

Licence Variation



Licence - 20673

FERROVIAL AGROMAN (AUSTRALIA) PTY. LTD.
ABN 98 150 820 116 ACN 150 820 116

YORK CIVIL PTY. LTD
ABN 65 050 019 960 ACN 050 019 960

Level 9 65 Berry Street
NORTH SYDNEY NSW 2060

Attention: Mr Mark Sabolch

Notice Number 1564219
File Number EF15/13382
Date 04-May-2018

NOTICE OF VARIATION OF LICENCE NO. 20673

BACKGROUND

- A. FERROVIAL AGROMAN (AUSTRALIA) PTY. LTD. and YORK CIVIL PTY. LTD (“the licensee”) is the holder of Environment Protection Licence No. 20673 (“the licence”) issued under the *Protection of the Environment Operations Act 1997* (“the Act”). The licence authorises the carrying out of activities at Northern Beaches Hospital Connectivity and Network Enhancements Project, FRENCHS FOREST, NSW, 2086 (“the premises”).
- B. On 26-Apr-2018 the Environment Protection Authority (EPA) received an application for the variation of the licence.
- C. The Licensee requested amendments to standard construction hours to permit footpath works to be undertaken at the Skyline Shops on Frenchs Forest Road East being carried out concurrently with stormwater drainage works on Allambie Road and Frenchs Forest Road East under a Road Occupancy Licence. The works will occur between Monday 07 May 2018 and Friday 25 May 2018 and must be undertaken on no more than three nights per week.
- D. The licensee also requested amendments to standard construction hours to permit the traffic switch program of works for the new westbound carriageway at Warringah Road and Wakehurst Parkway and Warringah Road intersections at Forest Way, Hilmer Street and Wakehurst Parkway being carried out under a Road Occupancy Licence between Tuesday 08 May 2018 and Monday 28 May 2018.
- E. The EPA reviewed the licence application and supporting documentation, including the justification of the need for work to be undertaken outside of standard construction hours. This has included a review

Licence Variation



of the noise modelling, the proposed noise monitoring for the works and the noise mitigation measures proposed. From this review the EPA has determined to vary the licence to permit the works.

F. In approving this variation, the EPA has considered s45 of the Act.

VARIATION OF LICENCE NO. 20673

1. By this notice the EPA varies licence No. 20673. The attached licence document contains all variations that are made to the licence by this notice.
2. The following variations have been made to the licence:
 - Licence condition L4.13 has been added to permit footpath works at the Skyline Shops on Frenchs Forest Road East being carried out concurrently with stormwater drainage works on Allambie Road and Frenchs Forest Road East under a Road Occupancy Licence.
 - Licence condition L4.14 has been added to permit the traffic switch program of works for the new westbound carriageway at Warringah Road and Wakehurst Parkway and Warringah Road intersections at Forest Way, Hilmer Street and Wakehurst Parkway under a Road Occupancy Licence.

A handwritten signature in blue ink that reads 'M. Sharpin'.

Mike Sharpin
Unit Head
Metropolitan Infrastructure
(by Delegation)

INFORMATION ABOUT THIS NOTICE

- This notice is issued under section 58(5) of the Act.
- Details provided in this notice, along with an updated version of the licence, will be available on the EPA's Public Register (<http://www.epa.nsw.gov.au/prpoeo/index.htm>) in accordance with section 308 of the Act.

Appeals against this decision

- You can appeal to the Land and Environment Court against this decision. The deadline for lodging the appeal is 21 days after you were given notice of this decision.

Licence Variation



When this notice begins to operate

- The variations to the licence specified in this notice begin to operate immediately from the date of this notice, unless another date is specified in this notice.
- If an appeal is made against this decision to vary the licence and the Land and Environment Court directs that the decision is stayed the decision does not operate until the stay ceases to have effect or the Land and Environment Court confirms the decision or the appeal is withdrawn (whichever occurs first).

