

# Environment Protection Licence

Licence - 21423

## Licence Details

Number:	21423
Anniversary Date:	31-July

## Licensee

CPB CONTRACTORS PTY LIMITED

L3/116 MILLER STREET

NORTH SYDNEY NSW 2060

## Premises

SYSTEMS CONNECT LINE WIDE WORKS  
 BETWEEN CHATSWOOD DIVE SITE AND SYDENHAM DIVE  
 SITE  
 SYDNEY NSW 2000

## Scheduled Activity

Railway activities - railway infrastructure construction

## Fee Based Activity

Railway infrastructure construction (&lt;50,000T)

## Scale

&gt; 10-30 km total length of railway track to be constructed

## Region

Metropolitan West - Sydney

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## Information about this licence

### Dictionary

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

### Responsibilities of licensee

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

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

### Variation of licence conditions

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

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

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

### Duration of licence

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

### Licence review

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

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

For each licence fee period you must pay:

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

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

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

## Transfer of licence

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

## Public register and access to monitoring data

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

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

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

## This licence is issued to:

<b>CPB CONTRACTORS PTY LIMITED</b>
<b>L3/116 MILLER STREET</b>
<b>NORTH SYDNEY NSW 2060</b>

subject to the conditions which follow.

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## 1 Administrative Conditions

### A1 What the licence authorises and regulates

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

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

Scheduled Activity	Fee Based Activity	Scale
Railway activities - railway infrastructure construction	Railway infrastructure construction (<50,000T)	> 10 - 30 km total length of railway track to be constructed

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

A2.1 The licence applies to the following premises:

Premises Details
SYSTEMS CONNECT LINE WIDE WORKS
BETWEEN CHATSWOOD DIVE SITE AND SYDENHAM DIVE SITE
SYDNEY
NSW 2000

A2.2 In relation to Condition A2.1, the premises are defined by the most recent premises map(s) held on EPA Electronic File EF20/21812 and approved in writing by the EPA.

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

- be submitted to the EPA in electronic format for written 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;
- be clearly described in writing submitted at the same time as the complete map set; and
- demonstrate environmental impacts in relation to any changes have been considered and can be managed in an appropriate manner.

A2.4 The approved premises maps must be available for public viewing on the licensee's project website or a related

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website approved in writing by the EPA no more than 3 business days after the approval of the maps by the EPA.

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

## A3 Information supplied to the EPA

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

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

a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and

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

A3.2 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.

## 2 Discharges to Air and Water and Applications to Land

### P1 Location of monitoring/discharge points and areas

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

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

#### *Water and land*

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Discharge & Monitoring	Discharge & Monitoring	Storm water pit immediately northeast of the Water Treatment Plant at Chatswood Dive Site

## 3 Limit Conditions

### L1 Pollution of waters

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- 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 Water and/or Land Concentration Limits

### POINT 1

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

- L2.5 If the licensee uses turbidity (NTU) in place of TSS to determine compliance with Condition L2.4 the licensee must develop a statistical correlation which identifies the relationship between NTU and TSS for water quality in the sediment basins, water treatment plants and excavations in order to determine the NTU equivalent of 50 mg/L TSS before NTU is used.
- L2.6 The licensee must provide the EPA with a copy of the statistical assessment methodology and results before using NTU in place of TSS.
- L2.7 The licensee must develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS.
- L2.8 The licensee must provide the EPA with any amendments the licensee makes to the statistical correlation as a result of the ongoing verification required by Condition L2.7 before using the revised statistical correlation.



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Note: The limits specified in Condition L2.4 are temporary and will be reviewed following submission of a Discharge Impact Assessment in accordance with the requirements contained at Condition E3 of this licence.

## L3 Noise limits

- L3.1 The licensee must implement all feasible and reasonable noise and vibration mitigation and management measures as may be necessary to:
- minimise noise and vibration impacts at residences and other sensitive land uses; and
  - minimise exceedances of Noise Management Levels at noise sensitive receivers as described in the Interim Construction Noise Guideline (DECC, 2009).
- L3.2 The licensee must consider the guidance in the Interim Construction Noise Guideline (DECC, 2009) and Assessing Vibration: a technical guideline (DEC, 2006) when deciding on the reasonable and feasible noise and vibration mitigation and management measures required by condition L3.1.
- L3.3 When construction activities include 'High Noise Impact Activities' as defined in the special dictionary in this licence, quantitative construction noise assessments shall apply a +5dB correction to the measured or predicted level of construction noise at the nearest sensitive receiver location before assessment against the Interim Construction Noise Guideline (DECC, 2009) noise management levels.

