

# Environment Protection Licence

Licence - 21505

## Licence Details

Number:	21505
Anniversary Date:	30-April

## Licensee

ERTECH PTY LTD  
 PO BOX 1384  
 WANGARA DC WA 6947

## Premises

HEATHCOTE ROAD UPGRADE BETWEEN INFANTRY  
 PARADE, HOLSWORTHY AND THE AVENUE, VOYAGER  
 POINT  
 HEATHCOTE ROAD  
 HOLSWORTHY NSW 2173

## Scheduled Activity

Road construction

## Fee Based Activity

## Scale

Road construction ( $\geq 50,000T$ & road to be constructed $< 10km$ )	50000-100000 Remaining extraction or processing
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## Contact Us

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 10 Darcy Street  
 PARRAMATTA NSW 2150  
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 Email: [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)

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## Information about this licence

### Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

### Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

### Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

### Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

### Licence review

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

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

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



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

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

## Transfer of licence

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

## Public register and access to monitoring data

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

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

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

## This licence is issued to:

<b>ERTECH PTY LTD</b>
<b>PO BOX 1384</b>
<b>WANGARA DC WA 6947</b>

subject to the conditions which follow.



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## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Road construction	Road construction ( $\geq 50,000T$ & road to be constructed $< 10km$ )	50000 - 100000 Remaining extraction or processing

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

A2.1 The licence applies to the following premises:

Premises Details
HEATHCOTE ROAD UPGRADE BETWEEN INFANTRY PARADE, HOLSWORTHY AND THE AVENUE, VOYAGER POINT
HEATHCOTE ROAD
HOLSWORTHY
NSW 2173
PREMISE EXTENDS INTO VOYAGER POINT.

A2.2 In relation to condition A2.1, the premises are defined by the most recent premises map(s) held on the EPA Electronic File EF19/29493 and approved in writing by the EPA.

A2.3 Premises map(s) changes as a result of scheduled land portion handover, land portion surrenders, land portion additions and any other changes are permitted to be altered through this condition. Any proposed variations to the premises must:

- be submitted to the EPA in electronic format for approval;
- be clearly described on a complete map set containing unique identifiers for revision number, map sheet numbers and issue date;
- be submitted to the EPA no less than 10 business days prior to the date of the scheduled land portion handover, land portion surrenders, land portion additions or any other changes;
- be clearly described in writing submitted at the same time as the completed map set; and
- 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 must be available for public viewing on the licensee's project website approved in writing by the EPA no more than 3 business days after the approval of the maps by the



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EPA.

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

## A3 Other activities

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

Ancillary Activity
railway infrastructure construction <50,000T

## A4 Information supplied to the EPA

A4.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

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

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

A4.2 Unless specifically stated by another condition of this licence, Environmental Management Plans or systems supplied to the EPA by the licensee do not form part of this licence.

## A5 Other administrative conditions

A5.1 The EPA must be notified in writing 5 business days prior to works and activities commencing at the licensed premises.

A5.2 A copy of the Construction Environmental Management Plan must be provided to the EPA prior to construction starting.

## 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.

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## *Water and land*

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Discharge	Discharge	Harris Creek - Next to and downstream of Heathcote Road
2	Discharge	Discharge	Williams Creek - Next to and downstream of Heathcote Road

P1.2 The licensed monitoring and discharge points referred to in condition P1.1 are identified in the map(s) and attached schedule most recently approved in writing by the EPA. The maps and schedule are located in the document titled "Heathcote Road Upgrade, Discharge Point Map, EPL 21505" and maintained on electronic file EF19/29493.

P1.3 All sediments basins and monitoring and discharge points associated with these basins, including any proposed variations thereof, must:

- be submitted to the EPA in electronic format for approval;
- include a complete map set containing unique identifiers for revision number and map sheet numbers;
- be submitted to the EPA no less than 10 business days prior to the planned commissioning or decommissioning of a sediment basin; and
- be clearly described in a schedule supplied to the EPA with the maps which must include:
  - EPA identification number/s;
  - size, type, and discharge criteria for each sediment basin;
  - the design rainfall depth value, water storage capacity and sediment storage capacity for each sediment basin;
  - criteria for desilting and dewatering that maintains the design storage capacity for each sediment basin;
  - the catchment details and receiving waters of each sediment basin; and
  - easting and northing coordinates for each licensed monitoring and discharge point.
- demonstrate environmental impacts have been considered and can be managed in an appropriate manner.