Environment Protection Licence

Licence - 20673

Licence Details	
Number:	20673
Anniversary Date:	19-October

Licensee
YORK CIVIL PTY. LTD
FERROVIAL AGROMAN (AUSTRALIA) PTY. LTD.
LEVEL 9 65 BERRY STREET
NORTH SYDNEY NSW 2060

Premises
NORTHERN BEACHES HOSPITAL STAGE 1 AND STAGE 2
CONNECTIVITY AND NETWORK ENHANCEMENTS PROJECT
FRENCHS FOREST NSW 2086

Scheduled Activity
Extractive activities
Road construction

Fee Based Activity	Scale
Land-based extractive activity	> 100000-500000 T annual capacity to extract, process or store
Road construction	0-10 km of road constructed, widened or re-routed

Region
Metropolitan Infrastructure
Level 13, 10 Valentine Ave
PARRAMATTA NSW 2150
Phone: (02) 9995 5000
Fax: (02) 9995 6900
PO Box 668
PARRAMATTA NSW 2124

Environment Protection Licence



Licence - 20673

INFORMATION ABOUT THIS LICENCE	4
Dictionary	4
Responsibilities of licensee	4
Variation of licence conditions	4
Duration of licence	4
Licence review	4
Fees and annual return to be sent to the EPA	4
Transfer of licence	5
Public register and access to monitoring data	5
1 ADMINISTRATIVE CONDITIONS	6
A1 What the licence authorises and regulates	6
A2 Premises or plant to which this licence applies	6
A3 Information supplied to the EPA	6
2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND	7
P1 Location of monitoring/discharge points and areas	7
3 LIMIT CONDITIONS	7
L1 Pollution of waters	7
L2 Concentration limits	8
L3 Noise limits	8
L4 Hours of operation	9
4 OPERATING CONDITIONS	13
O1 Activities must be carried out in a competent manner	13
O2 Maintenance of plant and equipment	14
O3 Dust	14
O4 Processes and management	14
O5 Other operating conditions	15
5 MONITORING AND RECORDING CONDITIONS	15
M1 Monitoring records	15
M2 Requirement to monitor concentration of pollutants discharged	16
M3 Testing methods - concentration limits	16
M4 Environmental monitoring	16
M5 Weather monitoring	17
M6 Recording of pollution complaints	18
M7 Telephone complaints line	18

Environment Protection Licence

Licence - 20673



M8	Other monitoring and recording conditions	19
6	REPORTING CONDITIONS	19
R1	Annual return documents	19
R2	Notification of environmental harm	20
R3	Written report	20
7	GENERAL CONDITIONS	21
G1	Copy of licence kept at the premises or plant	21
G2	Contact number for incidents and responsible employees	21
G3	Other general conditions	22
8	SPECIAL CONDITIONS	22
E1	Special Dictionary	22
DICTIONARY		23
	General Dictionary	23

Environment Protection Licence

Licence - 20673



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).

Environment Protection Licence

Licence - 20673



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:

YORK CIVIL PTY. LTD
FERROVIAL AGROMAN (AUSTRALIA) PTY. LTD.
LEVEL 9 65 BERRY STREET
NORTH SYDNEY NSW 2060

subject to the conditions which follow.

Environment Protection Licence



Licence - 20673

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
Extractive activities	Land-based extractive activity	> 100000 - 500000 T annual capacity to extract, process or store
Road construction	Road construction	0 - 10 km of road constructed, widened or re-routed

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
NORTHERN BEACHES HOSPITAL STAGE 1 AND STAGE 2
CONNECTIVITY AND NETWORK ENHANCEMENTS PROJECT
FRENCHS FOREST
NSW 2086

A2.2 In relation to Condition A2.1, the premise is defined by the most recently approved premises maps held on EPA file EF15/13382.

A2.3 Where a change to the premises boundary is proposed, revised premises maps detailing the proposed change must be submitted to the EPA for approval.

A2.4 Premises maps are not deemed to be approved by the EPA unless confirmed in writing.

A2.5 The approved premises maps must be available for public viewing on the project website no more than three days after approval of the maps by the EPA.

A3 Information supplied to the EPA

Environment Protection Licence

Licence - 20673



- 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.

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

- P1.1 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

- P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Water discharge	Water discharge	the outlet to sediment basins referred to in condition P1.3

- P1.3 The sediment basins referred to in Condition P1.2 are active basins identified in the spreadsheet titled *Northern Beaches Hospital Connectivity and Network Enhancements Project Stage 1 - Temporary Sediment Basin Schedule* and maintained on EPA file number EF15/13382.

- P1.4 The licensee must notify the EPA in writing, at least 48 hours prior to a sediment basin becoming active or inactive. The notification must include an updated *Temporary Sediment Basin Schedule*.

Note: Sediment basins are only considered active whilst accepting water directly from active construction areas.

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.

