

Licence Variation



Licence - 21347

CPB CONTRACTORS PTY LIMITED
ABN 98 000 893 667 ACN 000 893 667
PO BOX 5276
WEST CHATSWOOD NSW 1515

Attention: Tristan Ferris

Notice Number 1594216
File Number EF19/29672
Date 24-Apr-2020

NOTICE OF VARIATION OF LICENCE NO. 21347

BACKGROUND

- A. CPB CONTRACTORS PTY LIMITED ("the licensee") is the holder of Environment Protection Licence No. 21347 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of activities at PACKAGE 4, PARRAMATTA, NSW, 2123 ("the premises").
- B. On 27-Mar-2020 the Environment Protection Authority (EPA) received an application for the variation of the licence.
- C. The licensee has requested a variation to their licence to enable Sydney Water main works to be undertaken consecutively over the course of 18 days and nights, at the intersection of Church Street and Phillip Street, ending on the morning of 27 April 2020.
- D. The Licensee should ensure that no works outside of licence condition L4.1 are conducted on the five nights preceding and the five nights immediately following these works. Additionally, no high noise activities are to be undertaken past midnight on 27 April 2020.

VARIATION OF LICENCE NO. 21347

1. By this notice the EPA varies licence No. 21347. 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:

L4.13 has been amended to enable 18 days and nights of Sydney Water main works at the intersection of Church Street and Phillip street:

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Exemptions to Standard Construction Hours - Works for Sydney Water main

Sydney Water main works and activities at the intersection of Church Street and Phillip Street are permitted to be undertaken outside the hours specified in Condition L4.1 for 18 consecutive days and nights provided that:

- a) no works are to be undertaken outside the hours specified in Condition L4.1 on the five nights immediately preceding and the five nights immediately following works permitted under this condition if those works will impact the same sensitive receivers.*
- b) works are completed by the morning of 27 April 2020*
- c) no high noise activities are to be undertaken after 12:15am on 27 April 2020*

A handwritten signature in black ink, appearing to be 'J. Boyle'.

24 April 2020

.....
James Boyle
A/ Unit Head
Metropolitan - Sydney Industry
(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.

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).

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Licence Details

Number:	21347
Anniversary Date:	03-January

Licensee

CPB CONTRACTORS PTY LIMITED

PO BOX 5276

WEST CHATSWOOD NSW 1515

Premises

PARRAMATTA LIGHT RAIL STAGE 1 - WESTMEAD TO CARLINGFORD

PACKAGE 4

PARRAMATTA NSW 2123

Scheduled Activity

Railway activities - railway infrastructure construction

Fee Based Activity

Scale

Railway infrastructure construction ($\geq 50,000T$ & track to be constructed $>10km$ & $<30km$)

$> 50000-500000$ Remaining extraction or processing

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



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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
PO BOX 5276
WEST CHATSWOOD NSW 1515

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
Railway activities - railway infrastructure construction	Railway infrastructure construction ($\geq 50,000T$ & track to be constructed $>10km$ & $<30km$)	$> 50000 - 500000$ Remaining extraction or processing

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
PARRAMATTA LIGHT RAIL STAGE 1 - WESTMEAD TO CARLINGFORD
PACKAGE 4
PARRAMATTA
NSW 2123
SEE CONDITION A2.2 FOR THE FULL DESCRIPTION OF THE LICENCED PREMISES

A2.2 In relation to Condition A2.1, the premise is defined by the most recent premise maps held on EPA Electronic File SF19/117693 and approved in writing by the EPA.

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

- be submitted to the EPA in electronic format for approval;
- be clearly described on a complete map set containing unique identifiers for revision number, map sheet numbers and issue date;
- be submitted to the EPA no less than 5 business days prior to the date of the scheduled land portion handover, land portion surrenders, land portion additions or any other changes and;
- premise maps are not deemed to be approved by the EPA unless confirmed in writing.

A2.4 The approved premises maps must be available for public viewing on the licensee's project website no

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more than 3 business days after the approval of the maps by the EPA.

A3 Other activities

- A3.1 Unless specifically stated by another condition of this licence, Environmental Management Plans or systems supplied to the EPA by the licensee do not form part of this licence.