## L4 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 1:00 pm Saturday; and
  - not be undertaken on Sundays or Public Holidays.
- L4.2 Works may be undertaken from 1 pm to 6 pm on Saturdays and from 7 am to 6 pm on Sundays and public holidays while the Environmental Planning and Assessment (COVID-19 Development – Infrastructure Construction Work Days) Order 2020 is in force provided that:
- No rock breaking, rock hammering, sheet piling, pile driving or similar activities may be undertaken unless specified by another condition of this licence.
- L4.3 High Noise Impact Works
- Any high noise impact works and activities must only be undertaken:
- between 8:00 am and 6:00 pm Monday to Friday;
  - between 8:00 am and 1:00 pm Saturday; and
  - 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 work is likely to impact the same receivers; except

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as expressly permitted by another condition of this licence.

Note: 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.

#### L4.4 Exemptions to standard construction hours for 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 5dB above the day, evening and night rating background level (RBL) as applicable;
- b) LA1(1 minute) or LAmax noise levels greater than 15dB above the night RBL for night works;
- c) continuous or impulsive vibration values greater than those for human exposure to vibration, set out for residences in Table 2.2 in Assessing Vibration: a technical guideline (DEC, 2006); and
- d) intermittent vibration values greater than those for human exposure to vibration, set out for residences in Table 2.4 in Assessing Vibration: a technical guideline (DEC, 2006).

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 Noise Policy for Industry (EPA, 2017) and provided to the EPA prior to carrying out any works or activities under this Condition.

#### L4.5 Exemptions to standard construction hours - Emergency works and special deliveries

- 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; and
  - 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 2:00 pm on the next business day after the emergency works commenced that describes:
  - i. the cause, time and duration of the emergency;
  - ii. action taken by or on behalf of the licensee in relation to the emergency; and
  - iii. details of any measures taken or proposed to be taken by the licensee to prevent or mitigate against a recurrence of the emergency.

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

#### L4.6 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:

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- 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. clearly outline in plain English, the location, nature, scope and duration of the proposed works;
- v. detail the expected noise impact of the works on noise sensitive receivers;
- vi. clearly state how complaints may be made and additional information obtained; and
- vii. include the number of the telephone complaints line required by condition M7.1, an after hours contact phone number specific to the works undertaken outside the hours specified in condition L4.1, and the project website address.

c) If the works are subject to an approved community agreement, the notification must include a summary of the approved works;

Note: The requirements of this condition do not apply to emergency works as described in condition L4.4 of this licence.

## L4.7 Works outside standard construction hours - 24 Hour Works

The following works are permitted to be undertaken 24 hours a day, 7 days per week, for early access activities at Waterloo Station, Crows Nest, Chatswood Dive Site and Southern Dive Site subject to meeting the requirements of Conditions L4.8:

- (a) Station and tunnel fit out works and ancillary surface support works; and
- (b) Haulage and delivery and of materials.

L4.8 On the first occasion of both evening and night works at the Waterloo Station and Chatswood Dive Site, noise monitoring is to be undertaken to demonstrate that the predicted noise levels and deployed mitigation measures are substantially consistent with the Construction Noise and Vibration Impact Statement approved under Planning Approval SSD 15\_7400 for the early access works at each site. The monitoring is to be undertaken by a suitably qualified and competent person and a report submitted to EPA outlining the findings of the monitoring and mitigation evaluation within 3 business days of the evening and night works commencing. If the monitoring identifies noise levels are not substantially consistent with the predicted noise levels in the CNVIS, the report should include an evaluation of further feasible and reasonable noise mitigation measures that could be deployed to substantially satisfy the objective noise levels in the CNVIS.

## L4.9 High Noise Impact Works – Victoria Cross, Crows Nest, Barangaroo, Martin Place and Pitt Street Worksites

- a) This condition applies to works (including utility works) at the following worksites where internal noise are greater than  $Leq(15\text{minute}) 60\text{dB}(A)$ :
  - a. Victoria Cross,

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- b. Crows Nest,
- c. Barangaroo,
- d. Martin Place,
- e. Pitt Street,
- f. Blues Point,
- g. Central,
- h. Marrickville,

(b) This condition requires High Noise Impact Construction work and activities to be undertaken in accordance with the hours specified in Condition L4.3(a) and L4.3(b) and allows for alternative respite scheduling other than what is required by Condition L4.3(c) when alternative respite periods are determined in accordance with Conditions E1.1 and E1.2.