Environment Protection Licence

Licence - 20673



L2 Concentration limits

- L2.1 For each monitoring/discharge point or utilisation area specified in the table\ below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.
- L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.
- L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\.
- L2.4 Water and/or Land Concentration Limits

POINT 1

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

- L2.5 Exceeding the limits specified in Condition L2.4 of this licence for pH and total suspended solids (TSS) for discharges from the sediment basins is only permitted when the discharge occurs solely as a result of rainfall in excess of 32mm over a consecutive 5 day period measured at the premises.
- L2.6 If the licensee uses turbidity (NTU) in place of TSS to determine compliance with Condition L2.4, the licensee must develop a statistical correlation which identifies the relationship between NTU and TSS for water quality in the sediment basin/s in order to determine the NTU equivalent of TSS before its use.
- L2.7 The EPA may make a written request for a copy of the statistical correlation assessment and methodology to determine compliance with Condition L2.4 if required.

L3 Noise limits

Environment Protection Licence



Licence - 20673

- L3.1 All works must be carried out in accordance with the *Interim Construction Noise Guideline* (DECC, 2009) to minimise the emission of noise and vibration from the premises.

L4 Hours of operation

L4.1 Standard construction hours

Except as expressly permitted by another condition of this licence, construction work must be limited to the times listed below:

- a) 7:00 am to 6:00 pm Monday to Friday;
- b) 8:00 am to 1:00 pm Saturdays; and
- c) at no time on Sundays or Public Holidays.

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

The following works and activities may be carried out outside of the hours permitted by Condition L4.1:

a) works or activities that do not cause an airborne noise level [when measured at the boundary of the most affected noise sensitive receiver and using the LAeq(15minute) noise descriptor] that exceeds -

- (i) the day-time rating background level on for the locality by more than 5 dBA during the day-time on Saturdays, Sundays and public holidays; and
- (ii) the evening-time rating background level for the locality by more than 5 dBA during the evening.

b) works or activities that do not cause an airborne noise level (when measured at the boundary of the most affected noise sensitive receiver) that exceeds the night-time rating background level for the locality by more than -

- (i) 5 dBA using the LAeq(15 minute) noise descriptor; and
- (ii) 15 dBA using the LA1(1 minute) noise descriptor.

c) works or activities that do not cause continuous or impulsive vibration values (measured at the most affected residence) greater than the preferred value for residences set out in Table 2.2 of *Assessing Vibration: a technical guideline* (DECC, 2006).

d) works or activities that do not cause intermittent vibration values (measured at the most affected residence) greater than the preferred value for residences set out in Table 2.4 of *Assessing vibration: a technical guideline* (DECC, 2006).

Note: For the purpose of this condition, the terms 'day', 'evening' and 'night' have the same meaning as in the *NSW Industrial Noise Policy* (EPA, 2000).

Environment Protection Licence

Licence - 20673



L4.3 High noise impact works and activities

Notwithstanding the standard construction hours permitted by Condition L4.1, high noise impact works and activities must only be undertaken:

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

except as expressly permitted by another condition of this licence.

Within this condition "continuous" means any period during which there is less than a one hour respite period between ceasing and resuming any of the works or activities that are the subject of this condition.

L4.4 Approved out of hours works

a) The licensee may undertake works outside of the hours permitted by Condition L4.1 and Condition L4.3 if:

- (i) those works constitute emergency works required to avoid loss of life, damage to property or environmental harm;
- (ii) those works constitute deliveries of oversized plant or structures that have been determined by the police or other authorised authorities to require special arrangements for transport along public roads for safety reasons;
- (iii) the carrying out of those works in compliance with Condition L4.1 and/or Condition L4.3 would cause unacceptable risks to construction personnel safety, public safety, road network operational performance and/or essential utility services;
- (iv) the road authority refuses to issue a road occupancy licence that would allow those works or activities to be carried out in compliance with Conditions L4.1 and L4.3; and/or
- (v) an agreement is reached between the licensee and a substantial majority of potentially affected noise sensitive receivers in accordance with Condition L4.4(b).

b) For works to be permitted by Condition L4.4(a)(v):

- (i) any agreement reached between the licensee and potentially affected noise sensitive receivers must be recorded in writing and submitted to the EPA for approval prior to that agreement being acted upon; and
- (ii) a copy of the agreement must be kept on the premises by the licensee for the duration of this licence.
- (iii) a copy of the agreement (without containing residents personal details), must be kept on the project website for the duration of the agreement.

