

# Environment Protection Licence

Licence - 21089

## Licence Details

Number:	21089
Anniversary Date:	17-May

## Licensee

JOHN HOLLAND PTY LTD  
 LEVEL 3, 65 PIRRAMA ROAD  
 PYRMONT NSW 2009

## Premises

NEW INTERCITY FLEET MAINTENANCE FACILITY - KANGY  
 ANGY  
 53-55 ORCHARD RD  
 KANGY ANGY NSW 2258

## Scheduled Activity

Railway systems activities

## Fee Based Activity

## Scale

Railway systems activities	Any capacity
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## Region

Metropolitan Infrastructure  
 Level 13, 10 Valentine Ave  
 PARRAMATTA NSW 2150  
 Phone: (02) 9995 5000  
 Fax: (02) 9995 6900  
 PO Box 668  
 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 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:

<b>JOHN HOLLAND PTY LTD</b>
<b>LEVEL 3, 65 PIRRAMA ROAD</b>
<b>PYRMONT NSW 2009</b>

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
Railway systems activities	Railway systems activities	Any capacity

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

A2.1 The licence applies to the following premises:

Premises Details
NEW INTERCITY FLEET MAINTENANCE FACILITY - KANGY ANGY
53-55 ORCHARD RD
KANGY ANGY
NSW 2258

A2.2 The premises is the most recently approved premises maps held on EPA electronic file EF18/4438. The premises is restricted to the area of land required for the construction of:

- a new railway turnout track on the western side of the existing Main North Line;
- a new rail bridge over the Chittaway Creek and Turpentine Road; and
- a new road access bridge over the Main North Line.

A2.3 Premises maps are not deemed to be approved by the EPA unless confirmed in writing.

A2.4 Premises maps changes as a result of scheduled land portion handover, land portion surrenders or land portion additions are permitted to be altered through this condition. Any proposed variations to the premises must:

- be submitted to the EPA in electronic format; and
- be a complete map set containing unique identifiers for revision number and map sheet numbers; and
- be submitted to the EPA no less than 5 business days prior to the scheduled handover, surrender or land portion addition date.

A2.5 The licensee must display the most recently approved premises maps on the project's website.

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## 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:

- 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.

A3.2 Unless specifically stated by another condition of this licence, Environmental Management Plans or systems supplied to the EPA by the licensee do not form part 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		Construction discharge point	Cess drain down-side of existing level railway crossing
2		Construction water discharge	Cess drain up-side of existing level railway crossing
4		Construction water discharge	Chittaway Creek adjacent to Turpentine Road.
5		Construction water discharge	Drainage line on the down side which runs into Bangalow Creek.

## 3 Limit Conditions

### L1 Pollution of waters

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- L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

## L2 Concentration limits

- L2.1 For each monitoring/discharge point or utilisation area specified in the table\ 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\.
- L2.4 Water and/or Land Concentration Limits

### POINT 1,2,4,5

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Dissolved Oxygen	milligrams per litre				6
Iron (dissolved)	milligrams per litre		1.5		
Oil and Grease	Visible				Not visible
pH	pH				6.5-8.5
TSS	micrograms per litre				50

## L3 Noise limits

- L3.1 The licensee must implement all feasible and reasonable noise and vibration abatement measures at the premises to minimise noise and vibration impacts on noise sensitive receivers, in accordance with the *Interim Construction Noise Guideline* (DECC, 2009).

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## L4 Hours of operation

L4.1 Unless permitted by another condition of this licence, construction works and activities must:

- (a) only be undertaken between the hours of 7:00am and 6:00pm Monday to Friday; and
- (b) only be undertaken between the hours of 8:00am and 1:00pm Saturday; and
- (c) not be undertaken on Sundays or Public Holidays.

