Sep-2008, which came into effect on 09-Sep-2008.

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|----|---|
| 19 | Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date> |
| 20 | Licence varied by notice 1102762, issued on 29-Jun-2009, which came into effect on 29-Jun-2009. |
| 21 | Licence fee period changed by notice 1103278 approved on . |
| 22 | Licence varied by admin corrections to annual return, issued on 02-Jul-2009, which came into effect on 02-Jul-2009. |
| 23 | Licence varied by notice 1106663, issued on 12-Nov-2009, which came into effect on 12-Nov-2009. |
| 24 | Licence varied by notice 1112138, issued on 10-Mar-2010, which came into effect on 10-Mar-2010. |
| 25 | Licence varied by notice 1122015, issued on 22-Nov-2010, which came into effect on 22-Nov-2010. |
| 26 | Licence varied by notice 1130374, issued on 11-Jul-2011, which came into effect on 11-Jul-2011. |
| 27 | Licence varied by notice 1513381 issued on 09-Dec-2013 |
| 28 | Licence varied by notice 1525333 issued on 16-Dec-2014 |
| 29 | Licence varied by notice 1535921 issued on 18-May-2017 |
| 30 | Licence varied by notice 1559851 issued on 13-Dec-2017 |
| 31 | Licence format updated on 08-Nov-2018 |
| 32 | Licence varied by notice 1578988 issued on 03-Jun-2019 |
| 33 | Licence varied by notice 1581026 issued on 19-Jun-2019 |
| 34 | Licence varied by notice 1585261 issued on 06-Sep-2019 |
| 35 | Licence varied by notice 1593974 issued on 22-May-2020 |
| 36 | Licence varied by notice 1608723 issued on 21-May-2021 |
| 37 | Licence varied by notice 1626442 issued on 29-Mar-2023 |
| 38 | Licence varied by notice 1630351 issued on 11-Jul-2023 |