Environment Protection Licence



Licence - 20673

L4.5 Limitations on the frequency of evening and night works

a) Unless otherwise permitted by another condition of this licence, works permitted by Condition L4.4 (excluding high noise impact activities and work) must be undertaken to ensure that no noise sensitive receiver is exposed to noise impacts on more than:

- (i) 3 consecutive evenings or nights per week; or
- (ii) 4 evenings or nights per week;

For the purpose of this condition, a week is a period of seven days starting on Monday and ending on Sunday.

b) Unless permitted by another condition of this licence, high noise impact works and activities must be undertaken to ensure that no noise sensitive receiver is exposed to noise impacts on more than:

- (i) 2 consecutive evenings or nights per week;
- (ii) 3 evenings or nights per week; or
- (iii) 10 evenings or nights within a period of four consecutive weeks.

For the purpose of this condition, a week is a period of seven days starting on a Monday and ending on a Sunday.

L4.6 Notification of approved out of hours works

a) The licensee must notify potentially affected noise sensitive receivers of any out of hours works permitted by Condition L4.4. This notification must be made not less than 5 days and not more than 14 days before those works are to be undertaken.

b) The notification required by paragraph (a) of this condition must be:

- (i) by letterbox drop; and
- (ii) be detailed on the project website.

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

- (i) clearly outline the reason why out of hours works are required;
- (ii) include details of relevant time restrictions that apply to the proposed works;
- (iii) clearly outline the location, nature, scope and duration of the proposed works;
- (iv) detail the predicted noise impact of the works on noise sensitive receivers;
- (v) clearly explain how complaints may be made and additional information obtained; and
- (vi) include details of the telephone complaints hotline required by Condition M7.1

L4.7 [Deleted]

L4.8 [Deleted]

L4.9 Limitations on the frequency of evening and night works.

Environment Protection Licence



Licence - 20673

Between the 5th February 2018 and the 25th March 2018 (inclusive), works permitted by Condition L4.4 are exempt from the requirements of Condition L4.5 provided that the works are:

(a) Construction work (excluding high noise impact activities and work) that does not cause any noise sensitive receiver to be exposed to noise levels that exceed those specified in Condition L4.10 on more than:

- (i) 3 consecutive evenings or nights per week; or
- (ii) 4 evenings or nights per week;

(b) High noise impact works and activities that do not cause any noise sensitive receiver to be exposed to noise levels exceeding those specified in Condition L4.10 on more than:

- (i) 2 consecutive evenings or nights per week;
- (ii) 3 evenings or nights per week; or
- (iii) 10 evenings or nights within a period of four consecutive weeks.

L4.10 For the purpose of condition L4.9(a) and (b), the LAeq(15 minute) noise levels generated by the works are to be no greater than:

- (a) 5 dB(A) above the noise rating background levels (RBL); or
- (b) 10 dB(A) above the RBL, provided that:

- (i) modelling undertaken prior to the commencement of the works and activities by a licensee's representative predicts noise levels no greater than 15 dB(A) at the boundary of the noise sensitive receiver;
 - (ii) the predictions from the noise model are retained by the licensee and made available to an EPA authorised officer on request;
 - (iii) the consultant is to review at least one out of every five predictions prepared under (i) above and provide a report to the licensee on the validity of the predictions. This report is to be retained by the licensee and made available to an EPA authorised officer on request; and
 - (iv) the licensee implements all feasible and reasonable noise mitigation practices with the intent of achieving a noise level of no more than 5dB(A) above RBL prior to undertaking the works.
- For the purpose of this condition, "consultant" means a suitably qualified, experienced and independent acoustic consultant and "representative" means a person that has been trained in the use of the noise model and environmental noise monitoring by a consultant.

L4.11 For the purposes of works undertaken in accordance with Condition L4.9, the following applies:

- (a) a week is a period of seven days starting on a Monday and ending on a Sunday; and
- (b) the RBLs that apply to a sensitive receiver are the day, evening and night RBLs (as applicable) contained in an environmental assessment for the scheduled activity that is the subject of this licence and 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) that is provided to the EPA prior to carrying out any works or activities under Condition L4.9.
- (c) the specified noise levels are to be measured at the boundary of the most affected noise sensitive receiver.

