



Environment Protection Licence

Licence - 21676

Licence Details	
Number:	21676
Anniversary Date:	04-May

Licensee	
GAMUDA BERHAD	
SUITE 26.01/100 MILLER STREET	
NORTH SYDNEY NSW 2059	

Premises	
SYDNEY METRO WEST - WESTERN TUNNELLING AND EASTERN CREEK	
SUITE 26.01/100 MILLER STREET	
NORTH SYDNEY NSW 2059	

Scheduled Activity	
Concrete works	
Railway activites - railway infrastructure construction	

Fee Based Activity	Scale
Concrete works	> 25000-50000 m3 annual production capacity
Railway infrastructure construction (>=50,000T & track to be constructed>10km & <30km)	> 2000000 Remaining extraction or processing

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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:

GAMUDA BERHAD
SUITE 26.01/100 MILLER STREET
NORTH SYDNEY NSW 2059

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
Concrete works	Concrete works	> 25000 - 50000 m3 annual production capacity
Railway activites - railway infrastructure construction	Railway infrastructure construction (>=50,000T & track to be constructed>10km & <30km)	> 2000000 Remaining extraction or processing

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
SYDNEY METRO WEST - WESTERN TUNNELLING AND EASTERN CREEK
SUITE 26.01/100 MILLER STREET
NORTH SYDNEY
NSW 2059
THIS WILL BE THE MAIN OFFICE FOR GAMUDA

- A2.2 In relation to Condition A2.1, the premises are defined by the most recent premises map(s) held on EPA Electronic File EF22/5459 and approved in writing by the EPA.
- A2.3 Premises map(s) changes are permitted to be altered through this condition. Any proposed variations to the premises must:
- a) be submitted to the EPA in electronic format for approval;
 - b) be clearly described on a complete map set containing unique identifiers for revision number, map sheet numbers and issue date;
 - c) be submitted to the EPA no less than 5 business days prior to the date of the scheduled land portion handover, land portion surrenders, land portion additions or any other changes;
 - d) be clearly described in writing submitted at the same time as the complete map set; and
 - e) demonstrate environmental impacts in relation to any changes have been considered and can be managed in an appropriate manner.
- A2.4 The most recently approved premises map(s) must be available for public viewing on the licensee's project



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website or a related website approved in writing by the EPA no more than 3 business days after the approval of the map(s) by the EPA.

The requirements outlined in this condition only come into force when works or activities commence at the licensed premises.

A2.5 This licence only permits works at sites located at Eastern Creek, Rosehill/Clyde and Westmead, as outlined in premises maps approved by the EPA under Condition A2.2. Works on these sites are restricted to the activities outlined in Condition L7.1.

A3 Information supplied to the EPA

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

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 Only Environmental Management Plans supplied to the EPA by the licensee and reviewed by the EPA and specifically stated by another condition of this licence 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 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	Pre-Cast Yard Stormwater Discharge Point	Pre-Cast Yard Stormwater Discharge Point	Eastern Creek Pre-Cast Yard Stormwater Discharge Point

3 Limit Conditions

L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with



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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
TSS	milligrams per litre				50

L3 Noise limits

- L3.1 The licensee must minimise noise and vibration impacts at residences and other sensitive land uses. To meet the requirements of this condition the licensee must:
 - a) implement the guidance in the Interim Construction Noise Guideline (DEC, 2009) and the Assessing Vibration: a technical guideline (DEC, 2006);
 - b) implement all reasonable and feasible measures to minimise noise impacts in accordance with the Interim Construction Noise Guideline (DEC, 2009); and
 - c) implement vibration mitigation in accordance with the Assessing Vibration: a Technical Guideline (DEC, 2006).In this condition, 'reasonable' and 'feasible', in relation to noise management, have the same meaning as defined in the Interim Construction Noise Guideline (DEC, 2009).
- L3.2 When construction activities include 'High Noise Impact Activities' as defined in the special dictionary in this licence, quantitative construction noise assessments must apply a +5dB correction to the measured or predicted level of construction noise at the nearest sensitive receiver location before assessment against the

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Interim Construction Noise Guideline (DECC, 2009) noise management levels.

