

Environment Protection Licence

Licence - 20966

Licence Details

Number:	20966
Anniversary Date:	18-August

Licensee

CPB CONTRACTORS PTY LIMITED
 LEVEL 18 177 PACIFIC HIGHWAY
 NORTH SYDNEY NSW 2060

Premises

MOOREBANK PRECINCT EAST - RAIL ACCESS LAND
 PACKAGE NO.1
 3 KM RAIL LINK BETWEEN SSFL AND THE PROPOSED
 IMPORT-EXPORT TERMINAL
 LIVERPOOL NSW 2170

Scheduled Activity

Crushing, grinding or separating
 Extractive activities

Fee Based Activity

Scale

Crushing, grinding or separating	> 30000-100000 T annual processing capacity
Land-based extractive activity	> 100000-500000 T annual capacity to extract, process or store

Region

Waste & Resource Recovery
 59-61 Goulburn Street
 SYDNEY NSW 2000
 Phone: (02) 9995 5000
 Fax: (02) 9995 5999
 PO Box A290
 SYDNEY SOUTH NSW 1232

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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:

CPB CONTRACTORS PTY LIMITED
LEVEL 18 177 PACIFIC HIGHWAY
NORTH SYDNEY NSW 2060

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

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

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

Scheduled Activity	Fee Based Activity	Scale
Crushing, grinding or separating	Crushing, grinding or separating	> 30000 - 100000 T annual processing capacity
Extractive activities	Land-based extractive activity	> 100000 - 500000 T annual capacity to extract, process or store

A1.2 Notwithstanding A1.1, the scale of the land-based extractive activity authorised under this licence must not exceed 100,000 tonnes tonnes per annum, being the amount equivalent to the extraction limit approved by the development consent granted under the *Environmental Planning and Assessment Act 1979* for the premises specified in A2.

A2 Premises or plant to which this licence applies

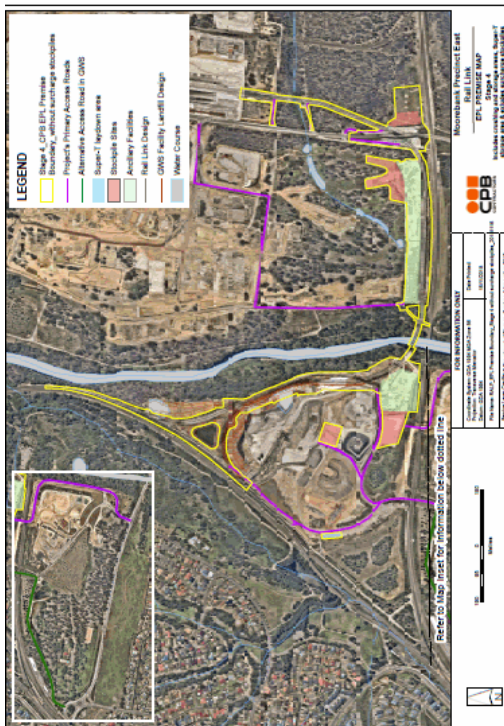
A2.1 The licence applies to the following premises:

Premises Details
MOOREBANK PRECINCT EAST - RAIL ACCESS LAND PACKAGE NO.1
3 KM RAIL LINK BETWEEN SSFL AND THE PROPOSED IMPORT-EXPORT TERMINAL
LIVERPOOL
NSW 2170
THE PREMISE BOUNDARY IS DEFINED AS THE YELLOW LINE LABELLED "STAGE 4_CPB EPL PREMISE BOUNDARY_WITHOUT SURCHARGE STOCKPILES" ON THE MAP DATED 16/11/2018 IN EPA FILE DOC19/139641

A2.2 The premises location is shown on the map below.

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A3 Information supplied to the EPA

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

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

- 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
- the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

2 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.

L2 Noise limits

- L2.1 All works and activities must be undertaken in a manner that will minimise noise and vibration impacts on sensitive receivers.

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- L2.2 The licensee must ensure that all feasible and reasonable noise and vibration mitigation and management measures are implemented during construction work authorised by this licence, in accordance with the *Interim Construction Noise Guideline* (DECC, 2009).