A4 Information supplied to the EPA

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

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

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

- A4.2 The EPA must be notified in writing no less than 5 business days prior to works and activities commencing at the licensed premises.

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
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1	Discharge water quality	The outlet from sediment basins and settling containers referred to in condition P1.3 of this licence
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P1.3 The sediment basins and settling containers referred to in condition P1.2 are the active basins and discharge points identified and located in the document titled "Parramatta Light Rail Package 4 Discharge Point Register" and maintained on electronic file EF19/29672.

P1.4 The licensee must notify the EPA in writing, at least 48 hours prior to a basin discharge point becoming active or inactive. The notification must include an updated "Parramatta Light Rail Package 4 Discharge Point Register".

For the purposes of this condition, sediment basins are only considered active whilst accepting water directly from disturbed or 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.

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 Exceeding the limits specified in Condition L2.5 of this licence for discharges from the sediment basins identified by Conditions P1.2 and P1.3 is only permitted if the discharge occurs solely as a result of rainfall measured at the premises exceeding the design rainfall depth value for the corresponding discharge point.

L2.5 Water and/or Land Concentration Limits

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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				31

- L2.6 If the licensee uses turbidity (NTU) in place of TSS to determine compliance with Condition L2.5, the licensee must:
- develop a site-specific statistical correlation that identifies the relationship between NTU and TSS for water quality from the discharge points
 - provide the EPA with a copy of the statistical correlation assessment methodology for approval before using NTU in place of TSS
 - develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS; and
 - provide the EPA with any amendments the licensee makes to the statistical correlation as a result of the ongoing verification required by this condition before using the revised statistical correlation.

Note: Note: The limits specified in Condition L2.5 are temporary and will be reviewed following submission of a Discharge Impact Assessment in accordance with the requirements contained at Condition E2 of this licence.

L3 Noise limits

- L3.1 The licensee must implement all feasible and reasonable noise and vibration mitigation and management measures;
- to minimise noise and vibration impacts at residences and other sensitive land uses; and
 - to minimise exceedances of Noise Management Levels at noise sensitive receivers as described in the Interim Construction Noise Guideline (DECC, 2009).

L4 Hours of operation

L4.1 Standard construction hours

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

- only be undertaken between the hours of 7:00 am and 6:00 pm Monday to Friday;
- only be undertaken between the hours of 8:00 am and 12:00 pm Saturday; and

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c) not be undertaken on Sundays or Public Holidays.

With the exception of Eat Street construction works and activities may be undertaken:

d) between the hours of 6:00pm to 7:00pm Mondays to Fridays, inclusive; and

e) 12:00pm to 6:00pm Saturdays.

L4.2 High noise impact activities and works

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

a) between 8:00 am and 6:00 pm Monday to Friday;

b) between 8:00 am and 1:00 pm Saturday; and

c) in continuous blocks of no more than 3 hours, with at least a 1 hour respite between each block of work generating high noise impact, where the location of the works and activities is likely to impact the same noise sensitive receivers; except as expressly permitted by another condition of this licence.

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

L4.3 High noise impact works – assessment at receiver

Notwithstanding Condition L4.2, high noise impact works and activities can be undertaken continuously within the standard hours specified within Condition L4.1 where the Licensee confirms through noise modelling that the noise from the high noise impacts works is predicted to generate an LAeq (15 minute) noise level no more than 10 dB(A) above the NML, or 75dB(A) whichever is lower, at the most noise affected residences or at other sensitive land uses.

Prior to commencing any high noise impact works under this Condition the Licensee must:

a) prepare a noise assessment

b) submit the noise assessment to the EPA no less than 5 business days prior to the date of the schedule commencement of the high noise impact works

c) not commence any high noise impact works under this Condition until the EPA confirms its approval of the noise assessment in writing; and

d) prepare a monitoring plan to validate the noise predictions, based on monitoring at the boundary of representative sensitive receivers during noise generating activities that are representative of the high noise impact works; and

e) submit the monitoring results required by Condition L4.3 d) to the EPA for review within 10 business days of the commencement of works permitted by this condition.

L4.4 Exemptions to standard construction hours - Eat Street

Works in Eat Street outside of the standard construction hours in Condition L4.1 must only be undertaken if the licensee has reached an agreement with the Parramatta Light Rail Business Reference Group.