L4 Blasting

L4.1 All blasting activities are prohibited on the licensed premises.

L5 Hours of operation

L5.1 Standard construction hours

Unless permitted by another condition of this licence, 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 6:00 pm Saturday; and
- c) not be undertaken on Sundays or Public Holidays.

L5.2 High Noise Impact Works

Unless permitted by another condition of this licence, any high noise impact works and activities that exceed the applicable Noise Management Level (NML) when measured at the boundary of the most affected noise sensitive receiver must only be undertaken:

- a) between 8:00 am and 6:00 pm Monday to Friday;
- b) between 8:00 am and 1:00 pm Saturday; and
- c) if high noise impact works are to be conducted continuously and the location of the works means that it is likely to impact the same receivers, then the works must be conducted in continuous blocks of no more than 3 hours, with at least a 1-hour respite between each block of continuous high noise impact work; except as expressly permitted by another condition of this licence.

Note: For the purposes of this condition 'continuous' includes any period where there is a less than 1-hour respite between ceasing and recommencing of any work that is subject to this condition.

L5.3 Exemptions to standard construction hours for low noise impact works

Works and activities may be carried on outside of the hours specified in condition L5.1 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) at any residence in accordance with the ICNG; and
- b) no more than the "Noise affected" NMLs specified in Table 3 of the ICNG at other sensitive land user(s); and
- c) LA1(1 minute) or LAmix noise levels greater than 15dB above the night RBL for night works;
- d) the preferred continuous or impulsive vibration values greater than those for human exposure to vibration, set out for residences in Table 2.2 in Assessing Vibration: a technical guideline (DEC, 2006); and
- e) the preferred intermittent vibration values greater than those for human exposure to vibration, set out for residences in Table 2.4 in Assessing Vibration: a technical guideline (DEC, 2006).

For the purposes of this condition, the RBLs are those contained in an environmental assessment for the activities 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 Noise Policy for Industry (EPA, 2017) and provided to the EPA prior to carrying out any works or activities under this condition.

L5.4 Exemptions to standard construction hours in exceptional circumstances

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- a) The licensee may undertake works and activities outside of standard construction hours specified in condition L5.1 for:
- i. emergency works required to avoid injury to persons, the loss of life or property, or to prevent material harm to the environment; and
 - ii. the delivery of oversized plant, structures or materials determined by the police or other authorised authorities to require special arrangements to transport along public roads.
- b) The licensee must, on becoming aware of the need to undertake emergency works under this condition notify the EPA's Environment Line as soon as practicable and submit a report to the EPA by 2:00 pm on the next business day after the emergency works commenced that describes:
- i. the cause, time and duration of the emergency;
 - ii. action taken by or on behalf of the licensee in relation to the emergency; and
 - iii. details of any measures taken or proposed to be taken by the licensee to prevent or mitigate against a recurrence of the emergency.

Note: For the purposes of this condition, 'material harm to the environment' has the same meaning as in section 147 of the POEO Act.

L6 Potentially offensive odour

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

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

L7 Other limit conditions

L7.1 Permitted works

This licence only permits works at the sites outlined in condition A2.5 and is restricted to the activities listed below, and as per conditions L5.1 and L5.2 (standard construction hours). No other works are permitted to be undertaken.

Eastern Creek

- Geotechnical and contamination works to validate existing ground conditions
- Installation of environmental controls
- Ground levelling and installation of hardstand
- Excavate foundations
- Erect site facilities
- Utility works

Rosehill / Clyde

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- Geotechnical and contamination works to validate existing ground conditions
- Minor clearing / grubbing
- Installation of environmental controls
- Ground levelling and installation of hardstand
- Sewer relocation: Trench excavation, bed, lay pipes and backfill
- Placement of site sheds
- Storage of containers and equipment for D-wall mobilisation to site
- Guide wall construction: Excavation of trench, placement of formwork and pour concrete.
- Establishing vehicle access and egress points
- Install offices, ablutions, cribs & first aid sheds
- Establish car park & pedestrian walkways
- Establish hardstand for storage and parking
- Utility works

Westmead

- Geotechnical and contamination works to validate existing ground conditions
- Minor clearing / grubbing
- Installation of environmental controls
- Kerb and gutter re-alignment, new fencing outside the school and intersection works
- Installation of offices and sheds
- Hydrocarbon Tank removal - removal of service tanks within old building lots
- Earthworks for site levelling
- Establish hardstand for storage, parking, sheds.
- Concrete works for spoil slabs, heavy vehicle access and general laydowns
- Utility works

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.

