

Environment Protection Licence

Licence - 20544

Licence Details	
Number:	20544
Anniversary Date:	19-December

Licensee
JOHN HOLLAND PTY LTD
PO BOX 1868
MACQUARIE PARK NSW 2113

Premises
NORTH WEST RAIL LINK -OPERATIONS TRAINS AND STATIONS PROJECT
BETWEEN FIRST PONDS CREEK, SCHOFIELDS AND CUDGEGONG ROAD
ROUSE HILL NSW 2155

Scheduled Activity
Crushing, grinding or separating
Railway systems activities

Fee Based Activity	Scale
Crushing, grinding or separating	> 100000-500000 T annual processing capacity
Railway systems activities	Any capacity

Region
Metropolitan Infrastructure
Level 13, 10 Valentine Ave
PARRAMATTA NSW 2150
Phone: (02) 9995 5000
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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:

JOHN HOLLAND PTY LTD
PO BOX 1868
MACQUARIE PARK NSW 2113

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
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity
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
NORTH WEST RAIL LINK -OPERATIONS TRAINS AND STATIONS PROJECT
BETWEEN FIRST PONDS CREEK, SCHOFIELDS AND CUDGEGONG ROAD
ROUSE HILL
NSW 2155
LAND IDENTIFIED IN CONDITION A2.2 FOR THE CONSTRUCTION OF THE RAPID TRANSIT RAIL FACILITY (BETWEEN TALLAWONG RD, SCHOFIELDS RD, FIRST PONDS CREEK AND OAK ST, ROUSE HILL) AND THE STATIONS, WIDER PRECINCTS AND SERVICE FACILITIES AND RAIL INFRASTRUCTURE AND SYSTEMS FOR THE ENTIRE NORTH WEST RAIL LINK CORRIDOR (FROM CHATSWOOD STATION THROUGH TO ROUSE HILL)

A2.2 The premises is defined by the most recently approved premises maps held on the EPA Electronic File EF14/30890.

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

A2.4 Premises maps must be submitted to the EPA no later than 3 business days prior to any proposed changes to those maps.

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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 other conditions 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	Discharge and monitoring at the outlet of sediment basins	Discharge and monitoring at the outlet of sediment basins	the outlet from sediment basins referred to in condition P1.3 of this licence

P1.3 The location of discharge points is defined by the most recently approved discharge point register held on the EPA Electronic File EF14/30890.

P1.4 The discharge point register is not deemed to be approved by the EPA unless confirmed as such in writing by the EPA.

P1.5 The discharge point register must be submitted to the EPA no later than 5 business days prior to any proposed changes to the register.

3 Limit Conditions

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L1 Pollution of waters

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

L2 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

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	Visible				not visible
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				50

L2.5 Exceedance of the limits specified in Condition L2.4 of this licence for pH and total suspended solids (TSS) for discharges from the sediment basins identified in Conditions P1.2 and P1.3 of this licence is only permitted if:

(a) the discharge occurs solely as a result of rainfall measured at the Premises exceeding 24.6mm for the 80th percentile sediment basin(s) and 32.2mm for the 85th percentile sediment basin(s) over any consecutive five (5) day period immediately prior to the discharge occurring from these basins; and

(b) The sediment basins and other erosion and sediment controls on the site have been designed, constructed, installed, maintained and managed in accordance with best management principles and practices described in the guideline "Managing Urban Stormwater – Soils and Construction – Volume 1, 4th edition, 2004" produced by Landcom.

L2.6 If the licensee uses turbidity (NTU) in place of TSS to determine compliance with Condition L2.4,

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the licensee must develop a statistical correlation which identifies the relationship between NTU and TSS for water quality in the sediment basin/s in order to determine the NTU equivalent of 50 mg/L TSS before its use.

- L2.7 The licensee must provide the EPA with a copy of the statistical correlation assessment methodology and results before using NTU in place of TSS.
- L2.8 The licensee must develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS.
- L2.9 The licensee must provide the EPA with any amendments the licensee makes to the statistical correlation as a result of the ongoing verification required by Condition L2.8 before using the revised statistical correlation.

L3 Noise limits

- L3.1 All works and activities must be undertaken in a manner that will minimise noise and vibration impacts on sensitive receivers.
- L3.2 The licensee must ensure that all feasible and reasonable noise and vibration mitigation and management measures are implemented during construction work authorised by this licence in accordance with the Interim Construction Noise Guideline (DECC, 2009).