## L4.10 Works Approved Outside of Standard Construction Hours – Local Area and Utility Works

(a) Local area and utilities works may be undertaken outside of standard construction hours specified in L4.1 at the Crows Nest, Chatswood Dive, Victoria Cross North and South, Waterloo, Marrickville Barangaroo, Pitt Street, Martin Place and Blues Point worksites but only if one or more of the following applies:

- (i) carrying on those works and activities during the hours specified in Condition L4.1 would result in a high risk to construction personnel or public safety, based on a risk assessment carried out in accordance with AS/NZS ISO 31000:2009 "Risk Management"; or
- (ii) the relevant road 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
- (iii) 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
- (iv) the TfNSW Transport Management Centre (or other road authority) have advised the licensee in writing that a road occupancy licence is required and will not be issued for the works or activities during the hours specified in Condition L4.1; or
- (v) Sydney Trains (or other rail authority) have advised the licensee in writing that a Rail Possession is required and it will not be issued for the works or activities during the hours specified in Condition L4.1.

## L4.11 In undertaking any works or activities under Condition L4.9 the licensee must:

- (a) Only undertake activities between the hours of:
  - i. 6:00 pm and 7:00 am the following day on Mondays, Tuesdays, Wednesdays, and Thursdays; and
  - ii. 6:00 pm and 8:00 am the following day on Fridays.
- (b) Ensure that works and activities do not impact the same noise sensitive receivers on more than:
  - i. 3 evenings and/or nights per week; and
  - ii. 10 evenings and/or nights per month.
- (c) Implement reasonable and feasible noise and vibration mitigation measures as detailed in the Interim Construction Noise Guidelines (DECC 2009).
- (d) Undertake noise monitoring at the boundary of the most noise affected receiver or other sensitive land uses(s) that is most representative of noise generating activities being carried out at the site; and

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(e) Comply with the requirements of Condition R4.4; and

(f) Ensure that an indicative schedule of local area and utilities works is made publicly accessible on the licensee's project website.

NOTE: For the purposes of condition L4.11 "impact" is defined as noise levels that exceed the noise levels in L4.4.

L4.12 If works are undertaken by a utilities provider during a scheduled respite period identified by Condition L4.11, 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 L4.11 to provide respite to impacted noise sensitive receivers so that the minimum number of respite periods in any week can be achieved; or
- (b) consider the provision of alternative respite or mitigation to impacted noise sensitive receivers; and
- (c) provide documentary evidence to the EPA in support of any decision made by the licensee in relation to the provision or refusal of any respite or mitigation within the validation report required by Condition R4.4.

## L5 Potentially offensive odour

L5.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

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

## 4 Operating Conditions

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

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

This includes:

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

### O2 Maintenance of plant and equipment

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

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

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## O3 Dust

- O3.1 All activities occurring at the premises must be carried out in a manner that will minimise the emission of air pollution from the premises.
- O3.2 The premises must be maintained in a condition which minimises the emission of air pollution from the premises.
- O3.3 Trucks entering and leaving the premises that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading.

## O4 Processes and management

- O4.1 The licensee must implement all feasible and reasonable erosion and sediment controls as may be necessary throughout the life of construction works and activities to minimise sediment leaving the premises.
- O4.2 The licensee must ensure erosion and sediment controls are designed (stability, location, type and size), constructed, operated and maintained in accordance with Managing Urban Stormwater – Soils and Construction, Volume 1, 4th Edition (Landcom, 2004).  
Note: the licensee may consider guidance from other industry best practice documents if it can demonstrate the guidance will provide improved outcomes for the environment and meet the requirements of condition L1.1 of this licence.
- O4.3 The licensee must:
  - a) ensure the design storage capacity of any sediment basin installed on the premises is reinstated within the design management period following the cessation of a rainfall event that causes runoff to occur on or from the premises; and
  - b) keep records of the available water and sediment storage capacities in each sediment basin and provide to an authorised officer upon request.
- O4.4 The licensee must ensure that sampling point(s) for water discharged from the sediment basin(s) are provided and maintained in an appropriate condition to permit:
  - a) the clear identification of each sediment basin and discharge point;
  - b) the collection of representative samples of the water discharged from the sediment basin(s); and
  - c) access to the sampling point(s) at all times by an authorised officer of the EPA.
- O4.5 The licensee must ensure:
  - a) all vehicular access points to the premises are designed, constructed, maintained and stabilised to minimise tracking of materials onto public roads and to ensure all-weather entry and exit.
  - b) mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of

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any vehicle, trailer, motorised plant and equipment leaving the premises, is removed to the greatest extent practicable before it leaves the premises.