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L4.5 Exemptions to standard construction hours - low noise impact works

Works and activities may be carried out outside of the hours specified in Condition L4.1 if the works and activities do not cause, when measured at the boundary of the most affected noise sensitive receiver:

- a) LAeq(15 minute) noise levels greater than 5dBA above the day, evening and night rating background level (RBL) as applicable; and
- b) more than the 'Noise Affected' management levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive land uses; and
- c) LA1(1 minute) or LAm_{ax} noise levels greater than 15dB above the night RBL for night works; and
- d) continuous or impulsive vibration values greater than those for human exposure to vibration, set out for residences in Table 2.2 in "Environmental Noise Management – Assessing Vibration: a technical guideline" (DEC, 2006); and
- e) intermittent vibration values greater than those for human exposure to vibration, set out for residences in Table 2.4 in "Environmental Noise Management – Assessing Vibration: a technical guideline" (DEC, 2006); and
- e) no more than the 'Noise Affected' management levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive land uses.

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

L4.6 Exemptions to standard construction hours - Emergency works and special deliveries

Exemptions to standard construction hours in exceptional circumstances

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

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

L4.7 Works approved outside of standard construction hours

The works outside of standard construction hours referenced in condition L4.1 may only be undertaken if one or more of the following applies:

- a) carrying on those works and activities during the hours specified in condition L4.1 would result in a high

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risk to construction personnel or public safety, based on a risk assessment carried out in accordance with AS/NZS ISO 31000:2009 "Risk Management"; or

b) the relevant road authority or network operator has advised the licensee in writing that carrying out the works and activities during the hours specified in condition L4.1 would result in a high risk to road network operational performance; or

c) the relevant utility service operator has advised the licensee in writing that carrying out the works and activities during the hours specified in condition L4.1 would result in a high risk to the operation and integrity of the utility network; or

d) the TfNSW Transport Management Centre (or other road authority) have refused to issue a road occupancy licence during the hours specified in condition L4.1; or

e) where Sydney Trains (or other rail authority) has advised the proponent in writing that a rail possession is required.

L4.8 Works outside of standard construction hours - Requirements

For any works undertaken outside of the standard construction hours in Condition L4.1 (excluding exemptions to standard construction hours allowed by Conditions L4.5, L4.6 and L4.10), the licensee must comply with the following:

- a) prepare a construction noise impact assessment that is to include:
 - i. a description of the proposed out-of-hours works;
 - ii. predictions of LAeq (15 minute) noise levels at noise sensitive receivers from these works and activities; and
 - iii. a monitoring plan to validate the noise predictions, based on monitoring at the boundary of representative sensitive receivers during noise generating activities that are representative of the out-of-hours works;
 - iv. The licensee must submit the construction noise and vibration assessment to the EPA 14 calendar days prior to any work commencing at the licensed premises.

Note: Related reporting requirements are specified in condition R4.2.

L4.9 Works outside of standard construction hours – Respite

For all works undertaken in accordance with Condition L4.7, the licensee must:

- a) ensure that works are undertaken on a maximum of 4 nights in any 7 day period; and
- b) ensure that noise sensitive receivers are provided with 3 respite nights following 4 nights of work in any 7 day period; and
- c) coordinate works (including those undertaken by third parties) permitted by Condition L4.7 with concurrent construction works licensed by the EPA and utility providers to ensure the respite nights required by Condition L4.7 b) are not compromised; and
- c) undertake community consultation to inform which evenings or nights work will be undertaken.

L4.10 Works outside of standard construction hours - Utility Works

If works are undertaken by a utilities provider during a scheduled respite period identified by Condition L4.9, and those works are related to the scheduled activity permitted by this licence, the licensee must:

(a) where feasible, reschedule any works permissible by Condition L4.9 to provide respite to impacted noise sensitive receivers so that the minimum number of respite periods in any 7 day period can be

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achieved; or

- (b) consider the provision of alternative respite or mitigation to impacted noise sensitive receivers; and
- (c) provide documentary evidence to an Authorised Officer on request in support of any decision made by the licensee in relation to the provision or refusal of any respite or mitigation.