L4 Hours of operation

L4.1 Standard construction hours

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

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

L4.2 Exemptions to standard construction hours

The following construction work may be undertaken outside of the hours specified by Condition L4.1:

- a) Construction work that causes $L_{Aeq(15minute)}$ noise levels that are:
 - (i) no more than 5 dB above rating background level at any residence in accordance with the *Interim Construction Noise Guideline* (DECC, 2009); and
 - (ii) no more than the noise management levels specified Table 3 of the *Interim Construction Noise Guideline* (DECC, 2009) at other sensitive land uses;
- b) Delivery of plant, equipment and materials required to be delivered out of hours for safety reasons;

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c) 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; and

d) Emergency construction works or activities to ensure the safe operation of rail or avoid loss of life, damage to property, or environmental harm. The licensee must:

(i) on becoming aware of the need to undertake emergency construction work, notify the Environment Protection Authority's Environment Line on 131 555 of the need for those activities or work; and:

(ii) the next working day following the emergency works, submit a report to the EPA's Manager Metropolitan Infrastructure detailing:

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

L4.3 High Noise Impact Works

High noise impact works and activities must only be undertaken:

a) between the hours of 8:00am to 5:00pm 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.

L4.4 Works Approved Outside of Standard Construction Hours – Weekends

(a) Activities and works may be undertaken during the hours outlined in Condition L4.4(b) but only if one or more of the following applies:

(i) carrying on those works and activities during the hours specified in Condition L4.1 would cause unacceptable risks to one or more of the following:

- (1) construction personnel safety;
- (2) road user and public safety;
- (3) road network operational performance as may be notified from time to time by the Transport for NSW Traffic Management Centre (or other road authority);
- (4) essential utility services;

(ii) the Transport for NSW Traffic Management Centre (or other road authority) refuse to issue a road occupancy licence for the works or activities during the hours specified in Condition L4.1

(b) For the situations outlined in Condition L4.4(a), activities and works may be undertaken (except on public holidays) during the hours of:

- (i) 1.00 pm and 6.00pm on Saturdays; and

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(ii) 8.00 am and 6.00 pm on Sundays

(c) In undertaking any works or activities under Condition L4.4 the licensee must:

(i) comply with the requirements of Condition E2; and

(ii) implement noise and vibration mitigation detailed in the Interim Construction Noise Guidelines (DECC 2009).

(d) High noise impact works and activities must only be undertaken:

(i) between the hours of 8:00am to 6:00pm; and

(ii) 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 Works Approved Outside of Standard Construction Hours - Weekday evenings and nights

(a) Activities and works may be undertaken during the hours outlined in L4.5(b) but only if one or more of the following applies:

(i) carrying on those works and activities during the hours specified in Condition L4.1 would cause unacceptable risks to one or more of the following:

(1) construction personnel safety;

(2) road user and public safety;

(3) road network operational performance as may be notified from time to time by the Transport for NSW Traffic Management Centre (or other road authority);

(4) essential utility services

(ii) the Transport for NSW Traffic Management Centre (or other road authority) refuse to issue a road occupancy licence for the works or activities during the hours specified in Condition L3.1.

(b) For the situations outlined in L4.5(a) works and activities may be undertaken (except on public holidays) between the hours of:

(i) 6:00 pm and 7:00 am the following day on Mondays, Tuesdays, Wednesdays, and Thursdays; and

(ii) 6:00 pm and 8:00 am the following day on Fridays.

(c) In undertaking any activities and works under Condition L4.5(b) the licensee must:

(i) comply with the requirements of Condition E2;

(ii) implement noise and vibration mitigation measures as detailed in the Interim Construction Noise Guidelines (DECC 2009);

(iii) unless otherwise agreed to by relevant community stakeholders, ensure out of hours works and activities are not undertaken within the same local noise catchment on more than:

(a) 3 consecutive evenings or nights per week; and

(b) 4 evenings or nights per week; and

(c) 10 evenings or nights per month.

(iv) ensure high noise impact works and activities are not undertaken on more than 2 evenings or nights per week within the same local noise catchment.

L4.6 Additional works agreed outside of standard construction hours

a) Works within the tunnel may be undertaken 24 hours per day, seven days per week. Note: This does not include works within the station box excavations unless specified by another condition of this licence.