L3 Hours of operation

L3.1 Construction hours

(a) Unless permitted by another condition of this licence, construction works and activities within the areas of the premises must only be undertaken during the following hours:

- (i) 7:00am to 6:00pm Monday to Friday inclusive;
- (ii) 8:00am to 1:00pm on Saturdays; and
- (iii) at no time on Sundays or public holidays.

L3.2 Restrictions on high noise impact works and activities

a) Notwithstanding Condition L2.1 and unless expressly permitted by another condition of this licence, high noise impact works and activities must only be undertaken during the following hours:

- (i) 8:00am to 5:00pm Monday to Friday inclusive;
- (ii) 8:00am to 1:00pm Saturdays; and
- (iii) at no time on Sundays and public holidays.

(b) Where the high noise impact works and activities exceed the noise management levels at any residential receiver or any other sensitive receiver, the works and activities must be undertaken in continuous blocks not exceeding three (3) hours each with a minimum respite from those activities and works of not less than one (1) hour between each block.

For the purposes of this condition:

(i) "high noise impact works and activities" means jack hammering, rock breaking or hammering, impact pile driving, vibratory rolling, cutting of pavement, concrete or steel, or other surface works that generate impulsive, tonal or low frequency noise, where the terms "impulsive noise", "tonal noise" and "low frequency noise" have the same meaning as in Section 4.2 of the *NSW Industrial Noise Policy* (EPA, 2000); and

(ii) "continuous" includes any period during which there is less than a one (1) hour respite between ceasing and recommencing any of the work that is the subject of this condition.

(iii) the "noise management levels" referred to in Condition L3.2(b) mean:

(1) in the case of residential receivers, the "noise affected" management level specified in Table 2 of the *Interim Construction Noise Guideline* (DECC, 2009)

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(2) in the case of other sensitive receivers, the noise management level specified in Table 3 of the *Interim Construction Noise Guideline* (DECC, 2009).

L3.3 Approved out of hours works

The following construction works and activities may be undertaken outside of the hours specified by Condition L3.1 and Condition L3.2:

(a) Construction works or activities that cause noise levels that are:

(i) no more than 5 dBA above the relevant rating background level during the day, evening or night-time periods at any residence, when measured using the LAeq(15 minute) noise descriptor; and

(ii) no more than the noise management levels specified in Table 3 of the *Interim Construction Noise Guideline* (DECC, 2009) using the LAeq(15 minute) noise descriptor at other sensitive land uses.

For the purpose of Condition L3.3(a), noise impacts on sensitive receivers must be determined in accordance with the *Interim Construction Noise Guideline* (DECC, 2009) and the "night-time" period is as defined in the *NSW Industrial Noise Policy* (EPA, 2000).

(b) Emergency works or activities required to avoid loss of life, damage to property or environmental harm.

(c) Deliveries of plant, equipment, materials 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.

(d) Works that if carried out in compliance with Conditions L2.1 or L2.2 would cause unacceptable risks to construction personnel safety, public safety, road or rail network operational performance and/or essential utility services.

(e) Rail maintenance and repair work including tamping and regulating to remediate vertical or horizontal movement >4mm in track geometry that has occurred as a direct result of works being undertaken for the project.

(f) During local possessions and described in condition L3.4.

(g) Out-of-hours works approved by the Minister for Planning in accordance with the *Environmental Planning and Assessment Act 1979*.

L3.4 Works Approved Outside of Standard Construction Hours - Local Possessions

(a) Works and activities may be undertaken during any local possession, but only if:

(i) carrying on those works and activities during standard construction hours would cause unacceptable risks to;

(1) construction personnel safety;

(2) rail passenger and railways personnel safety; or

(3) railway network operational reliability as may be notified to the licensee from time to time by Sydney Trains and ARTC; and

(b) High noise impact works and activities (excluding rail adjustment, tamping and regulating, and use of

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hand held rattle guns) may be undertaken during any local possession permissible by Condition L3.4(a) as follows:

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

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

(c) Rail adjustment, tamping and regulating, and the use of hand held rattle guns, may occur at any time during a local possession for works and activities permissible by Condition L3.4(a).