L4.11 Works outside of standard construction hours – Notification

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

a) the notification must be:

- i. undertaken by letterbox drop or email; and
- ii. be detailed on the project website.

b) the notification required by this condition must:

- i. clearly outline the reason that the work is required to be undertaken outside the hours specified in condition L4.1;
- ii. include a diagram that clearly identifies the location of the proposed works in relation to nearby cross streets and local landmarks;
- iii. include details of relevant time restrictions that apply to the proposed works;
- iv. include the dates and times of works
- v. clearly outline in plain English, the location, nature, scope and duration of the proposed works;
- vi. detail the expected noise impact of the works on noise sensitive receivers;
- vii. clearly state how complaints may be made and additional information obtained;
- viii. include the number of the telephone complaints line required by condition M5.1, an afterhours contact phone number specific to the works undertaken outside the hours specified in condition L4.1, and the project website address; and
- ix. include details of interpreting services for languages other than English where required.

Note: The requirements of this condition do not apply to the exemptions to standard construction hours allowed by conditions L4.5, L4.6 and L4.12.

L4.12 Standard construction hours - Camellia and Rosehill

Notwithstanding Condition L4.1, works may be undertaken in the Camellia and Rosehill precincts (east of James Ruse Drive) and the Carlingford precinct (from Parramatta River to Victoria Road) 24 hours a day, seven days a week provided that sensitive receivers are not affected by noise levels of greater than 5 dBA above the rating background level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009), between 10.00pm and 7.00am.

L4.13 Exemptions to Standard Construction Hours - Works for Sydney Watermains

Sydney Watermain works and activities at the intersection of Church Street and Phillip Street are permitted to be undertaken outside the hours specified in conditions L4.1 for 18 consecutive days and nights provided that:

- a) no works are to be undertaken outside the hours specified in condition L4.1 on the five nights immediately preceding and the five nights immediately following works permitted under this condition if those works will impact the same sensitive receivers.

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- b) works are completed by the morning of 27 April 2020
- c) no high noise activities are to be undertaken past 12:15am on 27 April 2020

4 Operating Conditions

O1 Activities must be carried out in a competent manner

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

This includes:

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

O2 Maintenance of plant and equipment

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

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

O3 Dust

O3.1 The licensee must minimise the emission of air pollution from the premises to the greatest extent practicable.

O3.2 All trucks carrying dry bulk material that enter and leave the premises must have their loads covered at all times, except during unloading and loading.

For the purposes of this condition, 'load' is defined as material contained within the body/trailer/bin of the truck, and on the gunnels of the truck.

O4 Waste management

O4.1 Waste Management Plan

Waste Management Plan(s) must be prepared for all dry bulk material / spoil undertaken on the premises that generate waste that will be disposed offsite (not including office paper or cardboard).

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

- a) estimations of the different waste types to be generated from the proposed works; and
- b) estimations of how much of each waste type will be generated from the proposed works; and
- c) list of all places (full street address) where waste will be transported to; and

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- d) written confirmation from each place of disposal (listed in point c) that they can lawfully receive the types of waste proposed to be transported there; and
- e) where the place of disposal changes after the plan has been made, an amendment to the plan can be made as an addendum that includes an update points a) to d) above.

Note: The licensee must consider the guidance in the Construction and demolition waste: a management toolkit (EPA 2019) when preparing and implementing the Waste Management Plan.

- O4.2 The licensee must ensure waste management, waste transport and waste disposal is carried out in accordance with the waste management plans prepared for the premises including GPS tracking of waste vehicles.
- O4.3 The licensee must conduct monthly review of the Waste Management Plan(s) while it is in effect to ensure that all waste is being managed, transported, reused, recycled or disposed in a lawful manner. The reviews can take the form of, but not be limited to:
 - a) desktop investigations (such as review of GPS tracking data, contacting reuse, recycling or disposal facilities directly, reviewing waste disposal dockets, reviewing exemption requirements against particular loads of waste, reviewing environment protection licenses and/or
 - b) site inspections to reuse, recycling or disposal locations.

Note: All reviews must be documented and available for review by an authorised officer upon request.

