

# Environment Protection Licence

Licence - 21139



## Licence Details

Number:	21139
Anniversary Date:	13-November

## Licensee

FULTON HOGAN CONSTRUCTION PTY LTD

PO BOX 6099

ALEXANDRIA NSW 2015

## Premises

ALBION PARK RAIL BYPASS

PRINCES HIGHWAY

ALBION PARK RAIL NSW 2527

## Scheduled Activity

Crushing, grinding or separating

Extractive activities

Road construction

## Fee Based Activity

Crushing, grinding or separating

## Scale

&gt; 100000-500000 T annual processing capacity

Land-based extractive activity

&gt; 500000-2000000 T annual capacity to extract, process or store

Road construction

&gt; 10-30 km of road constructed, widened or re-routed

## Region

Metropolitan - Illawarra

Level 3, NSW Govt Offices, 84 Crown Street

WOLLONGONG NSW 2500

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PO Box 513

WOLLONGONG EAST NSW 2520

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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:

FULTON HOGAN CONSTRUCTION PTY LTD

PO BOX 6099

ALEXANDRIA NSW 2015

subject to the conditions which follow.

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## 1 Administrative Conditions

### A1 What the licence authorises and regulates

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

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

Scheduled Activity	Fee Based Activity	Scale
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity
Extractive activities	Land-based extractive activity	> 500000 - 2000000 T annual capacity to extract, process or store
Road construction	Road construction	> 10 - 30 km of road constructed, widened or re-routed

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

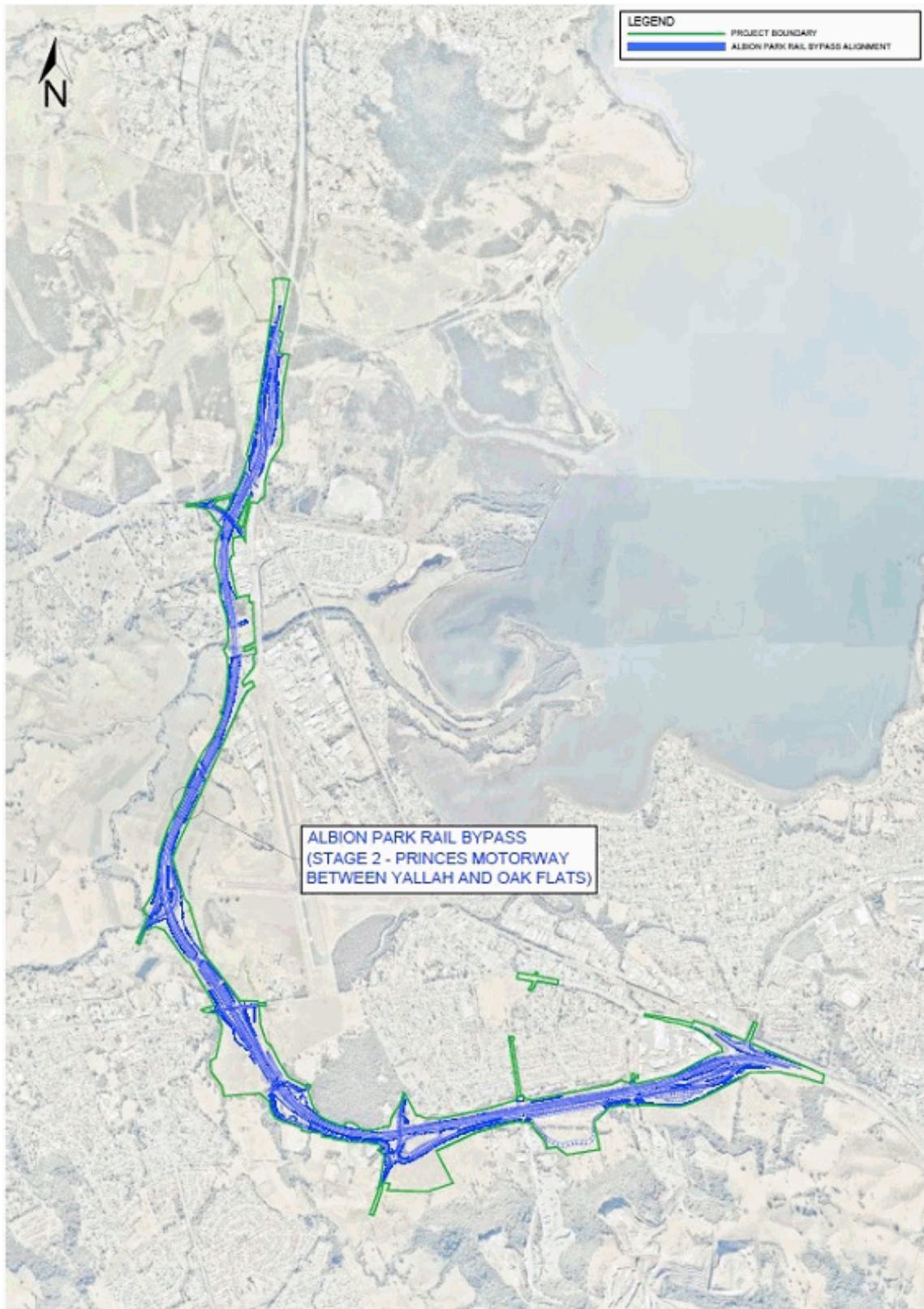
A2.1 The licence applies to the following premises:

Premises Details
ALBION PARK RAIL BYPASS
PRINCES HIGHWAY
ALBION PARK RAIL
NSW 2527
LOT 17 DP 804242
APR BYPASS - EXTENSION OF M1 PRINCES MOTORWAY BETWEEN YALLAH AND OAK FLATS.

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

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Note: The map shown at Condition A2.2 is the original Albion Park Rail Bypass project area.

A2.3 For the purposes of this licence, the premises is defined by the most recent premises map(s) held on EPA Electronic File EF18/24729 and approved in writing by the EPA.

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A2.4 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;
- be clearly described in writing;
- include 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
- demonstrate environmental impacts in relation to any changes have been considered and can be managed in an appropriate manner

A2.5 The approved premises map(s) must be available for public viewing on the licensee's project website, or a related 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.

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

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

P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

*Air*

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EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
12	Dust Deposition Monitoring		DMG 1 34 Princes Highway, Yallah
13	Dust Deposition Monitoring		DMG Control Cnr Ash Avenue and Tongarra Road, Albion Park Rail
14	Ambient Air Monitoring		RT2 2 Stapleton Street, Albion Park
15	Ambient Air Monitoring		RT1 Cnr Woolybutt Drive & East West Link, Albion Park Rail

P1.2 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.

P1.3 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 to waters, Discharge Quality Monitoring	Discharge to waters, Discharge Quality Monitoring	The outlets from the sediment basins referred to in Condition P1.4

P1.4 For the purpose of this licence, the discharge points referred to at Condition P1.3 of this licence are those sediment basins identified in the most recent version of the document "Sediment Basins - APRB Sediment Basin Table" held by the EPA on file EF18/24729.

P1.5 The licensee must notify the EPA in writing, at least 48 hours prior to the status of a basin and/or discharge point changing. This includes an active basin becoming inactive, or an inactive basin becoming active. The notification must include advice as to the basin ID Number and location.

P1.6 The licensee must provide an updated "Sediment Basins - APRB Sediment Basin Table" with all active basins identified to the EPA on the first business day of each month. All updated versions of the "Sediment Basins - APRB Sediment Basin Table" must be clearly identified by the version number.

P1.7 The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.

### Noise/Weather

EPA identification no.	Type of monitoring point	Location description
2	Noise monitoring	L1 - 20 Westwood Drive, Blackbutt
3	Noise monitoring	L2 - 78 Jarrah Way, Albion Park Rail

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4	Noise monitoring	L3 - 17 Gumnut Street, Albion Park Rail
5	Noise monitoring	L4 - 152 Croome Road, Albion Park
6	Noise monitoring	L5 - 59 Burdekin Drive, Albion Park
7	Noise monitoring	L6 - 25 Fraser Crescent, Albion Park
8	Noise monitoring	L7 - 52 Tongarra Road, Albion Park
9	Noise monitoring	L8 - 24 Terry Street, Albion Park
10	Noise monitoring	L9 - 42 Larkins Lane, Yallah
11	Noise monitoring	L10 - 4 Semillon Place, Mount Brown

## 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\`s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\`s.

L2.4 Water and/or Land Concentration Limits

#### POINT 1

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

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pH	pH	6.5 - 8.5
Total suspended solids	milligrams per litre	50
Turbidity	nephelometric turbidity units	31

**L2.5** Exceeding the limits specified in Condition L2.4 of this licence for pH and turbidity (NTU) or Total Suspended Solids (TSS) for discharges from the sediment basins identified by Condition P1.3 is only permitted when the discharge occurs solely as a result of rainfall measured at the premises. The rainfall must exceed the 5 day rainfall depth value for the corresponding discharge point in the table below over a consecutive 5 day period for discharge to be considered to occur solely as a result of rainfall.