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b) The following works may be undertaken at the Bella Vista station site outside of standard construction hours:

(i) Earthworks at Celebration Drive and Lexington Drive for 4 nights provided that:

a. Works and mitigation measures are implemented as per the document titled "Construction Noise and Vibration Impact Statement - Celebration Dr roundabout pavement construction (June long weekend)" dated 22 May 2017 TG264-17 01 5F06 (r0) CNVIS_OOHW BLV contained in the application received by the EPA on the 19/05/2017.

(ii) Concrete Barrier placement at Celebration Drive & Lexington Drive for 2 separate five-night periods provided that:

a. Works and mitigation measures are implemented as per the document titled "Construction Noise and Vibration Impact Statement – Bella Vista Station OOHW" dated 24 October 2016 TG264-17 01 5F04 (r3) CNVIS_OOHW BLV contained in the application received by the EPA on the 19/05/2017.

b. No works are undertaken on Sundays or Public holidays

No other works within the same noise catchments will be undertaken between 6.00pm and 8.00am for two days preceding and two days following the approved works in L4.6(ii)a.

L4.7 The licensee may undertake works outside of standard construction hours if agreement between the licensee and a substantial majority of potentially affected sensitive receivers has been reached.

L4.8 Any agreement(s) between the licensee and the potentially affected noise sensitive receivers referred to in Condition L4.7 must be recorded in writing and a copy of the agreement(s) kept on the premises by the licensee for the duration of this licence

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 at the premises and prevent its emission from the premises to the greatest extent practicable.

O4 Processes and management

O4.1 Polymer-Based Flocculant

The licensee must ensure that any polymer based flocculants used to treat water before discharge from the premises has a 48-hour EC50 (immobilisation) for water fleas and a 96-hour EC50 (imbalance) for fish, greater than 100 milligrams per litre.

Note: In accordance with the EPA Approved Methods Publication any analysis should be undertaken by a laboratory accredited to perform those analyses by an independent accreditation body acceptable to the EPA, such as the National Association of Testing Authorities (NATA) or equivalent.

O4.2 Community Engagement

a) The licensee must provide a Community Information Display space within the main Project Office that will be available to the community during business hours. The display space must provide images and relevant information on the project and be staffed by a Community Liaison Team member to provide answers to any community concerns/enquiries.

b) The community information display must include details of upcoming construction activities (including out of hours activities), nature and timing of such activities, relevant contact details and proposed specific mitigation measures. The information must include at a minimum, details of up and coming activities that are to occur over the next month.

c) The licensee must convene and hold community meetings or open forums in relation to the project, including (but not limited to) key construction activities and/or key project milestones, at least once every three months.

d) The licensee must keep minutes of any community meeting held in accordance with this condition and must submit a copy of the relevant minutes to the EPA when requested by an EPA officer.

O5 Waste management

O5.1 The licensee must assess, classify and manage any waste generated at the premises in accordance with the *Waste Classification Guidelines Part 1 : Classifying Waste, April 2008 (Waste Guidelines)* prior to dispatching the waste offsite.

O5.2 The licensee must not cause, permit or allow any waste generated:

(a) outside the premises to be received at the premises, except for recycled materials from the Sydney Trains rail corridor or the Sydney Trains recycling facility or materials that meet the EPA's Resource Recovery Exemptions.

(b) at the premises to be disposed of at the premises, except as permitted in Condition O5.3.

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Note: For the purposes of this condition the Sydney Trains rail corridor is the licenced premises defined in environment protection licence 12208. For the purposes of this condition the Sydney Trains recycling facility is the licenced premises defined in environment protection licence 7515.

O5.3 Excavated material suitable for re-use within the premises may be transported from one part of the premises or the Sydney Trains rail corridor or Sydney Trains recycling facility to another part of the premises by road in accordance with Condition O5.4.

O5.4 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 the tracking of material by vehicles leaving the premises are effectively cleaned at the end of each work day.

O6 Other operating conditions

Erosion and Sediment Control

O6.1 The licensee must, before undertaking any construction work (including any earthmoving or vegetation removal works), implement all soil and water management works required to minimise pollution of waters.

O6.2 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 normal construction hours outlined in condition L4.1;
- 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.

O6.3 The licensee must record all such inspections, including observations and works undertaken to repair and/or maintain soil and water management works.

O6.4 The licensee must ensure the design storage capacity of the sediment basins installed on the premises is reinstated within 5 days of the cessation of a rainfall event that causes runoff to occur on or from the premises.