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O3 Dust

- O3.1 All activities occurring at the premises must be carried out in a manner that will minimise the generation and prevent the emission of air pollution from the premises, as much as is reasonably practicable
- O3.2 The premises must be maintained in a condition which minimises the generation and prevents the emission of air pollution from the premises, as much as is reasonably practicable.
- O3.3 The licensee must implement all reasonable and feasible measures to demonstrate compliance with condition O3.1 and O3.2.
- O3.4 Trucks entering and leaving the premises that are carrying loads of material with the potential to generate dust must be covered at all times, except during loading and unloading.

O4 Processes and management

- O4.1 The licensee must implement all feasible and reasonable erosion and sediment controls as may be necessary throughout the life of works and activities to minimise sediment leaving the premises.
 - O4.2 The licensee must ensure erosion and sediment controls are designed (stability, location, type and size), constructed, operated and maintained in accordance with Managing Urban Stormwater – Soils and Construction, Volume 2D, Main Road Construction (DECC, 2008), to be read and used in conjunction with Managing Urban Stormwater: Soils and Construction, Volume 1, 4th Edition (Landcom, 2004).
- Note: The licensee may consider guidance from other industry best practice documents if it can demonstrate the guidance will provide improved or equivalent outcomes for the environment and meet the requirements of condition L1.1 of this licence.
- O4.3 The licensee must maximise the reuse of captured stormwater on the premises as much as is reasonably practicable.
 - O4.4 The licensee must ensure that all erosion and sediment control measures installed on the premises are inspected and any works required to be undertaken to repair and maintain these controls, are undertaken as soon as reasonably practicable.
 - O4.5 The licensee must record all inspections required by condition O4.4, including observations and works undertaken to repair and maintain erosion and sediment controls and provide these records to an authorised officer upon request.
 - O4.6 The licensee must:
 - a) ensure the design storage capacity of any sediment basin installed on the premises is reinstated within the design management period following the cessation of a rainfall event that causes runoff to occur on or from the premises.
 - O4.7 The licensee must ensure that sampling point(s) for water discharged from the sediment basin(s) are provided and maintained in an appropriate condition to permit:
 - a) the clear identification of each sediment basin and discharge point;
 - b) the collection of representative samples of the water discharged from the sediment basin(s); and
 - c) access to the sampling point(s) at all times by an authorised officer of the EPA.

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O4.8 The licensee must ensure:

- a) all vehicular access points to the premises are designed, constructed, maintained and stabilised to minimise vehicles tracking materials onto public roads and roads outside the premises as much as is reasonable and feasible;
- b) vehicle, motorised plant and equipment movements onto or off the premises minimise the deposition of any material onto the surface of roads outside of the premises;
- c) mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer, motorised plant and equipment leaving the premises, is removed to the greatest extent practicable before it leaves the premises; and
- d) road surfaces subject to any tracking of material by vehicles leaving the premises must be cleaned as required to ensure compliance with a) and b) of this condition and condition L1.1 of this licence.

O5 Waste management

O5.1 Waste Management Plans must be prepared and implemented for all demolition/ construction/ excavation works undertaken on the premises that generate waste that will be disposed offsite (not including office paper or cardboard).

The plan must be completed prior to waste being transported off the premises. The plans must include the following:

- a) Estimations of the different waste types to be generated from the proposed works; and
- b) Estimations of how much of each waste type will be generated from the proposed works; and
- c) List of all places (full street address) where waste will be transported to; and
- d) Written confirmation from each place of disposal (listed in point c) that they can lawfully receive the types of waste proposed to be transported there.
- e) Where the place of disposal changes after the plan has been made, an amendment to the plan can be made as a register that includes an update to points a) to d) above.