L4.12 Works may be undertaken outside of the hours specified in condition L4.1 to facilitate the cut over of a 300mm diameter watermain across Forest Way and Russell Avenue, Frenchs Forest, provided that:

- (a) the cut over works are only undertaken between 8:00pm on Wednesday 25 April 2018 and 5:00am on Thursday 26 April 2018; and
- (b) the preparation works preceding the cut over works occurring between 8:00pm on Sunday 22 April and 5:00am on Monday 23 April; 8pm on Monday 23 April and 5:00am on Tuesday 24 April; and 8:00pm and midnight on

Environment Protection Licence

Licence - 20673

Tuesday 24 April; and

(c) no other works (other than works permitted under condition L4.2) that will impact the same noise sensitive receivers are undertaken outside of standard construction hours for the two days following completion of the cut over works; and

(d) high noise impact works and works causing noise levels greater than 30dB(A) above the rating background level should not be undertaken between midnight on Sunday 22 April and 5:00am on Monday 23 April, where feasible and reasonable.

L4.13 Works may be undertaken outside the hours specified in licence condition L4.1 to facilitate the Skyline Shops footpath works on Frenchs Forest Road East provided that:

(a) the works are carried out concurrently with the stormwater drainage works at Allambie Road and Frenchs Forest Road East under a Road Occupancy Licence between Monday 07 May 2018 and Friday 25 May 2018;

(b) the works are undertaken on no more than three nights per week;

(c) high noise impact works and works causing noise levels greater than 30dB(A) above the rating background level should not be undertaken after midnight where feasible and reasonable; and

(d) no other works (other than works permitted under condition L4.2) that will impact the same noise sensitive receivers are undertaken outside of standard construction hours for the two days following completion of the footpath works.

L4.14 Works may be undertaken outside the hours specified in licence condition L4.1 to facilitate the traffic switch program of works for the new westbound carriageway at Warringah Road and Wakehurst Parkway and Warringah Road intersections at Forest Way, Hilmer Street and Wakehurst Parkway being carried out under a Road Occupancy Licence between Tuesday 08 May 2018 and Monday 28 May 2018 provided that:

(a) high noise impact works and activities must be undertaken to ensure that no noise sensitive receiver is exposed to noise levels greater than those permitted under condition L4.2 on more than:

(i) 2 consecutive evenings or nights per week;

(ii) 3 evenings or nights per week;

(iii) with the exception of works for the Wakehurst Parkway Intersection being undertaken between Friday 18 May 2018 and Sunday 20 May 2018;

(b) high noise impact works and works causing noise levels greater than 30dB(A) above the rating background level should not be undertaken after midnight on Sunday 20 May 2018 where feasible and reasonable; and

(c) no other works (other than works permitted under condition L4.2) that will impact the same noise sensitive receivers are undertaken outside of standard construction hours for the two days following completion of the traffic switch 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

Environment Protection Licence



Licence - 20673

activity.

O2 Maintenance of plant and equipment

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:
- a) must be maintained in a proper and efficient condition; and
 - b) must be operated in a proper and efficient manner.

O3 Dust

- O3.1 The licensee must implement all feasible and reasonable measures to minimise the emission of dust from the premises.

O4 Processes and management

- O4.1 The licensee must maximise the diversion of run-on waters from lands upslope and around the site while land disturbance activities are being undertaken.
- O4.2 The licensee must maximise the diversion of stormwater runoff containing suspended solids to sediment basins installed on the premises.
- O4.3 The drainage from all areas that will mobilise suspended solids when stormwater runs over these areas must be controlled and diverted through appropriate erosion and sediment control measures.
- O4.4 The licensee must minimise the area of the site that is able to generate suspended material when water runs over it.
- O4.5 Where sediment basins are necessary, all sediment basins and associated drainage must be installed and commissioned prior to the commencement of any clearing or grubbing works that may result in sediment mobilisation within the catchment areas of the sediment basins.

Note: This condition does not apply to those works associated with the actual installation of sediment basins or associated drainage.

- O4.6 The sediment basins must be designed (stability, location, type and size), constructed, operated and maintained in accordance with the guidelines set out in the following Managing Urban Stormwater: Soils and Construction publications - Volume 2D: Main road construction (DECC, 2008) and Volume 1 - Blue Book (Landcom, 2004).
- O4.7 The licensee must ensure the design storage capacity of any sediment basin installed on the premises is reinstated within 5 days of the cessation of a rainfall event that causes runoff to occur on or from the premises.