5 Monitoring and Recording Conditions

M1 Monitoring records

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- 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

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	Visible	Daily during any discharge	Visual Inspection
pH	pH	Daily during any discharge	In situ
Total suspended solids	milligrams per litre	Daily during any discharge	Grab sample

M3 Testing methods - concentration limits

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

M4 Weather monitoring

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M4.1 The licensee must monitor hourly temperature, humidity, wind velocity and rainfall at the nearest Australian Bureau of Meteorology weather station or the project weather station.

M4.2 The rainfall monitoring data collected in compliance with M4.1 can be used to determine compliance with condition L2.5.

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 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.

Note: *For the purposes of this condition, the telephone complaints line is operated by Transport for NSW. The licensee will have staff available to respond to complaints during its operating hours.*

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 after: the date of the issue of this licence.

M6.4 Notification of Community Complaints Line

The licensee must ensure that the community notification required by condition M6.2 is undertaken:

- a) on not less than two occasions at least seven days apart;
- b) not less than 7 days and not more than 30 days before initial construction work commences at the

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premises;

c) by general advertisements and public notices in newspapers, including community language newspapers, that are regularly circulated within the communities likely to be affected by noise or other construction impacts; and

d) by including on the home page of the project web site information on:

(i) how the public can make a complaint on the telephone complaints line; and

(ii) how complaints will be processed.

Note: For the purposes of this condition, the initial notification has been undertaken by Transport for NSW and the project website is operated by Transport for NSW. Additional ongoing notification will be undertaken by the licensee following approval from TfNSW.

Noise and Vibration Complaints

- M6.5 a) The licensee must investigate noise and vibration complaints from the occupants of dwellings or the management of noise sensitive receivers other than dwellings:
- (i) within two hours of the complaint being made; or
 - (ii) in accordance with any prior complaint management agreement the licensee may have made with the complainant,
- b) The licensee must ensure that any investigation referred to in this condition that identifies works or activities being undertaken on the licensed premises as the likely source of the complaint, includes an offer to the complainant to undertake attended noise or vibration monitoring at their premises, and
- c) If the occupant of the dwelling or the management 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.

Notifying Results of Complaint Investigation

- M6.6 The licensee must, in respect of each complaint made to the telephone complaints line required by condition M6.1, advise each complainant of the results of its investigation of their complaint and any proposed remedial action.

Authorised Licensee Representatives

- M6.7 a) The licensee must ensure that two duly authorised representatives of the licensee are available for contact by the EPA at all times.
- b) The licensee must provide the EPA with up to date details of natural persons authorised to represent the licensee in respect of:
- (i) answering general enquiries made by the EPA or its authorised officers;
 - (ii) speaking on behalf of the licensee;

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- (iii) signing on behalf of the licensee; and
- (iv) acting as the licensee's 'out of hours' contact with authority to direct the licensee's employees, agents and contractors to undertake such action as may be necessary to ensure that construction work complies with this licence.

c) The details required by condition M6.7 b) must include:

- (i) the full name of each authorised representative and the scope of their authority to represent the licensee;
- (ii) that status and title of each authorised representative within the licensee Organisation; and
- (iii) the direct landline telephone number, mobile telephone number, email address and postal address of each authorised representative.

M7 Other monitoring and recording conditions

- M7.1 The licensee must monitor noise and vibration from construction work, including during work undertaken out of hours.
- M7.2 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 Industrial Noise Policy.
- M7.3 All vibration monitoring must be undertaken in accordance with the guidance provided in the Environmental Noise Management Assessing Vibration: A Technical Guideline published by the Department of Environment and Conservation, February 2006. All vibration monitoring results must be assessed and reported against the acceptable values of human exposure to vibration set out in Tables 2.2 and 2.4 in this guideline.
- M7.4 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,
 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.

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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 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:

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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

Daily Complaints Report

R4.1 a) The licensee must submit, by 2:00 pm 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 M6.1.

b) The report must:

- (i) be submitted to the email address nominated from time to time by the EPA;
- (ii) include a unique identifier number for each complaint together with the details required by condition M5.2;
- (iii) include the date and time, as reported by the complainant, of the event the subject of the complaint;
- (iv) include an outline of the work or activity the subject of the complaint;
- (v) include the complaints received between 12.00 pm on that day and 12.00pm on the previous business day; and