## 3 Limit Conditions

### L1 Pollution of waters

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

L1.2 Exceedance of a quality limit specified in this licence for the discharge of Turbidity from licensed discharge points is permitted if:

- the discharge from point 1 and 2 occurs solely as a result of rainfall at the premises exceeding a total of 32.2 millimetres over any consecutive five-day period; and
- erosion and sediment controls corresponding to the discharge point(s) have been designed, constructed, operated and maintained in accordance with condition O3.2 of this licence.



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## L2 Concentration limits

- L2.1 For each monitoring/discharge point or utilisation area specified in the table/s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.
- 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/s.
- L2.4 Water and/or Land Concentration Limits

### POINT 1,2

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5 to 8.5
Turbidity	nephelometric turbidity units				50

- L2.5 The discharge limits referred to in condition L2.4 relates to the discharge of surface water only. The EPA may consider a variation to allow the discharge of ground water on application from the licensee.

## 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:
- consider the guidance in the Interim Construction Noise Guideline (DEC, 2009) and the Assessing Vibration: a technical guideline (DEC, 2006);
  - implement all reasonable and feasible measures to minimise noise impacts in accordance with the Interim Construction Noise Guideline (DEC, 2009); and
  - 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).

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

## L4 Air emission limits

- L4.1 All activities occurring at the premises must be carried out in a manner that will prevent or minimise the emission of air pollution from the premises.
- L4.2 The premises must be maintained in a condition which minimises the emission of air pollution from the premises
- L4.3 Trucks entering and leaving the premises that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading.

## L5 Blasting

- L5.1 All blasting activities are prohibited on the licenced premises.

## L6 Hours of operation

- L6.1 Standard construction hours

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

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

- L6.2 High noise impact activities and works

Any high noise impact works and activities must only be undertaken:

- between 8:00 am and 6:00 pm Monday to Friday;
- between 8:00 am and 1:00 pm Saturday; and
- 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.

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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.

## L6.3 Exemptions to standard construction hours - low noise impact works

Works and activities may be carried on outside of the hours specified in Condition L6.1 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 5dBA above the day, evening and night rating background level (RBL) as applicable; and
- b) LA1(1 minute) or LAm<sub>ax</sub> noise levels greater than 15dB above the night RBL for night works; and
- c) continuous or impulsive vibration values greater than those for human exposure to vibration, set out for residences in Table 2.2 in "Environmental Noise Management – Assessing Vibration: a technical guideline" (DEC, 2006); and
- d) intermittent vibration values greater than those for human exposure to vibration, set out for residences in Table 2.4 in "Environmental Noise Management – Assessing Vibration: a technical guideline" (DEC, 2006);

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

## L6.4 Exemptions to standard construction hours in exceptional circumstances

- a) the licensee may undertake works outside of standard construction hours for:
  - i. emergency works required to avoid the loss of lives or property, or to prevent material harm to the environment;
  - ii. the delivery of oversized plant or structures 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 2pm 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. Emergency works do not require a notification under condition L6.5

## L6.5 Works outside of standard construction hours – Notification

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

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- a) the notification must be:
  - i. undertaken by letterbox drop or email; and
  - ii. be detailed on the project website.
- b) the notification required by this condition must:
  - i. clearly outline the reason that the work is required to be undertaken outside the hours specified in condition L6.1;
  - ii. include a diagram that clearly identifies the location of the proposed works in relation to nearby cross streets and local landmarks;
  - iii. include details of the construction time period, construction dates, hours and relevant time restrictions that apply to the proposed works;
  - iv. clearly outline in plain English, the location, nature, scope and duration of the proposed works;
  - v. detail the expected noise impact of the works on noise sensitive receivers;
  - vi. clearly state how complaints may be made and additional information obtained;
  - vii. include the number of the telephone complaints line required by condition M7.1, an afterhours contact phone number specific to the works undertaken outside the hours specified in condition L6.1, and the project website address; and
  - viii. include details of interpreting services for languages other than English where required.
- c) if the works are subject to an approved community agreement under condition E1.1, the notification must include a summary of the approved works.