## O5 Waste management

- O5.1 The licensee must prepare and implement a Construction Waste Management Plan (CWMP) for the premises that includes the following:
- An estimate of the quantities of each waste type that will be generated on the premises for the duration of the proposed works;
  - A summary of the waste classification for each type of waste that may be generated at the premises for the duration of the project in accordance with the Waste Classification Guidelines Part 1: Classifying waste (EPA, 2014);
  - the source location(s) for all waste likely to be generated at the premises;
  - the addresses and facility and business names of destination location(s) for all waste generated and transported off the premises for any purpose (including recycling, reuse, processing, treatment and disposal);
  - 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 the procedures that will be implemented to ensure that the waste meets the requirements of the Order and/or Exemption;
  - details of the documentation and record keeping that will be implemented to demonstrate where all waste from the Premises is disposed of;
  - details on the procedures that the licensee will implement to ensure that all waste is being managed, transported, reused, recycled or disposed in a lawful manner.

Note:

- The licensee must consider the guidance in Construction and demolition waste: a management toolkit (EPA, 2019) when preparing and implementing the CWMP.
- If the licensee proposes to hold any of the above information within other internal systems, this must be outlined in the plan.
- The procedures that the licensee will implement to ensure lawful waste management may include:
  - desktop investigations (such as contacting reuse, recycling or disposal facilities directly, reviewing waste disposal dockets, reviewing exemption requirements against particular loads of waste, reviewing environment protection licenses) and/or
  - site inspections to reuse, recycling or disposal locations.

- O5.2 The licensee must review and update the CWMP at a minimum of every 6 months to:
- reflect any changes in the waste quantities, waste types and waste disposal destinations
  - update any other changes as a result of the review process.

Note:

- All reviews must be documented as part of the CWMP.

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O5.3 The licensee must not cause, permit or allow any waste generated:

(a) Outside the premises to be received at the premises, except for recycled materials from Sydney Trains rail corridor (EPL 12208) or Sydney Trains recycling facility (EPL 7515) or Virgin Excavated Natural Material or materials that meet the EPA's Resource Recovery Exemptions;

(b) At the premises to be land applied at the premises, except as permitted in Condition O5.4

O5.4 Excavated material suitable for re-use within the premises may be transported from one part of the premises or the Sydney Trains rail corridor or Sydney Trains recycling facility to another part of the premises by road.

## 5 Monitoring and Recording Conditions

### M1 Monitoring records

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

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

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

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

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

### M2 Requirement to monitor concentration of pollutants discharged

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

M2.2 Water and/ or Land Monitoring Requirements



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## POINT 1

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	Visible	Special Frequency 1	Visual Inspection
pH	pH	Special Frequency 1	In situ
Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample

### M3 Testing methods - concentration limits

- M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.
- M3.2 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods for the Sampling and Analysis of Water Pollutants in New South Wales (DEC, 2004), unless another method has been approved by the EPA in writing before any tests are conducted.
- M3.3 For the purposes of Condition M2.2 and the Table thereto, 'Special Frequency 1' means:
- less than 24 hours prior to a controlled discharge and daily for any continued controlled discharge; and
  - when rainfall causes a discharge from a basin which has not been emptied within the design management period following cessation of a rainfall event.

### M4 Environmental monitoring

- M4.1 The licensee must monitor noise and vibration from construction work and especially during work undertaken out of hours specified in Condition L4.1
- M4.2 All noise monitoring for the purpose of determining compliance with conditions of this licence must be undertaken by a suitably qualified and experienced person in accordance with:
- Australian Standard AS 2659.1 – 1998: Guide to the use of sound measuring equipment – portable sound level meters; and
  - the compliance monitoring guidance provided in the Noise Policy for Industry (EPA, 2017).
- M4.3 All vibration monitoring must be undertaken in accordance with the technical guidance provided in the Assessing Vibration: a technical guideline (DEC, 2006) and assessed and reported against the acceptable values of human exposure to vibration set out in Tables 2.2 and 2.4 of this guideline.