Environment Protection Licence



Licence - 20673

O4.8 The licensee must ensure that sampling points are provided and maintained in an appropriate condition to permit:

- a) the clear identification of each sediment basin and associated sediment basin discharge point;
- b) the collection of representative samples of the water discharged from each sediment basin; and
- c) access to the sampling points at all times by an authorised officer of the EPA.

O4.9 The licensee must endeavour to maximise the reuse of captured stormwater on the premises.

O4.10 The licensee must ensure that any flocculants (other than gypsum) used to treat water before discharge from the premises has a 48-hour EC50 (immobilisation) for water fleas and a 96-hour EC50 (imbalance) for fish greater than 100 milligrams per litre.

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

O5 Other operating conditions

O5.1 The licensee must ensure all feasible and reasonable noise mitigation measures are implemented to minimise the emission of noise from the activity.

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.

Environment Protection Licence

Licence - 20673



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
Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample

M2.3 For the purposes of Condition M2.1 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; and
 b) when rainfall causes a discharge from a basin that has not been emptied within 5 days of the cessation of a rainfall event.

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 Noise monitoring must be carried out in accordance with Australian Standard AS 2659.1 – 1998: Guide to the use of sound measuring equipment – Portable sound level meters and the compliance monitoring guidance provided in the NSW Industrial Noise Policy (EPA, 2000).

M4.2 Vibration monitoring must be carried out in accordance with the following guideline - Assessing Vibration: a technical guideline (DECC, 2006).

M4.3 The licensee must undertake noise and vibration monitoring as directed by an authorised officer of the EPA.

Environment Protection Licence



Licence - 20673

M4.4 Noise monitoring for evening or night works

If works and activities are:

- (a) undertaken during the evening or at night during the period 5 February 2018 and 24 March 2018; and
 - (b) are not exempt from the standard construction hours under condition L4.2; and
 - (c) modelling under condition L4.10(b)(i) predicts LAeq(15 minute) noise levels at the boundary of noise sensitive receivers of between 10 and 15 dB(A) above the applicable RBL,
- then the requirements in condition M4.5 applies.

For the purpose of this condition, "RBL" has the same meaning as in condition L4.11 and "evening" and "night" have the same meaning as in the Noise Policy for Industry (EPA, 2017).

M4.5 Monitoring carried out under condition M4.4 is to comply with the following:

- (a) Monitoring of LAeq(15 minute) noise levels is to be undertaken during at least the first four nights that the works and activities are undertaken, with these nights being representative of the typical works and activities carried out under condition L4.9;
- (b) The monitoring is to occur while the works and activities are underway outside the boundary of at least two noise sensitive receivers where the modelling in M4.4(c) predicts LAeq(15 minute) noise levels at the boundary of the receiver of approximately 15 dB(A) above the applicable RBL;
- (c) The monitoring is to be carried out outside at sensitive receivers located at approximately opposite sides of the works;
- (d) The monitoring is also to be undertaken adjacent to the works and activities as close as practical to the time the monitoring is carried out at the sensitive receivers;
- (e) The monitoring is to be carried out by a consultant on a representative night and on other nights by either this consultant or a licensee's representative.

For the purpose of this condition, "consultant" and "representative" have the same meaning as in condition L4.10.

M4.6 Where monitoring has been carried out under condition M4.4, the licensee must provide a written report to the EPA prepared by a consultant by 7 April 2018 that includes at a minimum:

- (a) maps showing the monitoring locations;
- (b) maps or diagrams showing the noise levels predicted for the works by the modelling under condition L4.10;
- (c) all monitoring results required by this condition, including the time and date of the monitoring and the name of the person who conducted the monitoring, and information on the nature and location of the works at the time of monitoring; and
- (d) the predicted noise levels corresponding to the monitoring locations and the corresponding monitoring times and dates.

For the purpose of this condition, "consultant" has the same meaning as in condition L4.10.

M5 Weather monitoring

M5.1 Rainfall at the premises must be measured and recorded in millimetres per 24 hour period at the same time each day from the time that the site office associated with the activities permitted by this licence is established.

Note: The rainfall monitoring data collected in compliance with Condition M5.1 can be used to determine compliance with Condition L2.4.

Environment Protection Licence

Licence - 20673



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.

M6.5 Daily Complaints Reports

The licensee must submit, by 2.00 pm each day, a report to the EPA that provides details of all complaints received on the telephone complaints line or complaints email address.