Note: The requirements of this condition do not apply to the exemptions to standard construction hours allowed by conditions L6.4.

## L6.6 Works outside of standard construction hours (out-of-hours works)

Under this condition, works and activities may be undertaken outside of standard construction hours specified in condition L6.1 and L6.2, but only if they are required in relation to one or more of the following:

- a) carrying on those works and activities during standard construction hours would result in a high risk to construction personnel or public safety, based on a risk assessment carried out in accordance with AS/NZS ISO 31000:2009 "Risk Management";
- b) the relevant road network operator has advised the licensee in writing that carrying out the works and activities during standard construction hours would result in a high risk to road network operational performance;
- c) a relevant utility service operator has advised the licensee in writing that carrying out the works and activities during standard construction hours would result in a high risk to the operation and integrity of the utility network;
- d) the TfNSW Transport Management Centre (or other road authority) have refused to issue a road occupancy licence during standard construction hours; or
- e) Sydney Trains (or other rail authority) requires a rail possession for the activities to be performed outside of standard construction hours.

## L6.7 Works outside of standard construction hours - Regulatory Requirements

In undertaking any out-of-hours works or activities under condition L6.6, the licensee must comply with the following:

- a) Prepare a construction noise and vibration impact assessment in accordance with the Interim Construction Noise Guideline (DEC, 2009) that is to include:
  - i. a description of the proposed out-of-hours works;

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- ii. predictions of LAeq (15 minute) dB noise levels at noise sensitive receivers from these works and activities, where noise levels are predicted to be greater than those permitted under condition L6.3; and
- iii. a monitoring plan to validate the noise predictions, based on monitoring at the boundary of representative sensitive receivers during noise generating activities that are representative of the out-of-hours works, including during the period/s predicted to have the highest noise level impacts.
- b) Undertake noise monitoring in accordance with the monitoring plan required by condition L6.7(a)(iii).
- c) Only undertake activities between the hours of 6:00pm on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays and 7:00am the following day (unless permitted by another condition of this licence).
- d) Activities are not to be undertaken between the hours of 6:00pm on Saturdays, Sundays or Public Holidays and 7:00am the following day (unless permitted by another condition of this licence).
- e) Ensure that out-of-hours works do not result in noise levels exceeding those specified in condition L6.3 at the same noise sensitive receivers (unless specified in another condition of this licence) on more than:
  - i. 2 consecutive evenings and/or nights at any time; and
  - ii. 3 evenings and/or nights per week; and
  - iii. 10 evenings and/or nights per month.
- f) Undertake any high noise impact works before 12:00 am (midnight) where reasonable and feasible.
- g) Where high noise impact activities are undertaken, the respite provisions as per the requirements of condition L6.2(c) do not apply provided that all high noise impact activities are undertaken prior to 12:00 am (midnight).
- h) Where high noise impact activities are undertaken after 12:00 am (midnight), the respite provisions in condition L6.2(c) apply.
- i) Upon request of an authorised officer, the licensee must provide within 5 business day:
  - i. the construction noise and vibration impact assessment required by condition L6.7(a);
  - ii. noise monitoring results required by condition L6.7(b);
  - iii. written evidence demonstrating the works are necessary and permitted under condition L6.6; and/or
  - iv. any other relevant information or records requested by the EPA.
- j) the notification requirements under condition L6.5 apply to this condition.

## L6.8 Special Requirements for Rail Possessions

Where Sydney Trains (or other rail authority) requires a rail possession for the works and activities, and those works and activities are to be undertaken outside of the hours specified in condition L6.1 and L6.2, including weekends and public holidays during the day-time, evenings and/or nights, the licensee must:

- a) ensure the works and activities do not result in noise levels exceeding those specified in condition L6.3 at the same noise sensitive receivers on more than:
  - i. 3 consecutive evenings and/or nights at any time; and
  - ii. 3 evenings and/or nights per week; and
  - iii. 10 evenings and/or nights per month.
- b) for rail possessions, the requirements under L6.7 apply except where inconsistent with this condition, in which case the requirements of this condition prevail.