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M4.4 The licensee must undertake noise and vibration monitoring as directed by an authorised officer of the EPA.

## M5 Weather monitoring

M5.1 The licensee must monitor and record temperature, humidity, wind direction, wind velocity and rainfall at either the project weather station, or through analysis of equivalent weather information obtained from the Australian Bureau of Meteorology. Monitoring must:

- a) be representative of each catchment;
- b) be undertaken prior to any works that may cause sediment to leave the premises; and
- c) continue to be operated until soil disturbance activities cease at the premises and the site has been stabilised.

Note: The rainfall monitoring data collected in compliance with this condition can be used to determine compliance with condition L2.4.

## M6 Recording of pollution complaints

M6.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M6.2 The record must include details of the following:

- a) the date and time of the complaint;
- b) the method by which the complaint was made;
- c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- d) the nature of the complaint;
- e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken by the licensee, the reasons why no action was taken.

M6.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M6.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M7 Telephone complaints line

M7.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M7.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a

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complaints line so that the impacted community knows how to make a complaint.

M7.3 The preceding two conditions do not apply until 4 days after the date of the issue of this licence.

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

- a) including on the project web site information on:
  - i. the nature, location and estimated construction time of the works;
  - ii. what works are expected to exceed Interim Construction Noise Guideline (DECC, 2009) noise management levels and the noise control measures to be implemented;
  - iii. how the public can make a complaint on the telephone complaints line and online;
  - iv. after hours contact telephone number for all works permitted outside standard construction hours; and
  - v. how the complaints will be processed;
- b) posting publicly to social media platforms;
- c) public notices in local newspapers, including community language newspapers;
- d) clear signage at the boundary of each worksite that contains both the telephone complaints line number and the project website details; and
- e) having staff available to respond to complaints during hours when works are occurring.

Notes:

1. Additional ongoing notification will be undertaken by the licensee if new sensitive receivers are affected by noise, vibration or other construction impacts.
2. For the purposes of condition M7.1, the telephone complaints line is operated by a third party provider. The licensee will have staff available to respond to complaints during hours when works are occurring.

M7.5 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 attended noise or vibration monitoring at their premises if:
  - i. any investigation referred to in this condition identifies works or activities being undertaken on the licensed premises as the likely source of the complaint; and
  - ii. the licensee is not in possession of noise monitoring data representative of the complainants location and of the subject works and activities being undertaken on the licensed premises.
- c) If the occupant of the dwelling or management personnel of a noise sensitive receiver (other than a

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dwelling) accepts the offer of attended noise or vibration monitoring the licensee must undertake that attended monitoring:

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

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

## 6 Reporting Conditions

### R1 Annual return documents

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

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

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

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

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

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

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

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

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

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- 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 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.

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## R4 Other reporting conditions

### R4.1 Daily Complaints Reports

- a) The licensee must submit by 2:00 pm each business day a report to the EPA that provides details of all complaints received in relation to construction activities regulated by this licence on the telephone complaints line required by Condition M5 or through any other means.
- b) The report must be provided in a format approved in writing by the EPA;
- c) The licensee is not required to submit a report:
  - i. for any reporting period during which no complaints have been received;
  - ii. that would otherwise be required to be submitted on a Saturday, Sunday or public holiday until not later than 2.00 pm on the next following weekday that is not a public holiday.

### 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 Conditions M4.1, M4.2 and M4.3.
- b) The Preliminary Investigation Report must be submitted to the EPA by 4:30 pm on the afternoon of the next working day following any noise or vibration monitoring.
- c) The Preliminary Investigation Report must include:
  - i. numerical and/or graphical representation of the noise and vibration monitoring results including both ambient noise levels and the level of noise from construction activities on the premises only; and
  - ii. the noise levels reported using the following noise descriptors: LAeq,T; LAF90,T; and LAFmax,T (T representing the 15 minute measurement period unless an alternative period is justified); and
  - iii. an assessment of measured construction noise levels against noise limits or noise management levels specified in this licence, requirements in a relevant planning approval for the subject activities (including Construction Noise and Vibration Management Plans and Impact Statements under the planning approval), relevant noise modelling and any relevant noise guidelines.