The report must:

- a) Include -
 - (i) a unique identification number for each complaint;
 - (ii) the details required by condition M6.2; and
 - (iii) the date and time of the event or incident the subject of the complaint;
- b) The complaints received between 12:00pm on that day and 12:00pm on the previous working day; and
- c) Be submitted to the email address nominated by the EPA.

The licensee is not required to submit a report 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.

The licensee is not required to submit a report for any daily reporting period during which no complaints were received.

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.

Environment Protection Licence

Licence - 20673



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 , the date of the issue of this licence.

M8 Other monitoring and recording conditions

M8.1 All erosion and sediment control measures installed on the premises must be inspected and works undertaken to repair and/or maintain these controls. The licensee must record all such inspections including observations and works undertaken to repair and/or maintain erosion and sediment controls.

6 Reporting Conditions

R1 Annual return documents

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

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

At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

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

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

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

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

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

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

Environment Protection Licence



Licence - 20673

ending on:

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

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R2 Notification of environmental harm

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

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

R3 Written report

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

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

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

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

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee

Environment Protection Licence

Licence - 20673



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.

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 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; and

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

Environment Protection Licence

Licence - 20673

G3 Other general conditions

G3.1 The licensee must provide potentially affected noise sensitive receivers with the following information at least 14 days prior to the commencement of licensed activities:

- a) details of the project;
- b) nature and location of the works;
- c) estimated construction time;
- d) what works are expected to be noisy;
- e) the noise control measures;
- f) the number of the telephone complaints line required by Condition M7.1 and an after hours contact telephone number for out of hours works permitted by Condition L4.4; and
- g) the project website address.

8 Special Conditions

E1 Special Dictionary

E1.1 Special Dictionary

Term	Meaning
High Noise Impact Works and Activities	means works or activities occurring at or on the ground surface that generate noise with impulsive, intermittent, tonal or low frequency characteristics. Examples include: jack hammering; rock breaking or hammering; impact pile driving; vibratory rolling; cutting or grinding of pavement, concrete or metal; and bitumen milling and profiling.
Project Website	means a website that is under the control of the licensee, contains specific information relating to the project under this licence and which is easily available for viewing by the community.
Background noise level	means the underlying level of noise present in the ambient noise when extraneous noise is removed and excluding noise from the construction project under this licence.
Rating Background Level	means the overall single figure background noise level for each assessment period. Determination of the rating background level is by the method described in the NSW Industrial Noise Policy (EPA 2000)
noise affected sensitive receivers.	means residences or sensitive land users that may be affected by noise above the Management Level described in the Interim Construction Guideline, Department of Environment and Climate Change (DECC) 2009, from the construction project under this licence.

Environment Protection Licence

Licence - 20673

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

Environment Protection Licence



Licence - 20673

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> .

Environment Protection Licence



Licence - 20673

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

Mr Mike Sharpin

Environment Protection Authority

(By Delegation)

Date of this edition: 19-October-2015

Environment Protection Licence

Licence - 20673



End Notes

2	Licence varied by notice	1538344 issued on 24-Feb-2016
3	Licence varied by notice	1539553 issued on 13-Apr-2016
4	Licence varied by notice	1541437 issued on 28-Jun-2016
5	Licence varied by notice	1549846 issued on 02-Mar-2017
6	Licence varied by notice	1552903 issued on 07-Jun-2017
7	Licence varied by notice	1552943 issued on 09-Jun-2017
8	Licence varied by notice	1553825 issued on 14-Jul-2017
9	Licence varied by notice	1554747 issued on 28-Jul-2017
10	Licence varied by notice	1554881 issued on 04-Aug-2017
11	Licence varied by notice	1555079 issued on 07-Aug-2017
12	Licence varied by notice	1555361 issued on 16-Aug-2017
13	Licence varied by notice	1555781 issued on 25-Aug-2017
14	Licence varied by notice	1556481 issued on 06-Sep-2017
15	Licence varied by notice	1556880 issued on 22-Sep-2017
16	Licence varied by notice	1557569 issued on 11-Oct-2017
17	Licence varied by notice	1558398 issued on 17-Nov-2017
18	Licence varied by notice	1559474 issued on 06-Dec-2017
19	Licence varied by notice	1559936 issued on 15-Dec-2017
20	Licence varied by notice	1560778 issued on 30-Jan-2018
21	Licence varied by notice	1562465 issued on 02-Mar-2018
22	Licence varied by notice	1563936 issued on 20-Apr-2018