L3.5 Community 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 L3.3(c), Condition L3.3(d), Condition L3.3(e), Condition L3.3(f) or Condition L3.3(g).

(b) The licensee must notify affected stakeholders and potentially affected receivers of any out of hours works about the timing and duration of potential works at least 48 hours prior to the commencement of the works.

(c) The notification required by this condition must be made via letterbox drop or electronic communication and via the project website.

(d) The notification required by this condition must provide details of:

- (i) the reason why out of hours works are required
- (ii) time restrictions that apply to the proposed works
- (iii) the location, nature, scope and duration of the proposed works
- (iv) predicted noise impacts on sensitive receivers
- (v) how complaints may be made and additional information obtained; and
- (vi) the telephone complaints hotline required by Condition M3.1

L3.6 Emergency works

For emergency works permitted by Condition L3.3, the licensee must:

(a) on becoming aware of the need to undertake emergency works or activities, notify the relevant EPA officer and Unit Head by email of the need for those works or activities; and

(b) on the next working day following the emergency works, submit a report by email to the relevant EPA officer and Unit Head detailing:

- (i) the cause, time and duration of the emergency;
- (ii) the action taken by the licensee in relation to the emergency; and

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(iii) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of the emergency.

3 Operating Conditions

O1 Activities must be carried out in a competent manner

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

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

O3 Dust

O3.1 The licensee must ensure that construction work is carried on by such practicable means as may be necessary to minimise dust emissions on the premises, and implement all reasonable and feasible measures to prevent the release of dust from the premises.

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* (Waste Guidelines, as in force from time to time) prior to dispatching the waste offsite.

O4.2 The licensee must not cause, permit or allow any waste generated:

- (a) outside the premises to be received at the premises, except for virgin excavated natural material (VENM) or materials that meet the EPA's Resource Recovery Exemptions for engineered fill purposes.
- (b) at the premises to be disposed of at the premises, except as permitted in Condition O4.3.

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

O4.4 The licensee must ensure that:

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

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vehicle or trailer; and

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

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

O5 Other operating conditions

Erosion and Sediment Control

O5.1 The licensee must, before undertaking any construction work (including any earthmoving or vegetation removal works), implement all soil and water management works required to minimise pollution of waters.

O5.2 All erosion and sediment control measures installed on the Premises must be inspected and works undertaken to repair and/or maintain these controls:

a) Weekly during normal construction hours outlined in condition L3.1

b) Daily during periods of rainfall greater than 10mm

c) Within 24 hours of the cessation of a rainfall event causing runoff to occur on or from the Premises.

Rail Construction

O5.3 Where the railway is constructed over waste filled areas then all ground stability works must be in accordance with Sections 2.2.1 and item e) in the table in Section 3 of the "*Moorebank Precinct East Stage 1 RALP No. 1 – Glenfield Waste Services Construction Impact Assessment Report*" dated 7 September 2018 and prepared by Coffey Geotechnics Pty Ltd.

O5.4 Within 3 months of completion of the ground stability works required in Condition O5.3 the Licensee must provide the EPA with a report which demonstrates that those works were completed in accordance with Sections 2.2.1 and item e) in the table in Section 3 of the "*Moorebank Precinct East Stage 1 RALP No. 1 – Glenfield Waste Services Construction Impact Assessment Report*" dated 7 September 2018 and prepared by Coffey Geotechnics Pty Ltd. This report must be prepared and signed-off by a suitably qualified and experienced design and Construction Quality Assurance practitioner.

Service pits and gas mitigation

O5.5 Service pits must be installed in accordance with Section 6.5.4 of the "*Moorebank Precinct East Stage 1 RALP No. 1, Remediation Action Plan*" Dated 6 October 2017 and prepared by Coffey Geotechnics Pty Ltd. [EPA ref DOC17/579104-02]

O5.6 During construction, the Licensee must conduct gas accumulation monitoring within each constructed service pit. Gas monitoring must continue monthly during construction, plus whenever service

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personnel intend to access a pit.

O5.7 If methane is detected at a concentration of greater than 1% (volume/volume) during construction works, the Licensee must immediately notify the EPA and submit a remedial plan. Except to the extent necessary to carry out monitoring and remedial works by a suitably qualified person, access to the pits must cease until monitoring demonstrates that the remediation measures are effective.