### R4.3 In the event of any exceedance of the best achievable noise performance objectives identified in Construction Noise and Vibration Impact Statements prepared for the works, the licensee must:

- a) modify activities and implement all reasonable and feasible measures to prevent a recurrence of the exceedance; and
- 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). The Follow-Up Investigation Report must include:
  - i. confirmation of whether noise monitoring has been undertaken in accordance with AS2659 and the compliance monitoring guidance provided in the Interim Construction Noise Guideline (DECC, 2009);
  - ii. confirmation of whether vibration monitoring has been undertaken in accordance with the guidance provided in Assessing Vibration: a technical guideline (DEC, 2006);

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- iii. details of the prevailing meteorological conditions during the period when the monitoring was undertaken;
- iv. a map of each noise and vibration monitoring location in relation to the noise source, including relevant distances;
- v. numerical and graphical representation of the noise and vibration monitoring results;
- vi. an analysis of the noise and vibration monitoring results;
- vii. details of any remedial action taken in relation to the matter; and
- viii. in cases not the subject of remedial action, detailed justification of the decision not to undertake remedial action."

## R4.4 Local Area and Utility Works - Validation Report

(a) For activities undertaken permitted under Condition L4.10, a validation report must be submitted to the EPA that includes the following detail:

- i. Confirmation that the equipment used to undertake the works was as specified in the relevant Construction Noise and Vibration Impact Assessment for the worksite;
- ii. A copy of the community notification required under Condition L4.6;
- iii. Noise monitoring as required by M4.1;
- iv. Details of any exceedances of predicted noise levels; and
- v. Details of the noise and vibration mitigation measures that were implemented as specified in the relevant Construction Noise and Vibration Impact Assessment for the worksite.

(b) The validation report must be submitted to the EPA fortnightly from the commencement of the works permitted by L4.10 by no later than 2 business days from the end of each fortnight.

## 7 General Conditions

### G1 Copy of licence kept at the premises or plant

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

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

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

### G2 Contact number for incidents and responsible employees

G2.1 The licensee must provide the EPA with, and maintain, up to date contact details to enable the EPA:

a) To contact either the licensee or a representative of the licensee who can respond at all times to incidents relating to the premises, and

b) To contact the licensee's senior employees or agents authorised at all times to;

i. speak on behalf of the licensee, and

ii. provide any information or document required under licence."

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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 Alternative Respite Scheduling

E1.1 High Noise Impact Works – Victoria Cross, Crows Nest, Barangaroo, Martin Place and Pitt Street

Worksites If internal noise levels are predicted at the receiver to be greater than Leq(15 minute) 60dB(A) surrounding the worksites listed in Condition L4.9(a), the licensee must:

- (a) Consult with all affected noise sensitive receivers likely to experience internal noise levels greater than Leq(15 minute) 60 dB(A) inclusive of a 5dB(A) penalty if rock breaking or any other annoying activity likely to result in regenerated (ground-borne) noise or a perceptible level of vibration is planned between 7am and 8pm; and
- (b) Determine appropriate alternative hours of respite so that construction noise (including ground-borne noise) does not exceed internal noise levels of Leq(15 minute) 60 dB(A) for at least 6.5 hours between 7am and 8pm, of which at least 3.25 hours must be below Leq(15 minute) 55 dB(A).

E1.2 In relation to determining the alternative respite hours as per Condition E1.1, the following applies:

- (a) Affected noise sensitive receivers must be identified through a construction noise and vibration impact assessment undertaken by a suitably qualified professional experienced in assessing the impacts of noise and vibration from civil engineering works; and
- (b) The licensee must identify options for respite periods based on:
  - i. initial consultation with affected noise sensitive receivers to determine options for alternative respite periods followed by;
  - ii. a survey of the affected noise sensitive receivers to determine the preferred option for alternative respite periods.

(c) The licensee must analyse the results of the consultation and survey under Condition E1.2(b) and provide the analysis and justification for the preferred option to the EPA for review at least 3 weeks prior to implementation; and

(d) The licensee must notify the affected noise sensitive receivers of the alternative respite periods not less than 5 days and not more than 14 days before implementation. The notification must be by letterbox drop or email and be detailed on the project website. The notification must outline the justification for implementing the adopted respite periods.

Note: For the avoidance of doubt, Condition E2 (below) does not apply in conjunction to the requirements of Condition E1. For any works outside of the periods specified in the conditions of this licence, a licence variation must be submitted to the EPA for consideration.