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

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Noise and Vibration Reports

- R4.2 a) Upon request of an authorised officer of the EPA, the licensee must submit a Preliminary Investigation Report to the EPA in respect of any noise or vibration monitoring undertaken in accordance with the requirements of Condition M6.5 or a direction made pursuant to Condition M7.4.
- b) The Preliminary Investigation Report must be submitted to the EPA by 4.30 pm of the afternoon of the next working day following any noise or vibration monitoring.
- c) The Preliminary Investigation Report must:
- (i) include numerical and/or graphical representation of the noise and vibration monitoring results; and
 - (ii) highlight any detected exceedance of noise goals or limits specified in:
 - (1) this licence;
 - (2) relevant noise guidelines; and
 - (3) relevant noise modelling.
- d) In the event of any exceedance of the noise goals or limits referred to in Condition R4.2 c)(ii), the licensee must:
- (i) modify work practices and methods and implement all practicable and reasonable measures to prevent a recurrence of the exceedance; and
 - (ii) submit a Follow-up Investigation Report to the EPA within 5 working days of any noise or vibration monitoring having been undertaken (unless otherwise approved by the EPA).
- e) the Follow-up Investigation Report must include:
- (i) confirmation of whether noise monitoring has been undertaken in accordance with AS2659 and the compliance monitoring guidance provided in the INP;
 - (ii) confirmation of whether vibration monitoring has been undertaken in accordance with the guidance provided in the Assessing vibration: a technical guideline (DEC, 2006);
 - (iii) details of the prevailing meteorological conditions during the period when the noise or vibration monitoring was undertaken;
 - (iv) a map of each noise and vibration monitoring location in relation to the noise source, including relevant distances;
 - (v) numerical and graphical representation of the noise and vibration monitoring results;
 - (vi) an analysis of the noise and vibration monitoring results;
 - (vii) details of any remedial action taken in relation to the matter; and
 - (viii) in cases not the subject of remedial action, detailed justification of the decision not to undertake remedial action.

Dust and weather reports

- R4.3 a) The licensee must, when requested by an authorised officer of the EPA, provide a report concerning dust control and management at the premises.
- b) The licensee must, for the period specified by the authorised officer, include the following in the report:
- (i) the results of monitoring undertaken in accordance with condition M4.1;
 - (ii) details of any incident during which dust was emitted from the premises, including any photographs taken of the incident; and
 - (iii) details of the type and frequency of any dust control measures implemented at the premises.

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c) The report must be submitted to the email address nominated from time to time by the EPA by 4.30 pm on the second working day after receiving a request referred to in this condition.

R4.4 Monthly non-compliance and discharges report

The licensee must provide the EPA with a monthly report containing the following information:

- a) Details of all non-compliances with the conditions of this licence and measures taken, or proposed, to prevent a recurrence of such a non-compliance; and
- b) Details of all discharges from the sediment basins where the water quality results exceed the limits prescribed in condition L2.4, including the results of the rainfall measurements, to demonstrate compliance with condition L2.5; and

The report referred to in this condition must be received by the EPA within 10 working days of the end of the month.

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:

(i) clearly identify the location of all noise sensitive receivers likely to be affected by noise or vibration generated during the course of work undertaken by those personnel; and

(ii) highlight the licence requirements to minimise noise and vibration impacts on noise sensitive receivers.

8 Special Conditions

E1 Special Dictionary

E1.1

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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)
Operating hours	means hours during which any construction-related works or activities are being undertaken, including outside of standard construction hours
Construction work	includes all construction work and activities, and all construction-related work and activities, undertaken on the premises.
Day	the period from 0700 and 1800 h (Monday to Saturday) and 0800 to 1800 h (Sundays and Public Holidays) as per the definition in the New South Wales Government's Industrial Noise Policy.
ENMAV	means the Environmental Noise Management technical guideline Assessing Vibration published by the Department of Environment and Conservation in February 2006.
Essential utility services	means telephone, electricity, gas and water services.
Evening	the period from 1800 to 2200 h as per the definition in the New South Wales Government's Industrial Noise Policy.
High noise impact activities and works	means jack hammering, rock breaking or hammering, 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.
INP	means the New South Wales Industrial Noise Policy published by the EPA in January 2000.
Impulsive noise	has the same meaning as in section 4.2 of the INP.
Interim Construction Noise Guidelines (ICNG)	Interim Construction Noise Guidelines (DECC, July 2009).
Intermittent noise	has the same meaning as in section 4.2 of the INP.
Local noise catchment	means an area in which all identified noise sensitive receivers are exposed to similar noise levels from the same source at the same time.
Low-frequency noise	the same meaning as in section 4.2 of the INP.
Out of hours	means hours outside those prescribed by condition L4.1.
Night	the period from 2200 to 0700 h (Monday to Saturday) and 2200 to 0800 h (Sundays and Public Holidays) as per the definition in the New South Wales Government's Industrial Noise Policy.
Noise sensitive receiver	means any dwelling, boarding-house, child care centre, educational establishment, hospital, motel, nursing home, or place of public worship.
Practicable and reasonable	has the same meaning as 'reasonable and feasible' in the INP.