O5.8 Within 3 months of completion of the works required in Condition O5.5 the Licensee must provide the EPA with a report which demonstrates that those works were completed in accordance with Section 6.5.4 of the "Moorebank Precinct East Stage 1 RALP No. 1, Remediation Action Plan" Dated 6 October 2017 and prepared by Coffey Geotechnics Pty Ltd. [EPA ref DOC17/579104-02]

Landfill infrastructure re-instatement

O5.9 Except for the works required in Condition O5.3, any other landfill infrastructure that is disturbed or modified by the construction of the railway must be reinstated to a standard that meets the *Environmental Guidelines: Solid Waste Landfills* (EPA, 2016). This includes any landfill lining and capping that are breached by the works, other environmental controls, and monitoring installations.

O5.10 Following completion of any works required by Condition O5.9, a report must be submitted to the EPA demonstrating that the works were carried out as required by Condition O5.9. This report must be prepared and signed-off by a suitably qualified and experienced design and Construction Quality Assurance practitioner.

Exhumation of Waste

O5.11 If landfill waste is exhumed as part of the construction works, the Licensee must:

- not expose more waste than necessary to safely construct the works;
- cease or reduce excavation of waste in wet, windy and/or hot and humid conditions;
- not stockpile excavated waste;
- immediately dispose of excavated waste in a licensed landfill cell, or off-site at a place that can lawfully accept that waste;
- immediately stabilise and cover exposed waste with at least 300 mm of soil;
- divert surface water away from exposed waste surfaces;
- prevent water from pooling at any waste excavation location;
- prevent leachate from running off-site, must not store leachate at the site;
- dispose of leachate to sewer (where approved by Sydney Water) or transport leachate by tanker to a place that can lawfully accept that waste; and
- if necessary apply deodorisers in accordance with the manufacturer's instructions.

Lead Contamination

O5.12 Prior to remediation of lead contaminated soils, the Licensee must notify EPA Waste Compliance in writing. This notification must outline the sampling, management and/or disposal actions to be taken, as

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approved by the site auditor and required by condition C8 of Development Consent SSD 6766. The notification must also include the timeframe for the work.

O5.13 If on-site containment cells are proposed:

- the notification in Condition O5.12 must include detailed designs prepared by an appropriately qualified and experienced person with experience in landfill design and construction; and
- at the completion of remediation works, the licensee must submit to EPA Waste Compliance a validation report prepared by an accredited site auditor, as required by condition C8 of Development Consent SSD 6766.

4 Monitoring and Recording Conditions

M1 Monitoring records

M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.

M1.2 All records required to be kept by this licence must be:

- a) in a legible form, or in a form that can readily be reduced to a legible form;
- b) kept for at least 4 years after the monitoring or event to which they relate took place; and
- c) produced in a legible form to any authorised officer of the EPA who asks to see them.

M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:

- a) the date(s) on which the sample was taken;
- b) the time(s) at which the sample was collected;
- c) the point at which the sample was taken; and
- d) the name of the person who collected the sample.

M2 Recording of pollution complaints

M2.1 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.

M2.2 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.

M2.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

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M2.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M3 Telephone complaints line

M3.1 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.

M3.2 Note: "operate" in Condition M3.1 means the licensee must ensure a telephone complaints line is operating.

M3.3 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.

M3.4 The preceding two conditions do not apply until 18 August 2017 the date of the issue of this licence.

M3.5 Noise and Vibration Complaints

a) The licensee must investigate noise and vibration complaints received from the occupants of dwellings or the managers of noise sensitive premises other than dwellings:

(i) within two hours of the complaint being received; or

(ii) in accordance with any prior complaint management agreement the licensee may have made with the complainant.

b) The licensee must ensure that any investigation referred to in this condition that identifies works or activities being undertaken on the licensed premises as the likely source of the complaint, includes an offer to the complainant to undertake attended noise or vibration monitoring at their premises.

c) If the occupant of the dwelling or the management of a noise sensitive receiver other than a dwelling accepts the offer of attended noise or vibration monitoring the licensee must undertake that attended monitoring:

(i) as soon as practicable; or

(ii) at a time agreed with the complainant.