The Waste management plan must be submitted to the EPA prior to the commencement of scheduled activities. Any subsequent amendments must be provided to the EPA upon request.

O5.2 The licensee must keep detailed records of waste generated, received or removed from the premises that includes (at a minimum):

- a) the addresses and facility/business names of destination location(s) for all waste generated and transported off the premises for any purpose (including recycling, reuse, processing, treatment and disposal);
- b) details of all waste received on the premises or transported off the premises that is subject to a Resource Recovery Order and/or Exemption under the Protection of the Environment Operations (Waste) Regulation 2014, and demonstration that the waste meets the requirements of the Order and/or Exemption;
- c) legible copies of all documents/records evidencing that all waste transported from the premises was taken to a facility/premises that lawfully accept that waste type; and
- d) records of all compliance checks conducted under condition O5.3.

Note: A copy of an up-to-date CWMP and records must be kept on the premises for the duration of the licence and provided to an EPA officer upon request.

O5.3 The licensee must develop a compliance program to ensure that all waste is being managed, transported, reused, recycled or disposed in a lawful manner. The compliance program must include, but not limited to:

- a) desktop investigations;
- b) site inspections of reuse, recycling or disposal locations;



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- c) any other suitable method to check compliance with the CWMP.
The records for the compliance program must be available to the EPA upon request.

- O5.4 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.
- O5.5 The licensee must not cause, permit or allow any waste generated outside the licensed premises to be received at the licensed premises, except virgin excavated natural material or as expressly permitted by a condition of this licence or a resource recovery order and/or resource recovery exemption under the Protection of the Environment Operations (Waste) Regulation 2014.

5 Monitoring and Recording Conditions

M1 Monitoring records

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

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	Special Frequency 1	Visual Inspection
pH	pH	Special Frequency 1	Probe
TSS	milligrams per litre	Special Frequency 1	Grab sample

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- M2.3 For the purposes of Condition M2.2 and the Table thereto, 'Special Frequency 1' means:
- a) less than 24 hours prior to a controlled discharge and daily for any continued controlled discharge, when it is safe to do so; and
 - b) when rainfall causes a discharge from a sediment basin which has not been emptied within the design management period following cessation of a rainfall event, when it is safe to do so.

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 Environmental monitoring

- M4.1 All noise monitoring for the purposes of determining compliance with the conditions of this licence must be undertaken by a suitably qualified and experienced person.
- M4.2 All noise monitoring for the purposes of determining compliance with the conditions of this licence must consider and be undertaken in accordance with;
- (a) Australian Standard AS 2659.1 – 1998: Guide to the use of sound measuring equipment – portable sound level meters; and
 - (b) the compliance monitoring guidance provided in the chapter 7 'Monitoring Performance' of the Noise Policy for Industry (EPA, 2017).
- M4.3 All vibration monitoring must be:
- a) undertaken in accordance with the technical guidance provided in the Assessing Vibration: a technical guideline (DEC, 2006); and
 - b) assessed and reported against the acceptable values of human exposure to vibration set out in Tables 2.2 and 2.4 of this guideline.
- M4.4 The licensee must undertake noise and vibration monitoring as directed by an authorised officer of the EPA. If a licensee is unable to obtain permission, they must provide the response to the EPA.

M5 Weather monitoring

- M5.1 The licensee must monitor and record temperature, humidity, wind direction, wind velocity and rainfall at either the project weather station, or through analysis of equivalent weather information obtained from the Australian Bureau of Meteorology. Monitoring must:
- a) be representative of each catchment area;
 - b) commence prior to any works that may cause sediment to leave the premises; and
 - c) continue to be operated until soil disturbance activities cease at the premises and the site has been stabilised.