EPA Identification Point	Classification of Basin	Design 5 day rainfall event (mm)
1	85th	41.9

**L2.6** The licence includes limits of TSS and NTU which are equivalent. Prior to any discharge the Licensee must determine whether the discharge will be assessed against NTU or TSS limits. Where TSS is used for any discharge, the Licensee must comply with the TSS licence limit prior to the discharge.

**L2.7** The licensee must develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS.

## L3 Blasting

**L3.1** The overpressure level from blasting operations lasting more than 12 months or more than 20 blasts carried out in or on the premises must not:

- exceed 115 dB(L) for more than 5% of the total number of blasts carried out on the premises within the 12 months annual reporting period; and
- exceed 120 dB(L) at any time at any residence or noise sensitive location (such as a school or hospital) that is not owned by the licensee or subject of a private agreement between the owner of the residence or noise sensitive location and the licensee as to an alternative overpressure level.

**L3.2** The overpressure level from blasting operations lasting less than 12 months or less than 20 blasts carried out in or on the premises must not:

- exceed 120 dB(L) for more than 5% of the total number of blasts carried out on the premises within the 12 months annual reporting period; and
- exceed 125 dB(L) at any time at any residence or noise sensitive location (such as a school or hospital) that is not owned by the licensee or subject of a private agreement between the owner of the residence or noise sensitive location and the licensee as to an alternative overpressure level.

**L3.3** The ground vibration peak particle velocity from blasting operations lasting more than 12 months or more

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than 20 blasts carried out in or on the premises must not:

- a) exceed 5mm/second for more than 5% of the total number of blasts carried out on the premises within the 12 months annual reporting period; and
- b) exceed 10mm/second at any time

at any residence or noise sensitive location (such as a school or hospital) that is not owned by the licensee or subject of a private agreement between the owner of the residence or noise sensitive location and the licensee as to an alternative ground vibration level.

L3.4 The ground vibration peak particle velocity from blasting operations lasting less than 12 months or less than 20 blasts carried out in or on the premises must not exceed 10mm/second at any time at any residence or noise sensitive location (such as a school or hospital) that is not owned by the licensee or subject of a private agreement between the owner of the residence or noise sensitive location and the licensee as to an alternative ground vibration level.

L3.5 Error margins associated with any monitoring equipment used to measure overpressure or ground vibration from blasting operations are not to be taken into account in determining compliance with the licence limit.

## L4 Hours of operation

### Construction Hours

L4.1 Unless otherwise specified by any other condition of this licence, all construction works must only be carried out during the operating hours in the table below:

Day	Time
Monday to Friday	7:00am to 7:00pm
Saturday	8:00am to 5:00pm
Sunday or Public Holiday	At no time

L4.2 Unless otherwise specified by any other condition of this licence, all activities resulting in high noise impact (including impulsive or tonal noise emissions) must only be carried out during the operating hours in the table below:

Day	Time
Monday to Friday	8:00am to 6:00pm
Saturday	8:00am to 1:00pm
Sunday or Public Holiday	At no time

L4.3 All activities resulting in high noise impact (including impulsive or tonal noise emissions) must only be undertaken in continuous blocks of no more than three hours each, with at least one hour respite between each block of work.

For the purpose of this condition, 'continuous' includes any period in which there is less than one hour

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respite between ceasing and recommencing any of the work subject to this condition.

## Works outside Construction Hours

L4.4 Works associated with the project may be undertaken outside the specified hours at Condition L4.1 in the following circumstances:

- a) for the delivery of materials, plant or structures required by NSW Police or other authority for safety reasons; or
- b) emergency works to avoid injury or loss of life, to avoid damage or loss of property, or to prevent environmental harm; or
- c) where carrying on those works and activities during the hours specified in Condition L4.1 would cause unacceptable risks to one or more of the following:
  - (1) construction personnel safety;
  - (2) road user and public safety;
  - (3) road network operational performance as may be notified from time to time by the Roads and Maritime Services.
- d) where a public utility provider (i.e electricity, gas, water, sewer or telecommunications) refuse to allow work on an existing service during the hours specified in Condition L4.1
- e) the Australian Rail Track Corporation (or other rail network operator) require a rail possession (involving week night and or weekend rail shutdown) for the works or activities to be performed; or
- f) The Transport for NSW Transport Management Centre (or other road authority) refuse to issue a road occupancy licence for work during the hours specified in Condition L4.1
- g) works that are no more than 5dBA LAeq (15 minute) above the rating background level at the nearest noise sensitive receiver; or
- h) works that are no more than 15dBA LAeq (1 minute) above night time rating background level at the nearest noise sensitive receiver.