M3.6 Notifying Results of Complaint Investigation

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

M3.7 Authorised Licensee Representatives

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- a) When this licence is issued the licensee must ensure that two duly authorised representatives of the licensee are available for contact by the EPA at all times.
- b) The licensee must provide the EPA with up to date details of natural persons authorised to represent the licensee in respect of:
- (i) answering general enquiries made by the EPA or its authorised officers;
 - (ii) speaking on behalf of the licensee;
 - (iii) signing on behalf of the licensee; and
 - (iv) acting as the licensee's 'out of hours' contact with authority to direct the licensee's employees, agents and contractors to undertake such action as may be necessary to ensure that construction work complies with this licence.
- c) The details required by Condition M3.6(b) must include:
- (i) the full name of each authorised representative and the scope of their authority to represent the licensee;
 - (ii) that status and title of each authorised representative within the licensee Organisation; and
 - (iii) the direct landline telephone number, mobile telephone number, pager number, fax number, email address and postal address of each authorised representative.

M4 Other monitoring and recording conditions

M4.1 Requirement to monitor noise and vibration

- (a) The licensee must undertake noise and vibration monitoring as directed by an authorised officer of the EPA.
- (b) The licensee must monitor noise and vibration caused by construction works and activities to inform noise and vibration management and mitigation requirements.
- (c) The noise monitoring undertaken by the licensee must include, but not be limited to, monitoring of noise resulting from out of hours works permitted by Condition L3.3(d), Condition L3.3(e) Condition L3.3(f) and Condition L3.3(g).
- (d) Noise monitoring locations for out of hours works must include, but not be limited to, locations that provide a representative measure of the noise levels at residential receiver locations that are predicted to be affected by LAeq(15 minute) noise levels that exceed the relevant rating background level by more than 20 dB(A) during any evening or night time period or at any time on a Sunday or Public Holiday.

M4.2 Standards and guidelines for noise and vibration monitoring

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(a) All noise monitoring must be undertaken in accordance with *Australian Standard AS 2659.1 – 1998: Guide to the use of sound measuring equipment – Portable sound level meters*, or any revisions of that standard which may be made by Standards Australia, and the compliance monitoring guidance provided in the *NSW Industrial Noise Policy* (EPA, 2000).

(b) All vibration monitoring must be undertaken in accordance with *Assessing vibration: a technical guideline* (DEC, 2006). All vibration monitoring results must be assessed and reported against the acceptable values of human exposure to vibration set out in Tables 2.2 and 2.4 of this guideline.

5 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 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

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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 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

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complainants;

f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and

g) any other relevant matters.

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

R4 Other reporting conditions

R4.1 Daily Reports

a) The licensee must submit, by 12:00 pm the following business day from which the complaint was received, a report to the EPA that provides details of all complaints received in relation to construction activities regulated by the licence on the telephone complaints line required by Condition M3.1 or a complaints email address.

b) The report must:

(i) be submitted to the email address nominated from time to time by the EPA;

(ii) include a unique identifier number for each complaint together with the details required by condition M2.2;

(iii) include the date and time, as reported by the complainant, of the event or incident which is the subject of the complaint;

(iv) include an outline of the work or activity the subject of the complaint;

(v) include the complaints received between 12.00 pm on that day and 12.00pm on the previous business day; and

(vi) if the works have been carried out under Conditions L3.3(b), L3.3(c), L3.3(d), L3.3(e), L3.3(f) or L3.3(g), the report must include a copy of any assessments required by these conditions, unless previously provided to EPA, and details of how the requirements of these conditions have been met.

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

R4.2 Noise and Vibration Reports

(a) When directed by an authorised officer of the EPA, the licensee must provide a Preliminary Noise Investigation Report prepared in accordance with Condition R4.2(b) and R4.2(c) within 48 hours of receiving that direction.

(b) The Preliminary Investigation Report provided pursuant to Condition R4.2(a) must detail the results of noise or vibration monitoring undertaken in accordance with Condition M4.1.