- O4.4 The licensee must not cause, permit or allow any waste generated outside the licensed premises to be received at the licensed premises except virgin excavated natural material (VENM), or as expressly permitted by a condition of this licence or a resource recovery order and resource recovery exemption under the POEO Act.
- O4.5 The licensee must ensure that details of all waste received on the premises or transported off the premises that is subject to a Resource Recovery Order and/or Exemption, and demonstration that the waste meets the requirements of the Order and/or Exemption is kept at the licensed premises and provided to an Authorised Officer on request.
- O4.6 The licensee must keep all documents/records evidencing that all waste transported from the premises was taken to a facility/premises that lawfully accept that waste type at the licensed premises and provide these to an Authorised Officer on request.
- O4.7 Excavated material suitable for re-use within the premises may be transported from one part of the premises to another part of the premises by road in accordance with Condition O4.1.

O5 Other operating conditions

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O5.1 Erosion and sediment control

The licensee must implement all feasible and reasonable erosion and sediment controls to minimise sediment leaving the premises.

O5.2 All erosion and sediment controls at the premises must be maintained until all disturbed areas are stabilised.

Erosion and sediment controls are to be selected, installed and maintained taking into consideration the guidance in "Managing Urban Stormwater – Soils and Construction, Volume 2D, Main road construction" (DECC 2008) and "Managing urban stormwater: soils and construction – Volume 1" (Landcom 2006).

- O5.3 The erosion and sediment controls to be implemented are to include but not be limited to:
- a) minimising the area of exposed soil as much as practicable, including stabilising disturbed areas as soon as practicable; and
 - b) diversion of run-off from land upslope of the premises or undisturbed portions of the premises away from areas of soil disturbance as much as practicable; and
 - c) diversion of run-off from areas of exposed soil to appropriate sediment and erosion control devices as much as practicable; and
 - d) installing erosion controls in the base of drains used to divert runoff, to minimise erosion of sediment from the drain.
- O5.4 The licensee must ensure that all erosion and sediment control measures installed on the premises are inspected and works undertaken to repair and/or maintain these controls if practicable and safe to do so:
- a) at least weekly;
 - b) daily during periods of rainfall;
 - c) immediately before site closure greater than 48 hours;
 - d) within 24 hours of the cessation of a rainfall event causing runoff to occur on or from the premises; and
 - e) prior to any major rainfall event forecasted.

The licensee must record all such inspections including observations and works undertaken to repair and/or maintain erosion and sediment controls and provide these records to an authorised officer upon request.

- O5.5 The licensee must ensure that:
- a) the body of any vehicle or trailer, used to transport waste or excavation spoil from the premises, is covered before leaving the premises to minimise any spill or escape of any dust, waste or spoil from the vehicle or trailer; and
 - b) mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the premises, is removed to the greatest extent practicable before the vehicle, trailer or motorised plant leaves the premises; and
 - c) road surfaces subject to tracking of material by vehicles leaving the premises are cleaned at the end of each work day.

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d) all feasible and reasonable measures to minimise soil or mud from the premises being deposited on public roads in the vicinity of the premises.

5 Monitoring and Recording Conditions

M1 Monitoring records

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

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

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

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

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

M2 Weather monitoring

M2.1 The licensee must monitor and record hourly temperature, humidity, wind velocity and rainfall at either the project weather station, or through analysis of equivalent weather information obtained from the Australian Bureau of Meteorology. Monitoring must be installed prior to any works being undertaken within a catchment area that may cause sediment to leave the premises and continue to be operated until soil disturbance activities cease at the premises and the site has been stabilised.

M3 Recording of pollution complaints

M3.1 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.

M3.2 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

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f) if no action was taken by the licensee, the reasons why no action was taken.

M3.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M3.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M4 Telephone complaints line

M4.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

Note: For the purposes of this condition, the telephone complaints line is operated by a third party provider. The licensee will have staff available to respond to complaints during its operating hours.

M4.2 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.

M4.3 Telephone Complaints Line

Notification of community complaints line, the licensee must ensure that the community notification required by condition M2.2 is undertaken:

a) by including details on the project website on:

- i. how the public can make a complaint on the telephone complaints line; and
- ii. how complaints will be processed.

b) by clear signage at the boundary of each worksite that contains both the telephone complaints line number and the project website details.