## L4.2 Exemptions to standard construction hours for low noise impact works

The following works and activities may be carried out outside of the hours specified in Condition L3.1 if the works and activities do not cause, when measured at the boundary of the most affected noise sensitive receiver:

- (a) LAeq(15 minute) noise levels greater than 5dB above the day, evening and night rating background level (RBL) as applicable; and
- (b) LA1(1 minute) or LAmax noise levels greater than 15dB above the night RBL for night works; and
- (c) continuous or impulsive vibration values greater than those for human exposure to vibration, set out for residences in Table 2.2 in "Environmental noise management - Assessing Vibration: a technical guideline" (Department of Environment and Conservation, February 2006); and
- (d) intermittent vibration values greater than those for human exposure to vibration, set out for residences in Table 2.4 in "Environmental noise management - Assessing Vibration: a technical guideline" (Department of Environment and Conservation, February 2006).

For the purpose of this condition, the RBLs are those contained in an environmental assessment for the scheduled activity subject to this licence prepared under the Environmental Planning and Assessment Act 1979. Alternatively, the licensee may use another RBL determined in accordance with the NSW Noise Policy for Industry (EPA, 2017) and provided to the EPA prior to carrying out any works or activities under this condition.

## L4.3 Exemptions to standard construction hours in exceptional circumstances

(a) The licensee may undertake works outside of standard construction hours if any of the following applies:

- (i) emergency works is required to avoid the loss of lives or property, or to prevent material harm to the environment;
- (ii) the delivery of oversized plant or structures has been determined by the police or other authorised authorities to require special arrangements to transport along public roads; and
- (ii) Rail maintenance works including tamping and regulating to remediate vertical or horizontal movement >4 mm in track geometry that has occurred as a direct result of works being undertaken for the project

(b) The licensee must, on becoming aware of the need to undertake emergency construction work under this condition notify the EPA's Environment Line as soon as practicable and submit a report to the EPA by 2pm on the next business day after the emergency works commenced that describes:

1. the cause, time and duration of the emergency; and
2. action taken by or on behalf of the licensee in relation to the emergency; and
3. details of any measures taken or proposed to be taken by the licensee to prevent or mitigate against a recurrence of the emergency.

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For the purpose of this condition, “material harm to the environment” has the same meaning as in section 147 of the POEO Act.

## L4.4 High Noise Impact Works

Unless otherwise specified by another condition of this licence, high noise impact works and activities must only be undertaken:

- a) between the hours of 8:00am to 6:00pm Monday to Friday;
- b) between the hours of 8:00am to 1:00pm Saturday; and
- c) in continuous blocks not exceeding 3 hours each with a minimum respite from those activities and works of not less than 1 hour between each block.

For the purposes of this condition ‘continuous’ includes any period during which there is less than a 1 hour respite between ceasing and recommencing any of the work that is the subject of this condition.

## L4.5 Additional hours - Local Possessions and Power Outages

a) works and activities may be undertaken during any local possession and power outages, but only if:  
i. carrying on those works and activities during the hours specified in Condition L3.1 would cause unacceptable risks to:

1. construction personnel safety;
2. rail passenger and railways personnel safety; or
3. railway network operational reliability as may be notified to the licensee from time to time by Sydney Trains.

ii. the licensee complies with the requirements of Condition E1.

b) high noise impact works and activities may be undertaken during any local possession and power outages permissible by Condition L3.5a) as follows:

- i. between the hours of 6:00am to 10:00pm on any day subject to the works and activities being undertaken in continuous blocks not exceeding 3 hours each with a minimum respite from those works and activities of not less than one hour between each block.

For the purposes of this condition ‘continuous’ includes any period during which there is less than a 1 hour respite between ceasing and recommencing any of the works or activities the subject of this condition.

## L4.6 Notification of works outside of standard construction hours

(a) The licensee must notify affected noise sensitive receivers of works approved outside of standard construction hours not less than 5 days and not more than 14 days before those works are to be undertaken.

(b) The notification must be:

- by letterbox drop or email; and

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- be detailed on the project website.

(c) The notification required by paragraphs (a) and (b) of this condition must:

- clearly outline the reason that the work is required to be undertaken outside the hours specified in Condition L3.1;
- include a diagram that clearly identifies the location of the proposed works in relation to nearby cross streets and local landmarks;
- include details of relevant time restrictions that apply to the proposed works;
- clearly outline, in plain English, the location, nature, scope and duration of the proposed works;
- detail the expected noise impact of the works on noise sensitive receivers;
- clearly state how complaints may be made and additional information obtained; and
- include the number of the telephone complaints line required by Condition M3.1, an after hours contact phone number specific to the works undertaken outside the hours specified in Condition L3.1, and the project website address.