- L6.9 The licensee must make all reasonable and feasible efforts to coordinate all works outside of standard construction hours with any neighbouring concurrent CSSI, SSI or SSD construction project works that have the potential to impact the same noise sensitive receivers. The licensee must ensure respite periods are being achieved as much as is reasonably practicable.

Note: This condition does not apply to low impact noise work permitted by condition L6.3 of this licence.

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## L6.10 Sunday out of hours works for high risk water main works

Under this condition, works and activities may be undertaken outside of standard construction hours specified in condition L6.1 and L6.2 on Sunday 06 August 2023 to conduct high risk watermain crossing construction works at the work site located near Heathcote Road and McArthur Drive, Holsworthy. In undertaking these works the licensee must:

- a) Undertake community notification as outlined in L6.5.
- b) With the exception of L6.7(c) and L6.7(d), the licensee must undertake the prescribed actions outlined in condition L6.7.
- c) Undertake noise monitoring on the night of the first and highest predicted impact works.
- d) A noise monitoring report from the works must be submitted to the EPA by no later than 7 days following the last night of works. This report must include:
  - i. A summary of the recorded noise impacts.
  - ii. A comparison to the predicted noise impacts provided in the assessment required by L6.7.
  - iii. Details of any noise complaints received during the works.

L6.11 Under this condition, works and activities may be undertaken outside the construction hours specified in condition L6.1 and L6.2 to conduct weekend shutdown works for signalisation of the intersection of Heathcote Road and MacArthur Drive from 8:30 PM Friday 6 December 2024 to 5 AM Monday 9 December 2024. A contingency weekend of 6 PM Friday 15 December 2024 to Monday 5 AM 18 December 2024 is permitted under this condition.

- 1) In undertaking these works the licensee may conduct out of hours works for more than 3 nights in a week and 2 nights in a row over the weekend period.
- 2) In undertaking these works the licensee must:
  - a) Obtain approval from the EPA in writing prior to the commencement of works under this condition.
  - b) Notify the EPA in writing of works intended to be undertaken under this condition.
  - c) Provide the EPA a Noise and Vibration Impact Assessment as outlined in condition L6.7a no less than 14 days prior to the commencement of the work. This must include information that demonstrates the specific need for the works or activities and provides justification that the works meet the requirements or are representative of the works in this condition.
  - d) Undertake community notification as outlined in L6.5.
  - e) Undertake noise monitoring on the night of the highest predicted impact works for each weekend works that are undertaken under this condition. All monitoring must be conducted as specified in condition L6.7(iii).
  - f) Respite requirements in conditions L6.2 apply to high noise impact activities.
- 3) A report must be submitted to the EPA following the weekend works:
  - a) The report must be submitted no later than 10 working days from the last date of works. This report must include, but is not limited to:
    - i. A summary of the recorded noise impacts from noise monitoring.
    - ii. A comparison to the predicted noise impacts to the predicted.
    - iii. A summary of performance, including addressing any exceedances or notable improvements that can be made to reduce impacts on residents.
    - iv. Details of any noise complaints received during the works.
- 4) No other out-of-hours works shall be undertaken for two consecutive evenings and/or nights immediately preceding and following the works where such works would impact the same noise sensitive receivers.
- 5) Comply with conditions of EPL 21505, unless otherwise permitted by condition L6.11.



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## L7 Potentially offensive odour

L7.1 No condition of 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.

L7.2 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

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

## 4 Operating Conditions

### O1 Activities must be carried out in a competent manner

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

This includes:

- 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 Processes and management

O3.1 The licensee must implement all feasible and reasonable erosion and sediment controls as may be necessary throughout the life of construction works and activities to minimise sediment leaving the premises.

O3.2 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).

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Note: the licensee may consider guidance from other industry best practice documents if it can demonstrate the guidance will provide equivalent or improved outcomes for the environment and meet the requirements of condition L1.1 of this licence.