M4.4 Noise and vibration complaints

a) The licensee must investigate noise and vibration complaints:

- (i) within two hours of the complaint being made; or
- (ii) in accordance with any documented complaint management agreement between the licensee and the complainant.

b) The licensee must include an offer to the complainant to undertake noise or vibration monitoring at their premises if:

- (i) any investigation referred to in this condition identifies works or activities being undertaken on the licensed premises as the likely source of the complaint, and
- (ii) the licensee is not in possession of noise monitoring data representative of the complainant's location and of the subject works and activities being undertaken on the licensed premises.

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

- i) as soon as practicable; or
- ii) at a time agreed with the complainant.

d) The licensee must, in respect of each complaint made to the telephone complaints line required by this condition, advise each complainant of the results of its investigation of their complaint and any proposed

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remedial action.

- M4.5 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.
- M4.6 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.
- M4.7 The preceding two conditions do not apply until 1 Month after the date of the issue of this licence.

M5 Noise monitoring

M5.1 Noise monitoring

All noise monitoring must be undertaken in accordance with:

- a) Australian Standard AS 2659.1 – 1998: “Guide to the use of sound measuring equipment – portable sound level meters”; and
- b) the compliance monitoring guidance provided in the “NSW Noise Policy for Industry” (EPA, 2017).

M5.2 Vibration monitoring

All vibration monitoring must be:

- a) undertaken in accordance with the technical guidance provided in the “Environmental Noise Management – Assessing Vibration: a technical guideline” (DEC, 2006); and
- b) assessed and reported against the acceptable values of human exposure to vibration set out in Tables 2.2 and 2.4 of this guideline.

- M5.3 The licensee must undertake construction noise and vibration monitoring as directed by an authorised officer of the EPA.

6 Reporting Conditions

R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
 - 1. a Statement of Compliance,
 - 2. a Monitoring and Complaints Summary,
 - 3. a Statement of Compliance - Licence Conditions,
 - 4. a Statement of Compliance - Load based Fee,
 - 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
 - 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
 - 7. a Statement of Compliance - Environmental Management Systems and Practices.

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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.
- R1.3 Where this licence is transferred from the licensee to a new licensee:
- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
 - b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.
- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
 - b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.
- R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').
- R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.
- R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- a) the licence holder; or
 - b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R2 Notification of environmental harm

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which 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

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harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- a) the cause, time and duration of the event;
 - b) the type, volume and concentration of every pollutant discharged as a result of the event;
 - c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
 - d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
 - e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
 - g) any other relevant matters.
- R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

R4 Other notifications

R4.1 Daily complaints report

- a) The licensee must submit by 2:00pm each business day a report to the EPA that provides details of all complaints received in relation to construction activities regulated by the licence on the telephone complaints line required by Condition M5.1 or through any other means.
- b) The report must:
 - (i) be provided in a format approved in writing by the EPA;
 - (ii) be submitted to the email address nominated by the EPA;
 - (iii) include a unique identifier number for each complainant together with the details required by condition M4.2;
 - (iv) include date and time as reported by the complainant of the event that is the subject of the complaint;
 - (v) include an outline of the work or activity that is the subject of the complaint; and
 - (vi) include the complaints received between 12am and 12pm.
- c) If the works that are the subject of complaint have been carried out under outside of Condition L4.1 and L4.2, the report must include details of how the requirements of the conditions under which the works have been undertaken have been met.
- d) The licensee is not required to submit a report for any reporting period during which no complaints have been received. 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 2.00pm on the next following weekday that is not a public holiday.

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R4.2 Noise and Vibration Reports

- a) Upon request of an authorised officer, the licensee must submit a Preliminary Investigation Report to the EPA in respect of any noise or vibration monitoring undertaken in accordance with the requirements of this licence.
- b) The Preliminary Investigation Report must be submitted to the EPA by 4:30pm on the afternoon of the next working day following any noise or vibration monitoring.
- c) The Preliminary Investigation Report must include:
 - (i) numerical and/or graphical representation of the noise and vibration monitoring results including both ambient noise levels and the level of noise from construction activities on the premises only;
 - (ii) the noise levels reported using the following noise descriptors: LAeq,T; LAF90,T; and LAFmax,T (T representing the 15 minute measurement period unless an alternative period is justified); and,
 - (iii) an assessment of measured construction noise levels against noise limits or noise management levels specified in this licence, requirements in a relevant planning approval for the subject activities (including Construction Noise and Vibration Management Plans and Impact Statements under the planning approval), relevant noise modelling and any relevant noise guidelines.