This condition does not apply to works undertaken in accordance with Condition L3.2 and L3.3.

## 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

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O3.1 The licensee must minimise the emission of dust from the premises to the greatest extent practicable.

## O4 Waste management

O4.1 The licensee must assess, classify and manage any waste generated at the premises in accordance with the *Waste Classification Guidelines Part 1: Classifying Waste, November 2014* prior to taking the waste off the premises.

O4.2 The licensee must not cause, permit or allow any waste generated:  
(a) outside the premises to be received at the premises, except for materials that meet the EPA's Resource Recovery Exemptions for engineered fill purposes;  
(b) at the premises to be land applied at the premises, except as permitted in Condition O4.3.

O4.3 Excavated material suitable for re-use within the premises, may be transported from one part of the premises to another part of the premises by road in accordance with Condition O4.4.

O4.4 The licensee must ensure that:

(a) the body of any vehicle or trailer, used to transport waste or excavation spoil from the premises, is covered before leaving the premises to minimise any spill or escape of any dust, waste or spoil from the vehicle or trailer; and

(b) mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the premises, is removed to the greatest extent practicable before the vehicle, trailer or motorised plant leaves the premises; and

(c) road surfaces subject to tracking of material by vehicles leaving the premises are cleaned at the end of each work day.

## O5 Other operating conditions

### O5.1 Erosion and Sediment Control

The licensee must, before undertaking any construction work (including excavation), implement all soil and water management works required to minimise the pollution of water in accordance with *Managing urban stormwater: soils and construction - Volume 1, 4th Edition (Blue Book)*.

O5.2 The licensee must inspect the operation of soil and water management works installed on the premises and undertake any works required to repair and/or maintain these controls:

- a) at least weekly during standard construction hours outlined in condition L3.1;
- b) prior to any major rainfall event forecasted;
- c) daily following a major rainfall event in any 24 hour period, if safe to do so; and
- d) prior to any site closure of greater than 24 hours.

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## 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

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 1,2,4,5

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium	milligrams per litre	Weekly during any discharge	3 or more grab samples forming a pool sample with the first & last samples taken at least 7 hours apart
Dissolved Oxygen	milligrams per litre	Daily during any discharge	Probe
Iron	milligrams per litre	Weekly during any discharge	3 or more grab samples forming a pool sample with the first & last samples taken at least 7 hours apart

### M3 Testing methods - concentration limits

M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a

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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 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 17/05/2018 the date of the issue of this licence.

### **M5.4 Notification of Community Complaints Line**

The licensee must ensure that the community notification required by condition M3.2 is undertaken:

- a) by including details on the project website on:
  - (i) how the public can make a complaint on the complaints telephone line; and
  - (ii) how complaints will be processed.

- b) by displaying clear signage at the boundary of each work site that contains both the telephone complaints line number and project website details.

### **M5.5 Noise and Vibration Complaints**

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- (a) The licensee must investigate noise and vibration complaints:
- (i) within two hours of the complaint being made; or
  - (ii) in accordance with any documented complaint management agreement between the licensee and the complainant.
- (b) The licensee must ensure that any investigation referred to in this condition that identifies works or activities being undertaken on the licensee's premises as the likely source of the complaint, includes an offer to the complainant to undertake attended noise or vibration monitoring at their premises unless representative real-time monitoring data was being collected at the time of the complaint.
- (c) If the occupant of the dwelling or management personnel of a noise sensitive receiver other than a dwelling accepts the offer of attended noise or vibration monitoring the licensee must undertake that attended monitoring:
- (i) As soon as practicable; or
  - (ii) At a time agreed with the complainant.

## M5.6 Notifying Results of Complaint Investigation

The licensee must, in respect of each complaint made to the telephone complaints line required by Condition M3.1, advise each complainant of the results of its investigation of their complaint and any proposed remedial action.