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## E2 Community Agreements

### E2.1 Community Agreements

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

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

### E2.2 Any agreement(s) between the licensee and noise sensitive receivers referred to in condition E2.1 must be:

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

### E2.3 Requirements for community agreements

Any community agreement to permit out of hours works (OOHW) to be undertaken outside of standard construction hours under condition L4.1 must:

- a) be prepared and implemented in accordance with the relevant sections of the Interim Construction Noise Guidelines (DEC 2009), the Noise Policy for Industry (EPA, 2017) and AS2436-2010: Guide to noise and vibration control on construction, demolition and maintenance sites;
- b) detail the following:
  - i. the actual works proposed;
  - ii. any expected impacts in clear, simple English based on noise modelling;
  - iii. the expected duration of the works;
  - iv. any expected benefits for receivers;
  - v. any other concurrent OOHW that will be occurring; and
  - vi. any other OOHW that will be occurring on the nights preceding and following the proposed works or, if the proposed work precedes or follows a weekend period, any other OOHW that will be occurring on the weekend.
- c) demonstrate that the noise sensitive receivers party to the agreement understand the nature of the works and any predicted impacts; and
- d) Be kept for the duration of the agreement and made available to an EPA authorised officer on request.

### E2.4 The licensee must coordinate all OOHW subject to a community agreement with any neighbouring concurrent construction works that have the potential to impact the same noise sensitive receivers to ensure respite periods are achieved.

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## E2.5 Consultation and Engagement

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

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

## E2.6 Agreement thresholds

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

- a) noise sensitive receivers predicted by the licensee to be impacted by noise levels exceeding those specified in Condition L4.4a) and L4.4b); and
- b) noise sensitive receivers predicted by the licensee to be impacted by noise levels above a highly noise affected level of 75dB(A).

Note: E2.6a) and E2.6b) are hereafter referred to as the community affected catchment. Community response and agreement rates should be reported against the total community affected catchment, and must be broken down into response and agreement rates based on sub-catchments that are delineated by affectation levels.

## E2.7 Community agreements attained by phone

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

- a) the phone script used to describe the proposed agreement (including information required under Condition E2.3) is to be provided to the EPA with the community agreement for approval;
- b) the script must include a description of the proposed works, the likely impacts and benefits for the community and a clear question requesting receiver agreement to the proposal;
- c) detailed records are to be maintained by the licensee of all community agreement phone conversations and must be maintained for the duration of the community agreement; and
- d) any noise sensitive receiver who requests a copy of the phone agreement must be supplied with one.

## E2.8 Monitoring

A validation monitoring plan must be submitted to the EPA for approval as part of the community agreement documentation prior to any OOHW occurring.

## E2.9 Validation monitoring must be undertaken for any works that are the subject of a community agreement and must:

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- a) be performed by a suitably qualified and experienced person;
- b) be performed on at least the first 2 nights where OOHW will be undertaken;
- c) be performed on any other night where the nature of the works is likely to cause greater noise impacts than the first 2 nights;
- d) be representative of the impacts;
- e) be undertaken in accordance with the monitoring plan prepared under condition E2.8; and
- f) be recorded and provided to an EPA officer upon request.

E2.10 If validation monitoring undertaken under Condition E2.9 shows that noise levels are higher than those predicted by any noise modelling undertaken as part of the community agreement, work practices must be modified immediately so that measured noise levels do not exceed predicted levels.

Note: Where it has been determined that works cannot be modified to achieve the predicted noise levels, the agreement is to be considered null and void and in non-compliance with this licence condition.

E2.11 Ongoing community engagement and agreement

For any community agreement longer than 21 calendar days to remain valid, the licensee must be able to demonstrate agreement from the community is maintained and continuing. To demonstrate agreement from the community is maintained and continuing the licensee must:

- a) engage the community at least every 21 calendar days to determine if a substantial majority of noise sensitive receivers continue to support the agreement; and
- b) provide the EPA with a report within 7 calendar of the end of each 21 calendar day period summarising the community response and comparing community agreement rates against previous community agreement rates.

Note: If a licensee is unable to demonstrate a substantial majority of agreement from the community is maintained and continuing, the EPA considers the community agreement to be null and void and any OOHW subject to the agreement are not permitted.

## E3 Water Discharge Impact Assessment

- E3.1 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

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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 6 months 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.

- E3.2 The licensee must undertake monthly monitoring from date of issue of this licence for a minimum of 6 months. Monthly monitoring results must include:
- quality and quantity of all pollutants that are identified in condition E3.1 b) at each source and discharge point including residual discharges; and
  - results must be submitted to the EPA no more than 2 weeks after each monthly monitoring event has occurred for a minimum of 6 months from the date of issue of this licence.