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(c) The Preliminary Investigation Report provided pursuant to Condition R4.2(a) must:

(i) include numerical and/or graphical representation of the noise and vibration monitoring results; and

(ii) highlight any detected exceedance of noise predictions, noise goals and noise limits specified in:

(1) this licence;

(2) relevant noise guidelines; and

(3) relevant noise modelling.

d) In the event of any exceedance of the noise predictions, goals or limits referred to in Condition R4.2(c), the licensee must:

(i) modify work practices and methods and implement all practicable and reasonable measures to prevent a recurrence of the exceedance; and

(ii) submit a Follow-up Noise Investigation Report to the EPA within 5 working days of receiving the direction to prepare the Preliminary Noise Investigation Report under Condition R4.2(a).

e) the Follow-up Noise Investigation Report must include:

(i) confirmation of whether or not noise monitoring has been undertaken in accordance with AS2659 and the compliance monitoring guidance provided in the NSW *Industrial Noise Policy* (EPA, 2000);

(ii) confirmation of whether or not vibration monitoring has been undertaken in accordance with the guidance provided in the *Assessing vibration: a technical guideline* (DEC, 2006);

(iii) details of the prevailing meteorological conditions during the period when the noise or vibration monitoring was undertaken;

(iv) a map of each noise and vibration monitoring location in relation to the noise source, including relevant distances;

(v) numerical and graphical representation of the noise and vibration monitoring results;

(vi) an analysis of the noise and vibration monitoring results;

(vii) details of any remedial action taken in relation to the matter; and

(viii) in cases not the subject of remedial action, detailed justification of the decision not to undertake remedial action.

6 General Conditions

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G1 Copy of licence kept at the premises or plant

G1.1 A copy of this licence must be kept at the premises to which the licence applies.

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

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

G2 Other general conditions

G2.1 Environmental Induction

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

b) The induction training must:

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

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

7 Special Conditions

E1 Construction Impact Assessment

E1.1 The licensee must undertake works at the Premises in accordance with the report titled, "Moorebank Precinct East Stage 1 RALP No. 1 - Glenfield Waste Services Construction Impact Assessment Report" dated 7 September 2018 and prepared by Coffey Geotechnics Pty Ltd (the CIAR).

E1.2 The licensee must install a GCL barrier system over the waste-filled areas generally:

1. between chainage 40,400m and 40,740m as detailed in the CIAR;
2. in accordance with Figure 1 of the 27 March 2018 memo, provided as an attachment to the CIAR;
3. in accordance with Sections 5.5.1 and 5.5.2 of the document, "CPB Contractors Moorebank Intermodal Rail Link Ground Treatment Design between Ch 40,440 and Ch 40,740 (MB2S) Coffey Services Australia Pty Ltd, 10 July 2018" provided as an attachment to the CIAR.

E1.3 The GCL barrier system referred to in condition E1.2 must:

1. include a cushion geotextile, a textured HDPE geomembrane and a geosynthetic clay liner (GCL); and

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2. be in accordance with Section 1.1 of the 27 March 2018 memo provided as an attachment to the CIAR.

- E1.4 The specifications of the cushion geotextile, textured HDPE geomembrane and geosynthetic clay liner (GCL) referred to in condition E1.3 must be in accordance with the minimum standards specified in Sections 1.6, 1.2 and 1.3 respectively of the "Environmental Guidelines Solid Waste Landfills, second edition, EPA, 2016" (the Landfill Guidelines).
- E1.5 Prior to and during the installation of the GCL barrier system referred to in condition E1.2, the licensee must implement the measures outlined in Section 11.1 of the Landfill Guidelines titled, "Construction Quality Assurance: geosynthetic materials".
- E1.6 Within 3 months of the completion of the GCL barrier system referred to in condition E1.2, the licensee must, in accordance with Sections 11.2 and 11.3 of the Landfill Guidelines, provide the EPA with a Construction Quality Assurance Report (CQA Report).

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Dictionary

General Dictionary

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

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

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

Ms Celeste Forestal

Environment Protection Authority

(By Delegation)

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End Notes

2	Licence varied by notice	1567038 issued on 26-Sep-2018
3	Licence varied by notice	1570510 issued on 28-Sep-2018
4	Licence varied by notice	1572821 issued on 12-Dec-2018
5	Licence varied by notice	1573971 issued on 25-Feb-2019