## M6 Noise monitoring

- M6.1 All noise monitoring must be undertaken in accordance with *Australian Standard AS 2659.1 – 1998: Guide to the use of sound measuring equipment – portable sound level meters*, or any revisions of that standard which may be made by Standards Australia, and the compliance monitoring guidance provided in the *NSW Noise Policy for Industry*.
- M6.2 All vibration monitoring must be undertaken in accordance with the technical guidance provided in the *Environmental Noise Management Assessing Vibration: A Technical Guideline* (DECC, 2006). All vibration monitoring results may be assessed and reported against the acceptable values of human exposure to vibration set out in Tables 2.2 and 2.4 of the guideline.
- M6.3 The licensee must undertake noise and vibration monitoring as directed by an authorised officer of 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,

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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.

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 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:

- a) the licence holder; or
- b) 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.

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

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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 the incident occurred.

## R3 Written report

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

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

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

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

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

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

## R4 Other reporting conditions

### R4.1 Daily Complaints Reports

(a) The licensee must submit by 2:00pm each business day a report to the EPA that provides details of all complaints received in relation to construction activities regulated by the licence on the telephone complaints line required by Condition M3 or through any other means.

(b) The report must:

1. Be submitted to the email address nominated by the EPA; and

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2. Include a unique identifier number for each complainant together with the details required by condition M2.2; and
3. Include date and time as reported by the complainant of the event that is the subject of the complaint; and
4. Include an outline of the work or activity that is the subject of the complaint; and
5. Include the complaints received between 12pm and 12pm on the previous business day; and
6. If the works have been carried out under Conditions L3.2, L3.3 or L3.5 the report must include a copy of any assessments required by these conditions unless previously provided to the EPA, and details of how the requirements of these conditions have been met.

(c) The licensee is not required to submit a report for any reporting period during which no complaints have been received.

## 7 General Conditions

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

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

### G2 Other general conditions

#### G2.1 Environmental Induction

- (a) The licensee must ensure that before any construction work is undertaken, all personnel involved in undertaking that work receive environmental induction training.
- (b) The induction training must:

1. Clearly identify the location of all noise sensitive receivers likely to be affected by noise or vibration generated during the course of the work undertaken by those personnel; and
2. Highlight the licence requirements to minimise noise and vibration impacts on noise sensitive receivers.

## 8 Special Conditions

### E1 Requirement for works permissible under condition L3.5

#### E1.1 Noise and Vibration Impact Assessment

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A Noise and Vibration Impact Assessment is required for any works undertaken under condition L3.5 (where works are predicted to exceed the criteria in Condition L3.2 and are not covered by Condition L3.3) and must be prepared by an appropriately qualified person experienced in assessing the impacts of noise and vibration from civil engineering works. The assessment must include:

a) details of the nature and scope of each activity and work, including details of times, vehicles, plant and equipment to be used to undertake that activity or work.

b) detailed analysis to justify the scheduling and duration of each activity and work outside the hours specified in condition L3.1, including taking into account:

- (i) the predicted impact on noise sensitive receivers of any activities and works undertaken outside the hours specified in condition L3.1; and
- (ii) the preferences that high noise impact works be undertaken during the day.

c) detailed analysis to justify use of the selected construction and work methods, plant and equipment compared to alternatives taking into consideration noise and vibration impacts.

d) a table showing details of the noise and vibration mitigation measures for each activity and work, including respite periods, proposed to be adopted to minimise noise and vibration impacts on surrounding noise sensitive receivers in each locality.

e) A table showing for each activity and work in each noise catchment:

- (i) the address of each of the most affected noise sensitive receivers;
- (ii) the background noise level for each of the noise sensitive receivers listed in the table;
- (iii) noise management levels as described in section 4 of the Interim Construction Noise Guideline (DECC, 2009);
- (iv) the predicted LAeq(15min) noise level, incorporating any 5 dB correction for particularly annoying activities as listed on page 16 of the Interim Construction Noise Guideline (DECC, 2009); and
- (v) an assessment of sleep disturbance as set out in section 4.3 of the Interim Construction Noise Guideline (DECC, 2009), where works are planned to extend over more than two (2) consecutive nights.