- O3.3 The licensee must maximise the reuse of captured stormwater on the premises as much as is reasonable and feasible.
- O3.4 The licensee must ensure that all erosion and sediment control measures installed on the premises are inspected and works undertaken to repair and/or maintain these controls as soon as is reasonable and feasible to ensure the proper and efficient operation of these controls. The licensee must record all such inspections including observations and works undertaken to repair and/or maintain erosion and sediment controls and provide these records to an authorised officer upon request.
- O3.5 The licensee must:
- a) ensure the design storage capacity of any sediment basin and / or sump 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; and
  - b) keep records of the available water and sediment storage capacities in each sediment basin and/or sump and provide to an authorised officer upon request.
- O3.6 The licensee must ensure that sampling point(s) for water discharged from the sediment basin(s) and/or sumps are provided and maintained in an appropriate condition to permit:
- a) the clear identification of each sediment basin and/or sump and discharge point;
  - b) the collection of representative samples of the water discharged from the sediment basin(s) and/or sumps; and
  - c) access to the sampling point(s) at all times by an authorised officer of the EPA.
- O3.7 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 of the premises and to ensure all-weather entry and exit.
  - b) vehicle, motorised plant and equipment movements onto or off the premises minimise the deposition of any material onto the surface of public roads and roads outside of the premises, as much as is reasonable and feasible.
  - 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.

## O4 Waste management

- O4.1 The licensee must assess, classify and manage any waste generated at the premises in accordance with the Waste Classification Guidelines Part 1; Classifying Waste, November 2014 and the Addendum to the Waste



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Classification Guidelines (2014) prior to taking the waste off premises for disposal. Where waste is taken off site for re-use the licensee must assess, classify and manage material in accordance with resource recovery order and/or exemption.

- O4.2 The licensee must sample and test excavated waste prior to re-use and disposal in accordance with the Waste Classification Guidelines Part 1; Classifying Waste, November 2014 and the Addendum to the Waste Classification Guidelines (2014); including PFAS in accordance with the National Environmental Management Plan 2.0
- O4.3 The licensee must prepare a Construction Waste Management Plan (CWMP) for the premises that includes (at a minimum):
- the proposed quantities of each waste type generated on the premises for the duration of the project;
  - the anticipated waste classification of each type of waste generated at the premises for the duration of the project in accordance with the Waste Classification Guidelines Part 1: Classifying waste (EPA, 2014);
  - details of how and where the waste will be reused, stockpiled or disposed of;
  - the location for all waste stored at the premises, if different from source location; and
  - details of sampling and testing methods, inclusive of PFAS;
- Note: The licensee must consider the guidance in Construction and demolition waste: a management toolkit (EPA, 2019) when preparing and implementing the CWMP.
- O4.4 The CWMP must include detailed records of waste generated, received on or removed from the premises that includes (at a minimum):
- 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);
  - written confirmation from each place of disposal (listed in point d) that they can lawfully receive the types of waste proposed to be transported there;
  - details of all waste received on the premises or transported off the premises that is subject to a Resource Recovery Order and/or Exemption, and demonstration that the waste meets the requirements of the Resource Recovery Order and/or Exemption;
  - legible copies of all documents/records evidencing that all waste transported from the premises was taken to a facility/premises that can lawfully accept that waste type;
  - records of GPS tracking for all waste transported off site; and
  - records of all compliance checks conducted under condition O4.6.
- O4.5 The CWMP must be implemented for the duration of licenced activities, and must be updated as licenced activities progress, with the following information (at a minimum):
- comparisons showing the proposed waste quantities and waste types against the actual waste quantities and waste types; and
  - intended reuse, recycling or disposal locations against actual reuse, recycling and disposal locations.
- Note: A copy of an up-to-date CWMP must be kept on the premises for the duration of the licence and provided to an EPA officer upon request.
- O4.6 The licensee must conduct monthly compliance checks of the CWMP while it is in effect (being while the licenced activities are occurring and not after) to ensure that all waste is being managed, transported, reused, recycled or disposed in a lawful manner. The compliance checks must take the form of:
- desktop investigations (such as contacting reuse, recycling or disposal facilities directly, reviewing waste disposal dockets, reviewing exemption requirements against particular loads of waste, reviewing environment protection licenses) and/or
  - site inspections to reuse, recycling or disposal locations.