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M6 Recording of pollution complaints

- M6.1 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.
- M6.2 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.
- M6.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M6.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M7 Telephone complaints line

- M7.1 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: The EPA acknowledges that the telephone complaints line is managed and operated by Sydney Metro
- M7.2 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.
- M7.3 The preceding two conditions do not apply until 2 weeks after the date of the issue of this licence.
- M7.4 The Licensee must undertake the following community notification activities:
- a) a project website should be created and include information on:
 - i. the nature, location and estimated construction time of the works;
 - ii. how members of the public can make a complaint on the telephone complaints line and online; and
 - iii. the after hours contact telephone number for any out of hours works permitted by this licence;
 - b) public notices in local newspapers, including community language newspapers;
 - c) clear signage at the boundary of each worksite that contains both the telephone complaints line number and the project website details;
 - d) having staff available to respond to complaints during hours when works are occurring;
 - e) ongoing additional community notification must be undertaken if:
 - i. new sensitive receivers are affected by noise, vibration or other construction impacts; or
 - ii. the details notified to the community in accordance with this condition materially change.

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M7.5 Noise and Vibration Complaints

The licensee must:

- a) 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) offer to the complainant to undertake noise or vibration monitoring at their premises if:
 - i. any investigation referred to in this condition identifies works or activities being undertaken on the licensed premises as the likely source of the complaint; and
 - ii. the licensee is not in possession of noise monitoring data representative of the complainants location and of the subject works and activities being undertaken on the licensed premises.
- c) undertake attended monitoring, or unattended monitoring with equipment capable of real time data interrogation, at their premises if the occupant of the dwelling or management personnel of a noise sensitive receiver (other than a dwelling) accepts the offer of noise or vibration monitoring:
 - i. as soon as practicable; or
 - ii. at a time agreed with the complainant.
- d) The licensee must, in respect of each complaint made, advise each complainant of the results of its investigation of their complaint and any proposed remedial action within a reasonable period of time.

6 Reporting Conditions

R1 Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

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

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

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

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

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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 they became aware of the incident.

R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- a) where this licence applies to premises, an event has occurred at the premises; or
 - b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- a) the cause, time and duration of the event;

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- 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 activities regulated by this licence on the telephone complaints line required under condition M7.1 or through any other means.
- b) The report must be:
 - i. provided in a format approved in writing by the EPA;
 - ii. submitted to the email address nominated by the EPA; and
 - iii. include the complaints received in the previous 24 hours to 12pm;
- c) If the works that are the subject of complaint have been carried out under Conditions L5.2, L5.3 or L5.4 the report must include details of how the requirements of these conditions have been met.
- d) The licensee is not required to submit a report:
 - i. for any reporting period during which no complaints have been received;
 - ii. that would otherwise be required to be submitted on a Saturday, Sunday or public holiday. It must instead be submitted not later than 2:00pm on the next business day.

R4.2 Noise and Vibration Reports

Upon request of an authorised officer, 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 M4.2.

- a) The Preliminary Investigation Report must be submitted to the EPA by 48 hours after any noise or vibration monitoring.
- b) The Preliminary Investigation Report must include:
 - i. numerical and/or graphical representation of the noise and vibration monitoring results including both ambient noise levels and the level of noise from activities on the premises only; and
 - ii. the noise levels reported using the following noise descriptors: LAeq,T; LAF90,T; and LAFmax,T (T representing the 15 minute measurement period unless an alternative period is justified); and
 - iii. an assessment of measured construction noise levels against noise limits or noise management levels specified in this licence, requirements in the project specific Construction Noise and Vibration Plan and/or Impact Statement prepared for the activities, relevant noise modelling and any relevant noise guidelines.

R4.3 In the event of any exceedance of the best achievable noise performance objectives identified in the project

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specific Construction Noise and Vibration Plan and/or Impact Statement prepared for the activities, the licensee must:

- a) modify activities and implement all reasonable and feasible measures to prevent a recurrence of the exceedance and verify noise and vibration levels have reached the best achievable noise performance objectives;
- b) submit a Follow-Up Investigation Report to the EPA within 5 business days of any noise or vibration monitoring having been undertaken that detected the exceedance (unless otherwise approved by the EPA); and
- c) include the following information in the Follow-Up Investigation Report:
 - i. confirmation of whether noise monitoring has been undertaken in accordance with AS2659 and the compliance monitoring guidance provided in the Interim Construction Noise Guideline (DECC, 2009);
 - ii. confirmation of whether vibration monitoring has been undertaken in accordance with the guidance provided in Assessing Vibration: a technical guideline (DEC, 2006);
 - iii. details of the prevailing meteorological conditions during the period when the 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.