## E4 Special Dictionary

### E4.1 Special Dictionary

Term	Meaning
Acoustic enclosure	can include an engineered and designed shed or enclosure, with airborne noise pathways minimised and treated where feasible and reasonable, endeavouring to achieve the Noise Management Levels in the Interim Construction Noise Guideline (DECC, 2009). Example treatments include noise curtains, acoustic barriers or fast operating doors to limit breakout noise from enclosures.
AS 2659	means Australian Standard AS 2659.1 – 1988 : Guide to the use of sound measuring equipment – Portable sound level meters
Business day	excludes Saturdays, Sundays, public holidays and rostered days off (RDOs)
Operating hours	means hours during which any construction-related works or activities are being undertaken, including outside of standard construction hours
Construction work	includes all construction work and activities, and all construction-related work and activities, undertaken on the premises.
Day	the period from 0700 and 1800 h (Monday to Saturday) and 0800 to 1800 h (Sundays and Public Holidays) as per the definition in the New South Wales Government's Industrial Noise Policy.
Essential utility services	means telephone, electricity, gas and water services.
Evening	the period from 1800 to 2200 h as per the definition in the New South Wales Government's Industrial Noise Policy.

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Feasible Noise Abatement Measures	Means actions to reduce noise levels that are capable of being put into practice or of being engineered and are practical to build given project constraints such as safety and maintenance requirements
Haulage and delivery of spoil and material	Including materials handling, tunnel logistics, tunnelling and station fit out material transportation, concrete deliveries, rail and track component deliveries, and truck movements that are essential to be undertaken outside of standard construction hours outlined in Condition L4.1 to facilitate 24/7 tunnelling activities and activities within an acoustic enclosure
High noise impact activities and works	means jack hammering, rock breaking or hammering, pile driving, vibratory rolling, cutting or grinding of pavement, concrete or steel or other work occurring on the surface that generates noise with impulsive, intermittent, tonal or low frequency characteristics.
INP	means the New South Wales Industrial Noise Policy published by the EPA in January 2000.
Impulsive noise	has the same meaning as in section 4.2 of the INP.
Interim Construction Noise Guidelines (ICNG)	Interim Construction Noise Guidelines (DECC, July 2009).
Intermittent noise	has the same meaning as in section 4.2 of the INP.
Out of hours	means hours outside those prescribed by condition L4.1.
Noise Management Level (NML)	has the same meaning as "Airborne Noise Management Levels" in the Interim Construction Noise Guideline (DECC 2009)
Night	the period from 2200 to 0700 h (Monday to Saturday) and 2200 to 0800 h (Sundays and Public Holidays) as per the definition in the New South Wales Government's Industrial Noise Policy.
Noise sensitive receiver	Land uses that are sensitive to noise, such as residential areas, churches, schools and recreation areas.
Practicable and reasonable	has the same meaning as 'reasonable and feasible' in the INP.
Rating Background Level (RBL)	the same meaning as in the Interim Construction Noise Guideline (DECC 2009)
Reasonable noise abatement measures	Means those feasible noise abatement actions that are considered reasonable in the circumstances, based on a judgement that the overall noise benefits outweigh the overall adverse social economic and environmental effects, including the cost of measure. To make such a judgement, consideration is to be given to noise level impacts, noise mitigation benefits, cost effectiveness of noise mitigation and community views.
Residence	A lawful and permanent structure erected in a land-use zone that permits residential use (or for which existing use rights under the EP&A Act apply) where a person/s permanently reside and is not, nor associated with, a commercial undertaking such as caretakers quarters, hotel, motel, transient holiday accommodation or caravan park.
Soil and water management works	include all measures to control erosion and sediment such as sediment filters, drains, ponds, basins, stormwater run on and runoff controls, site stabilisation works, temporary water crossings and vehicular access controls.

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Tonal noise	the same meaning as in section 4.2 of the INP.
Tunnel	an artificial underground passage or excavation generally in a horizontal direction.
Tunnelling activities	activities involved in the horizontal excavation of a tunnel including the operation of a tunnel boring machine, road header, surface miner and the like (excluding rock hammering between 10pm to 7am in noise sensitive areas where the night time ground-borne noise objectives in the ICNG are predicted to be, or are exceeded) within a tunnel, and associated tunnel support works.

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## Dictionary

### General Dictionary

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

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



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

Ms Jacqueline Ingham

Environment Protection Authority

(By Delegation)

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## End Notes