R4.3 Exceedance of noise objectives

In the event of any construction related exceedance of the noise goals or limits referred to in Condition R4.2 c) iii, the licensee must:

- a) Modify activities and implement all reasonable and feasible measures to prevent a recurrence of the exceedance; and
- b) Submit a Follow-Up Investigation Report to the EPA within 5 business days of any noise or vibration monitoring having been undertaken (unless otherwise approved by the EPA).
- c) The Follow-Up Investigation Report must include:
 - (i) confirmation of whether noise monitoring has been undertaken in accordance with AS2659 and the compliance monitoring guidance provided in the ICNG; and
 - (ii) confirmation of whether vibration monitoring has been undertaken in accordance with the guidance provided in Assessing Vibration: a technical guideline (DEC 2006).
 - (iii) details of the prevailing meteorological conditions during the period when the monitoring was undertaken; and
 - (iv) a map of each noise and vibration monitoring location in relation to the noise source, including relevant distances; and
 - (v) numerical and graphical representation of the noise and vibration monitoring results; and
 - (vi) an analysis of the noise and vibration monitoring results; and
 - (vii) details of any remedial action taken in relation to the matter; and
 - (viii) in cases not the subject of remedial action, detailed justification of the decision not to undertake remedial action.

7 General Conditions

G1 Copy of licence kept at the premises or plant

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

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

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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 Contact details

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.

8 Special Conditions

E1 Special Dictionary

E1.1 The following terms are relevant to this licence.

Term	Meaning
Business days	Monday to Friday not including public holidays as defined on the NSW government website
CWMP	Construction Waste Management Plan
Eat Street	The section of Church Street, Parramatta between Palmer Street and George Street
High noise impact activities and works	Jack hammering, rock breaking or hammering pile driving, vibratory rolling, cutting of pavement, concrete or steel or other work occurring on the surface that generates noise with impulsive, intermittent, tonal or low frequency characteristics and any works exceeding 75 dB(A) using the LAeq, 15 minute noise descriptor assessed at the most affected noise sensitive receiver
ICNG	Interim Construction Noise Guideline (DECC, 2009)
NML	Noise Management Level as defined in ICNG
POEO Act	Protection of the Environment Operations Act 1997

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RBL

Rating background levels are those contained in an environmental assessment for the scheduled activity subject to this licence prepared under the Environmental Planning and Assessment Act 1979

E2 Discharge Impact Assessment

E2.1 The licensee is required to undertake a water discharge impact assessment to determine appropriate discharge criteria. This water discharge impact assessment must:

- a) demonstrate that all practical and reasonable measures will be implemented to avoid discharges and minimise pollution; and
- b) identify and estimate the quality and quantity of all pollutants that may be introduced into the water cycle by source and discharge point including residual discharges after mitigation and waste avoidance measures are implemented (where possible, this should be based on monitoring at the site); and
- c) describe the nature and degree of impact that any residual discharges will have on the environmental values of the receiving waterways with reference to the relevant guideline values from the National Water Quality Guidelines; and
- d) where relevant, consider practical measures to address identified impacts; and
- e) adopt the guideline values for slightly to moderately disturbed ecosystems. If site-specific guideline values are used, these should be derived consistent with the National Water Quality Guidelines, including being based on at least 24 months of contiguous monitoring data from a suitable reference site/s, representative of slightly disturbed condition.
- f) be submitted to the EPA within 30 days of the issue of this licence.

Note: This assessment will be used to inform discharge criteria for inclusion in this licence for the duration of the project.

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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 Claire Miles

Environment Protection Authority

(By Delegation)

Date of this edition: 03-January-2020

End Notes

- | | | |
|---|--------------------------|-------------------------------|
| 2 | Licence varied by notice | 1593282 issued on 09-Apr-2020 |
| 3 | Licence varied by notice | 1594024 issued on 17-Apr-2020 |