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.

Note: Note: The requirements outlined in this condition only come into force when works and activities commence at the licensed premises.

G2 Contact number for incidents and responsible employees

- G2.1 The licensee must provide the EPA with, and maintain, up to date contact details to enable the EPA:
 - a) To contact either the licensee or a representative of the licensee who can respond at all times to incidents relating to the premises, and
 - b) To contact the licensee's senior employees or agents authorised at all times to;
 - i. speak on behalf of the licensee, and
 - ii. provide any information or document required under licence.
- G2.2 The contact details required by Condition G2.1 above must include:
 - a) the full name and title of the authorised representatives and the scope of their respective authorisations;



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- and
- b) the direct telephone number, mobile number, email address and postal address for contacting each authorised representative.

G3 Other general conditions

G3.1 Environmental Induction

- a) The licensee must ensure all personnel and contractors involved in undertaking any activity subject to this licence have received environmental induction training prior to undertaking that activity; and
- b) The induction training must:
- i. clearly identify the general 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
 - ii. highlight the licence requirements to minimise noise and vibration impacts on noise sensitive receivers.

8 Special Conditions

E1 Special Dictionary

E1.1 Special Dictionary

Term	Meaning
Best Achievable Noise Performance Objectives	The construction noise level predicted at a receiver location after all feasible and reasonable noise mitigation measures have been incorporated into the prediction model and considered in deriving the predicted noise level
Detailed/Construction Noise and Vibration Impact Assessment is a document or suite of documents that:	Describe the construction activities proposed; identifies the potential impacts of those activities on the community; the measures that will be used to reduce impacts on the affected community; how the community will be informed and engaged; and, how noise impacts will be monitored and enforced. They are often referred to as Noise and Vibration Management Plans, Construction Noise and Vibration Impact Statements, Construction Method Statements, Work Method Statements and the like.
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, 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
Interim Construction Noise Guidelines (ICNG)	Interim Construction Noise Guidelines (DECC, July 2009)

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In Writing	documents are to be submitted electronically unless otherwise requested by EPA
Noise Management Level (NML)	has the same meaning as "Airborne Noise Management Levels" in the Interim Construction Noise Guideline (DECC 2009)
Noise sensitive receiver	Land uses that are sensitive to noise, including residences and other sensitive land uses detailed in Table 3 of the Interim Construction Noise Guideline (DECC 2009)
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 L5.1
Rating Background Level (RBL)	the same meaning as in the Interim Construction Noise Guideline (DECC 2009)
Residence	A lawful and permanent structure erected in a land-use zone that permits residential use (or for which existing use rights under the EP&A Act apply) where a person/s permanently reside and is not, nor associated with, a commercial undertaking such as caretakers quarters, hotel, motel, transient holiday accommodation or caravan park
Resource Recovery Order and/or Exemption	As described under Part 9, Clause 93 of the Protection of the Environment Operations (Waste) Regulation 2014
Suitably Qualified and Experienced Person - For the purpose of noise monitoring, must satisfy one or more of the following	<ul style="list-style-type: none"> • Have qualifications and/or experience sufficient to fulfil the requirements of 'member' grade of the Australian Acoustical Society • Undertake duties of an acoustic consultant on behalf of a firm that is a member of the Association of Australasian Acoustical Consultants • Have a recognised tertiary qualification in a discipline pertinent to acoustics • Demonstrate competence through professional experience and/or technical expertise to the satisfaction of the EPA if requested.



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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

Ms Jacqueline Ingham

Environment Protection Authority

(By Delegation)

Date of this edition: 04-May-2022

End Notes

2	Licence varied by notice 1618918 issued on 25-May-2022
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