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- O4.7 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 (VENM), or as expressly permitted by a condition of this licence or a resource recovery order and 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:
- in a legible form, or in a form that can readily be reduced to a legible form;
  - kept for at least 4 years after the monitoring or event to which they relate took place; and
  - produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- the date(s) on which the sample was taken;
  - the time(s) at which the sample was collected;
  - the point at which the sample was taken; and
  - the name of the person who collected the sample.

### M2 Requirement to monitor concentration of pollutants discharged

- M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:
- M2.2 Water and/ or Land Monitoring Requirements

#### POINT 1,2

Pollutant	Units of measure	Frequency	Sampling Method
Perfluorohexane sulphonate (PFHxS)	micrograms per litre	Monthly during discharge	Grab sample
Perfluorooctane sulphonate (PFOS)	micrograms per litre	Monthly during discharge	Grab sample
Perfluorooctanoic acid (PFOA)	micrograms per litre	Monthly during discharge	Grab sample
pH	pH	Special Frequency 1	In situ

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Turbidity	nephelometric turbidity units	Special Frequency 1	Probe
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Note: Monitoring is required at the frequency specified in condition M2.2, provided a discharge has taken place.

M2.3 For the purposes of Condition M2.2 and the Table, '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 basin or sump which has not had design capacity restored 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 purpose of determining compliance with conditions of this licence must be undertaken by a suitably qualified and experienced person 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 Noise Policy for Industry (EPA, 2017).
- M4.2 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.
- M4.3 The licensee must undertake noise and vibration monitoring as directed by an authorised officer of the EPA. Where the monitoring is requested to take place on private land (for example a residential property) the licensee must: request permission to access premises in advance, keep a record of permission requests and responses. 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;

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- 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.

Note: The rainfall monitoring data collected in compliance with this condition can be used to determine compliance with condition L1.2

## 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.

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 30 April 2021 the date of the issue of this licence.

M7.4 The licensee must ensure that the community complaints line and community notification required by conditions M7.1 and M7.2 is undertaken at least 14 calendar days prior to commencement of licensed activities

M7.5 The licensee must undertake the following activities:

- a) a project website should be created and include information on:
  - i. the nature, location and estimated construction time of the works;
  - ii. what works are expected to exceed Interim Construction Noise Guideline (DECC, 2009) noise management levels and the noise control measures to be implemented;

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- iii. how members of the public can make a complaint on the telephone complaints line and online;
- iv. the after hours contact telephone number for out of hours works permitted by conditions L6.3 and L6.4; and
- v. how the complaints will be processed;
- b) posting publicly to social media platforms;
- c) public notices in local newspapers, including community language newspapers;
- d) clear signage at the boundary of each worksite that contains both the telephone complaints line number and the project website details; and
- e) having staff available to respond to complaints during hours when works are occurring.
- f) 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.

## M7.6 Noise and Vibration Complaints

- a) The licensee must investigate noise and vibration complaints:
  - i. within two hours of the complaint being made; or
  - ii. in accordance with any documented complaint management agreement between the licensee and the complainant.
- b) The licensee must offer to the complainant to undertake attended 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) If the occupant of the dwelling or management personnel of a noise sensitive receiver (other than a dwelling) accepts the offer of attended noise or vibration monitoring the licensee must undertake that attended monitoring:
  - i. as soon as practicable; or
  - ii. at a time agreed with the complainant.
- d) The licensee must, in respect of each complaint made to the telephone complaints line, advise each complainant of the results of its investigation of their complaint and any proposed remedial action within a reasonable period of time.

## M8 Other monitoring and recording conditions

### M8.1 Daily Complaints Reports

- 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 activities regulated by this licence on the telephone complaints line required by Condition M7 or through any other means.
- b) The report must be provided in a format approved in writing by the EPA;
- c) If the works that are the subject of complaint have been carried out under Conditions L6.2, L6.3 or L6.4 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 until not later than 2.00 pm on the next following weekday that is not a public holiday.

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## M8.2 Noise and Vibration Reports

- a) 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 M4.3.
- b) The Preliminary Investigation Report must be submitted to the EPA by 4:30 pm on the afternoon of the next working day following any noise or vibration monitoring.
- c) 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 construction 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 a relevant planning approval for the subject activities (including Construction Noise and Vibration Management Plans and Impact Statements under the planning approval), relevant noise modelling and any relevant noise guidelines.