To avoid any doubt, the licensee must implement all reasonable and feasible noise and vibration mitigation and management measures as part of the requirements of this condition.

The determination of the RBL and any noise modelling or monitoring undertaken to determine compliance with this condition must be undertaken in accordance with the requirements of the *Interim Construction Noise Guideline* (Department of Environment and Climate Change NSW, 2009) and *Noise Policy for Industry* (Environment Protection Authority, 2017).

L4.5 The Licensee must notify the EPA within 24 hours of becoming aware of the need for emergency works referred to in Condition L4.4.

L4.6 The licensee must notify potentially affected noise sensitive receivers of works approved outside of standard construction hours not less than 5 days and not more than 14 days before those works are to be undertaken.

- (a) The notification must be:
  - (i) by letterbox drop; and
  - (ii) be detailed on the project website.
- (b) The notification required by paragraphs (a) and (b) of this condition must:
  - (i) clearly outlined the reason the work is required to be undertaken outside the hours specified in

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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) details 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 M6.1, an after hours contact phone number specific to the works undertaken outside the hours specified in Condition L4.1, and the project website address.

## Community Agreements

L4.7 The licensee may undertake works outside of standard construction hours if agreement between the licensee and a substantial majority of potentially affected noise sensitive receivers has been reached.

L4.8 Any agreement(s) between the licensee and the potentially affected noise sensitive receivers referred to in Condition L4.7 must be:

- (a) submitted to the EPA prior to any works that are the subject of the agreement being undertaken; and
- (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) kept on the licensee's project website or the RMS project website for the duration of the agreement (personal details of residents must be omitted).

## Blasting Hours

L4.9 Unless otherwise specified by any other condition of this licence, all blasting must only be carried out during the hours in the table below:

Day	Time
Monday to Friday	9:00am to 5:00pm
Saturday	9:00am to 1:00pm
Sunday or Public Holiday	At no time

L4.10 Condition L4.9 does not apply in the event of a direction from NSW Police or other relevant authority for safety or emergency reasons to avoid loss of life, property loss and/or to prevent environmental harm.

## 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:

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- 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 All operations and activities occurring at the premises must be carried out in a manner that minimises or prevents the generation of dust at the premises and the emission of dust from the premises.

O3.2 The licensee must ensure that no material (including but not limited to rock, sediment, soil, mud, or waste) is tracked onto the public road from the premises.

## O4 Processes and management

### Erosion and Sediment

O4.1 The drainage from all areas that will mobilise suspended solids when stormwater runs over these areas must be controlled and diverted through appropriate erosion and sediment control measures.

O4.2 The licensee must minimise the area of the site that is able to generate suspended material when water runs over it

O4.3 All sediment basins and associated drainage must be installed and commissioned prior to the commencement of any clearing or grubbing works within the catchment area of the sediment basin that may cause sediment to leave the site.

O4.4 The sediment basins must be designed (stability, location, type and size), constructed, operated and maintained in accordance with the guideline "*Managing Urban Stormwater – Soils and Construction, Volume 2D, Main road construction*" (DECC 2008), to be read and used in conjunction with volume 1 "*Managing urban stormwater: soils and construction*" (Landcom 2006)

O4.5 All erosion and sediment control measures on the premises must be inspected and works undertaken to repair and/or maintain these controls:

- a) weekly during normal construction hours outlined in Condition L4.1;
- b) daily during periods of rainfall; and
- c) within 24 hours of cessation of a rainfall event causing runoff to occur on or from the premises.

The Licensee must record all such inspections including observations and works undertaken to repair and/or maintain erosion and sediment controls.

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O4.6 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:

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

## O5 Other operating conditions

### Noise and Construction

O5.1 All work and activities subject to this Licence must be undertaken in a manner that will minimise the emission of noise and vibration impacts on noise sensitive receivers.

O5.2 The licensee must implement all reasonable and feasible noise and vibration mitigation and management measures in accordance with the requirements of *Interim Construction Noise Guideline*, (DECC NSW, 2009) and *Assessing Vibration: a technical guideline*, (DECC NSW, 2006).