f) details of the specific noise mitigation measures to be adopted in respect of any activity or work predicted to generate noise levels at any noise sensitive receiver exceeding:

- (i) the noise affected LAeq(15min) level of background plus 5 dB outside the standard hours set in condition L3.1.

g) a diagram showing location of noise and vibration monitoring locations in relation to each of the most affected noise sensitive receivers for each activity and work in each noise catchment.

h) The licensee must document the formal assessment required by this condition in a detailed report that includes all maps, calculations and analyses relied upon in making its determination of:

- (i) whether the proposed activity or work may be undertaken pursuant to condition L3.5;
- (ii) the scheduling of each proposed activity and work;
- (iii) the construction methods, plant and equipment used in each activity and work;
- (iv) the noise and vibration impact mitigation measures adopted for each activity and works; and
- (v) the location of each noise and vibration monitoring location.

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## E1.2 Noise and Vibration Monitoring

When the licensee undertakes works or activities or simultaneous combination of works or activities in accordance with condition E1.1, the licensee must:

a) undertake attended noise and vibration monitoring at representative stages of the activity or work to confirm whether the noise and vibration predictions in its noise and vibration assessment were accurate.

b) review the work or activity or combination of simultaneous works or activities as soon as practicable following the events referred to in (i) and (ii) below and where possible, modify the work or activity to prevent any recurrence of these events:

(i) noise monitoring referred to in condition E1.2 a) indicates that the activity, work or combination of simultaneous activities or works has caused or is causing noise or vibration levels higher than the predicted levels at any noise sensitive receiver; or

(ii) the licensee, its contractors or its agents receive two (2) or more complaints about the activity, work or combination of simultaneous activities or works on the telephone complaints line referred to in condition M3.1 or by any other means.

E1.3 For the first three occasions that works are required to be undertaken under condition L3.5, the licensee must provide the documentation required by Condition E1.1 to the EPA for review two weeks prior to the notification to the community.

## E2 Special Dictionary

### E2.1 Special Dictionary

Term	Meaning
AS 2659	means Australian Standard AS 2659.1 – 1988 : Guide to the use of sound measuring equipment – Portable sound level meters
Business day	excludes Saturdays, Sundays, public holidays and rostered days off (RDOs)
Construction work	includes all construction work and activities, and all construction-related work and activities, undertaken on the premises
High noise impact activities and works	means jack hammering, rock breaking or hammering, rail regulating and tamping, pile driving, vibratory rolling, cutting of pavement, concrete or steel or other work occurring on the surface that generates noise with impulsive, intermittent, tonal or low frequency characteristics
Impulsive noise	has the same meaning as in NPfl
Interim Construction Noise Guidelines	Interim Construction Noise Guidelines (DECC, July 2009)
Noise Management Level (NML)	has the same meaning as "Airborne Noise Management Levels" in the Interim Construction Noise Guideline (DECC 2009)

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Noise sensitive receiver	Land uses that are sensitive to noise, such as residential areas, churches, schools and recreation areas
NPfl	means the New South Wales Noise Policy for Industry published by the EPA in 2017
Operating hours	means hours during which any construction-related works or activities are being undertaken, including outside of standard construction hours
Out of hours	means hours outside those prescribed by condition L3.1
Rating Background Level (RBL)	the same meaning as in the Interim Construction Noise Guideline (DECC 2009)
Reasonable and feasible	has the same meaning as 'reasonable and feasible' in the NPfl
Soil and water management works	include all measures to control erosion and sediment such as sediment filters, drains, ponds, basins, stormwater run on and runoff controls, site stabilisation works, temporary water crossings and vehicular access controls
Tonal noise	the same meaning as in the NPfl

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## Dictionary

### General Dictionary

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

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

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

Ms Jacinta Hanemann

Environment Protection Authority

(By Delegation)

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## End Notes

2 Licence varied by notice 1569510 issued on 11-Sep-2018

3 Licence varied by notice 1572792 issued on 05-Feb-2019