## M8.3 In the event of any exceedance of the best achievable noise performance objectives identified in Construction Noise and Vibration Impact Statements prepared for the works, 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 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 (unless otherwise approved by the EPA); and
- c) 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 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.

## 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,



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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.
- 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.
- 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.
- 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

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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.

## 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.

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

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

### G2 Contact number for incidents and responsible employees

G2.1 The licensee must 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



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- 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; 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 induction training prior to undertaking that activity.
- 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 the work undertaken by those personnel;
  - ii. highlight the licence requirements to minimise noise and vibration impacts on noise sensitive receivers; and
  - iii. identify all environmentally sensitive areas and construction boundaries

## 8 Special Conditions

### E1 Community Agreements

E1.1 Community Agreements

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

Note: This Condition applies to out-of-hours works that have not been approved by another condition of this licence.

E1.2 Any agreement(s) between the licensee and noise sensitive receivers referred to in condition E1.1 must be:

- a) submitted to the EPA for approval at least 21 calendar days prior to any works that are the subject of the agreement being undertaken;
- b) prepared in writing and a copy of the agreement(s) kept on the premises by the licensee for the duration of this licence; and
- c) be made available on the licensee's project website or another website approved in writing by the EPA for the duration of the agreement (personal details of noise sensitive receivers must be omitted).

E1.3 Requirements for community agreements

Any community agreement to permit out of hours works (OOHW) to be undertaken outside of standard construction hours under condition L6.1 must:

- a) be prepared and implemented in accordance with the relevant sections of the Interim Construction Noise Guidelines (DEC 2009), the Noise Policy for Industry (EPA, 2017) and AS2436-2010: Guide to noise and

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vibration control on construction, demolition and maintenance sites;

b) detail the following:

- i. the actual works proposed;
  - ii. any expected impacts in clear, simple English based on noise modelling;
  - iii. the expected duration of the works;
  - iv. any expected benefits for receivers;
  - v. any other concurrent OOHW that will be occurring; and
  - vi. any other OOHW that will be occurring on the nights preceding and following the proposed works or, if the proposed work precedes or follows a weekend period, any other OOHW that will be occurring on the weekend.
- c) demonstrate that the noise sensitive receivers party to the agreement understand the nature of the works and any predicted impacts;
- d) for any community agreement longer than 21 calendar day, demonstrate the licensee has consulted the community in relation to re-engagement periods for the purpose of determining agreement from the community is maintained and continuing;
- e) be kept for the duration of the agreement and made available to an EPA authorised officer on request; and
- f) undertake community notification as required by condition L6.5.

## E1.4 Consultation and Engagement

In relation to consulting and engaging with noise sensitive receivers for a community agreement, the following applies:

- a) all noise sensitive receivers predicted by modelling to be impacted by LAeq (15 minute) noise levels greater than 5 dB(A) above RBL must be consulted on any proposed community agreement. This includes noise sensitive receivers that have declined to participate in previous agreements;
- b) all proposed agreements must include details for interpreting services for languages other than English where required;
- c) if a licensee is unable to contact a noise sensitive receiver after three attempts, including leaving "sorry I missed you" cards explaining the reason for the visit and requesting a return phone call, then the licensee will note that the receiver could not be contacted and the receiver will not be considered to have either agreed or disagreed; and
- d) records of the attempts to contact the receiver will be kept by the licensee.

## E1.5 Agreement thresholds

The EPA will consider agreements reached between the licensee and a substantial majority of both:

- a) noise sensitive receivers predicted by the licensee to be impacted by noise levels exceeding those specified in Condition L6.3a) and L6.3b); and
- b) noise sensitive receivers predicted by the licensee to be impacted by noise levels above a highly noise affected level of 75dB(A).

Note: E1.6a) and E1.6b) are hereafter referred to as the community affected catchment. Community response and agreement rates should be reported against the total community affected catchment, and must be broken down into response and agreement rates based on sub-catchments that are delineated by affectation levels.