## 5 Monitoring and Recording Conditions

### M1 Monitoring records

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

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

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

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

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

### M2 Requirement to monitor concentration of pollutants discharged

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

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## M2.2 Air Monitoring Requirements

POINT 12,13

Pollutant	Units of measure	Frequency	Sampling Method
Solid Particles	grams per square metre per month	Monthly	Composite sample

POINT 14,15

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Continuous	Continuously
PM2.5	micrograms per cubic metre	Continuous	Continuously
Total suspended particles	micrograms per cubic metre	Continuous	Continuously

## M2.3 Water and/ or Land Monitoring Requirements

POINT 1

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	Visible	Daily during any discharge	Visual Inspection
pH	pH	Daily during any discharge	Probe
Total suspended solids	milligrams per litre	Daily during any discharge	Grab sample
Turbidity	nephelometric turbidity units	Daily during any discharge	Probe

## M2.4 Noise Monitoring Requirements

Monitoring Point	Pollutant	Unit of Measure	Frequency	Sampling Method
2, 3, 4, 5, 6, 7, 8, 9, 10, 11	Noise	dB(A)	Monthly	Australian Standard 2436-2010 Guide to noise control on construction, maintenance and demolition sites.

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## M3 Testing methods - concentration limits

M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:

- a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
- b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
- c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2010* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

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 Publication unless another method has been approved by the EPA in writing before any tests are conducted.

## M4 Weather monitoring

M4.1 Rainfall at the premises must be measured and recorded in millimetres per 24 hour period at the same time each day from the time that the site office associated with the activities permitted by this licence is established.

M4.2 The rainfall monitoring data collected in compliance with Condition M4.1 can be used to determine compliance with Condition L2.5.

## M5 Recording of pollution complaints

M5.1 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.

M5.2 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.

M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

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M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M6 Telephone complaints line

M6.1 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.

M6.2 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.

M6.3 The preceding two conditions do not apply until    the date of the issue of this licence.

M6.4 Prior to the commencement of the licensed activity, the licensee must ensure that the project's website home page provides ready access to clear and concise information about:

- a 24 hour telephone number for the registration of complaints referred to in Condition M6.1;
- a postal address for written complaints;
- an email address for electronic complaints;

M6.5 In response to any noise or vibration complaint made by any person/s or bodies other than the EPA, the licensee must:

- investigate the complaint within 2 hours of the complaint being received or within the timeframe agreed with the complainant;
- offer to attend the complainant's premises to undertake noise or vibration monitoring at the complainant's premises as soon as is practical, or at a time agreed with the complainant; and
- advise the complainant of the results of the investigation and any proposed remedial action.

M6.6 In response to any complaint referred by the EPA to the licensee, the licensee must respond to the referred complaint in a manner and timeframe specified by the EPA.

## M7 Blasting

M7.1 To determine compliance with conditions at L3 Blasting in this licence

- Airblast overpressure and ground vibration must be measured and electronically recorded at the nearest residence or noise sensitive sites (as defined in "*Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration*" (ANZECC 1990) or as otherwise directed by an authorised officer of the EPA for all blasts carried out in or on the premises; and
- The electronic record must include:
  - the time and date of each blast;
  - the station(s) at which the noise was measured;

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- iii) the ground vibration for each blast;
- iv) the airblast overpressure for each blast;
- v) evidence that during the past 12 month period, a calibration check had been carried out on each blast monitor to ensure accuracy of the reported data; and
- vi) the waveform for the ground vibration and overpressure for each blast that exceeds a ground vibration of 5mm/sec (peak particle velocity) or an airblast overpressure of 115dB(L).

c) Instrumentation used to measure the airblast overpressure and ground vibration must meet the requirements of Australian Standard AS 2187.2-2006.

## M8 Other monitoring and recording conditions

M8.1 Noise monitoring must be carried out in accordance with Australian Standard AS 2659.1 – 1998: Guide to the use of sound measuring equipment – Portable sound level meters, and the compliance monitoring guidance provided in the NSW Industrial Noise Policy.

M8.2 Vibration monitoring must be carried out in accordance with the guidance provided in the Environmental Noise Management Assessing Vibration: A Technical Guideline, published by the Department of Environment and Conservation, February 2006.

## 6 Reporting Conditions

### R1 Annual return documents

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

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

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

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

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

R1.3 Where this licence is transferred from the licensee to a new licensee:  
a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new

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licensee is granted; and

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

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

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

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

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

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

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

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

## R2 Notification of environmental harm

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

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

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

## R3 Written report

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

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

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA

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within such time as may be specified in the request.

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

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

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

## 7 General Conditions

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

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

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.

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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

Mr William Dove

Environment Protection Authority

(By Delegation)

Date of this edition: 13-November-2018

## End Notes

2 Licence varied by notice 1575933 issued on 03-Apr-2019

3 Licence varied by notice 1592184 issued on 29-Apr-2020