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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 section 4.2 of the INP. Environment.

E2 Requirements for works permissible under conditions L4.4, L4.5 and L4.6

E2.1 Noise and Vibration Impact Assessment

a) A noise and vibration impact assessment is required for any works undertaken under Conditions L4.4, L4.5 and L4.6.

b) The noise and vibration impact assessment must be prepared by an appropriately qualified person experienced in assessing the impacts of noise and vibration from civil engineering works.

c) The noise and vibration impact assessment must include:

(i) 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;

(ii) detailed analysis to justify the scheduling and duration of each activity and work outside the hours specified in Condition L4.1, including taking into account:

(1) the predicted impact on noise sensitive receivers of any activities and works undertaken outside the hours specified in Condition L4.1; and

(2) the preference that high noise impact works be undertaken during the day;

(iii) 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;

(iv) 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;

(v) a table showing for each activity and work in each noise catchment

(1) the address of each of the most affected noise sensitive receivers;

(2) the background noise level for each of the noise sensitive receivers listed in the table,

(3) noise management levels as described in Section 4 of the Interim Construction

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Noise Guideline (DECC, 2009);

(4) the predicted LAeq (15 min) 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

(5) 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 consecutive nights.

(vi) 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 the noise affected LAeq(15minute) level of background plus 5 dB outside the standard hours set in Condition L4.1;

(vii) a diagram showing the 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;

E2.2 Documenting E2.1

The licensee must document the formal assessment required by condition E2.1 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 Conditions L4.4, L4.5 and L4.6;

(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 work; and

(v) the location of each noise and vibration monitoring location.

E2.3 a) When the licensee undertakes works or activities or simultaneous combination of works or activities in accordance with Condition E2.1, the licensee must:

(i) 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; and

(ii) review the work or activity or combination of simultaneous works or activities as soon as practicable following the events referred to in (1) and (2) below and where possible, modify the work or activity to prevent any recurrence of these events:

(1) noise monitoring referred to in (i) 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

(2) the licensee, its contractors or its agents receive 2 or more complaints found to result from the activity, work or combination of simultaneous activities or works on the telephone complaints line referred to in condition M6.1 or by any other means.

E2.4 Community notification of works outside standard construction hours

a) The licensee must notify the community likely to be affected by noise or vibration from works or activities proposed to be undertaken outside of the hours specified by Condition L4.1 and L4.2, of those works or activities.

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b) The notification must:

(i) be made by targeted letterbox drop, by clearly posting on the licensee's project website and by email to noise sensitive receivers who have elected to be notified by email;

(ii) be made not less than 5 days and not more than 14 days before commencement of any out of hours works or activities;

(iii) include:

(1) a diagram that clearly identifies the location of the proposed out of hours works in relation to nearby cross streets and local landmarks or geographical features;

(2) details of the timing, nature, scope and duration of the proposed works and activities;

(3) detail of why the proposed works and activities are being undertaken outside of standard construction hours;

(4) details of the predicted noise and vibration impacts of the works on identified sensitive receivers;

(5) details of all proposed mitigation measures, including respite periods and proposed scheduling

(6) details of the types of plant and equipment that will be used to undertake the work;

(7) details of how complaints may be made and additional information obtained about the work;

(8) contact details of an interpreter and translation service in community languages relevant to the locality who will assist callers in making contact with the licensee

(9) include notification of any upcoming project community meetings or forums.

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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

Mr Mark Hanemann

Environment Protection Authority

(By Delegation)

Date of this edition: 19-December-2014

End Notes

2	Licence varied by notice	1530197 issued on 24-Apr-2015
3	Licence varied by notice	1535775 issued on 19-Nov-2015
4	Licence varied by notice	1539328 issued on 31-Mar-2016
5	Licence varied by notice	1540774 issued on 19-May-2016
6	Licence varied by notice	1541653 issued on 16-Jun-2016
7	Licence varied by notice	1542894 issued on 27-Sep-2016
8	Licence varied by notice	1545890 issued on 21-Oct-2016
9	Licence varied by notice	1552908 issued on 07-Jun-2017