## E1.6 Community agreements attained by phone

Where a community agreement has been reached with noise sensitive receivers over the phone, the following applies:

- a) the phone script used to describe the proposed agreement (including information required under Condition

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- E1.3) is to be provided to the EPA with the community agreement for approval;
- b) the script must include a description of the proposed works, the likely impacts and benefits for the community and a clear question requesting receiver agreement to the proposal;
  - c) detailed records are to be maintained by the licensee of all community agreement phone conversations and must be maintained for the duration of the community agreement; and
  - d) any noise sensitive receiver who requests a copy of the phone agreement must be supplied with one.

## E1.7 Noise Monitoring

A noise validation monitoring plan must be submitted to the EPA for approval as part of the community agreement documentation.

## E1.8 Validation monitoring must be undertaken for any works that are the subject of a community agreement and must:

- a) be performed by a suitably qualified and experienced person;
- b) be performed on at least the first 2 nights where OOHW will be undertaken;
- c) be performed on any other night where the nature of the works is likely to cause greater noise impacts than the first 2 nights;
- d) be representative of the impacts;
- e) be undertaken in accordance with the monitoring plan prepared under condition E1.7; and
- f) be recorded and provided to an EPA officer upon request.

## E1.9 If validation monitoring undertaken under Condition E1.8 shows that noise levels are higher than those predicted by any noise modelling undertaken as part of the community agreement, work practices must be modified immediately so that measured noise levels do not exceed predicted levels.

Note: Where it has been determined that works cannot be modified to achieve the predicted noise levels, the agreement is to be considered null and void and must be reported to the EPA.

## E1.10 Ongoing community engagement and agreement

- a) For any community agreement longer than 21 calendar days to remain valid, the licensee must be able to demonstrate agreement from the community is maintained and continuing. To demonstrate agreement from the community is maintained and continuing the licensee must:
  - i. engage the community to determine if a substantial majority of noise sensitive receivers continue to support the agreement pursuant to the re-engagement period determined under condition E1.3(d);
  - ii. provide the EPA with a report within 7 calendar days of the end of each re-engagement period summarising the community response and comparing community agreement rates against previous community agreement rates; and
- b) Where the licensee is unable to demonstrate a substantial majority of agreement from the community is maintained and continuing:
  - i. the licensee must report immediately to the EPA; and
  - ii. the EPA may terminate the community agreement.

## E2 Special Dictionary

### E2.1 Special Dictionary

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Word	Definition
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
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
Impulsive Noise	has the same meaning as in section 4.2 of the INP
Intermittent 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)
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, such as residential areas, churches, schools and recreation areas.
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 L6.1
Practicable and reasonable	has the same meaning as 'reasonable and feasible' in the INP
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"> <li>• Have qualifications and/or experience sufficient to fulfil the requirements of 'member' grade of the Australian Acoustical Society</li> <li>• Undertake duties of an acoustic consultant on behalf of a firm that is a member of the Association of Australasian Acoustical Consultants</li> <li>• Have a recognised tertiary qualification in a discipline pertinent to acoustics</li> <li>• Demonstrate competence through professional experience and/or technical expertise to the satisfaction of the EPA</li> </ul>

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Tonal noise

the same meaning as in section 4.2 of the INP

## Dictionary

### General Dictionary

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

# Environment Protection Licence

Licence - 21505

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

# Environment Protection Licence

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<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids
<b>Type 1 substance</b>	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
<b>Type 2 substance</b>	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
<b>utilisation area</b>	Means any area shown as a utilisation area on a map submitted with the application for this licence
<b>waste</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>waste type</b>	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non-putrescible), special waste or hazardous waste
<b>Wellhead</b>	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Ms Aleksandra Young

Environment Protection Authority

(By Delegation)

Date of this edition: 30-April-2021

## End Notes

- 2 Licence format updated on 06-May-2021
- 3 Licence varied by notice 1612442 issued on 08-Nov-2021
- 4 Licence transferred through application 1617247 approved on 04-Mar-2022 , which came into effect on 05-Mar-2022
- 5 Licence varied by notice 1631698 issued on 04-Aug-2023
- 6 Licence varied by notice 1633803 issued on 17-Oct-2023
- 7 Licence varied by notice 1642145 issued on 26-Aug-2024
- 8 Licence varied by notice 1644561 issued on 13-Nov-2024
- 9 Licence varied by notice 1645091 issued on 28-Nov-2024