



# Environment Protection Licence

Licence - 21149

## Licence Details

Number:	21149
Anniversary Date:	09-October

## Licensee

SAMSUNG C&T CORPORATION
BOUYGUES CONSTRUCTION AUSTRALIA PTY LTD
ACCIONA INFRASTRUCTURE PROJECTS AUSTRALIA PTY LTD
PO BOX 63
MASCOT NSW 1460

## Premises

WESTCONNEX STAGE 3A - M4-M5 MAINLINE TUNNELS
WESTCONNEX BETWEEN M4 EAST AT HABERFIELD AND THE NEW M5 AT ST. PETERS
MARRICKVILLE NSW 2204

## Scheduled Activity

Road construction
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## Fee Based Activity

## Scale

Road construction ( $\geq 50,000T$ & road to be constructed $< 10km$ )	50000-100000 Remaining extraction or processing
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## Contact Us

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10 Darcy Street
PARRAMATTA NSW 2150
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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>SAMSUNG C&amp;T CORPORATION</b>
<b>BOUYGUES CONSTRUCTION AUSTRALIA PTY LTD</b>
<b>ACCIONA INFRASTRUCTURE PROJECTS AUSTRALIA PTY LTD</b>
<b>PO BOX 63</b>
<b>MASCOT NSW 1460</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
Road construction	Road construction ( $\geq 50,000T$ & road to be constructed $< 10km$ )	50000 - 100000 Remaining extraction or processing

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

A2.1 The licence applies to the following premises:

Premises Details
WESTCONNEX STAGE 3A - M4-M5 MAINLINE TUNNELS
WESTCONNEX BETWEEN M4 EAST AT HABERFIELD AND THE NEW M5 AT ST. PETERS
MARRICKVILLE
NSW 2204

A2.2 In relation to condition A2.1, the premises is the area shown within the 'Construction Premise Boundary' and 'Underground Tunnel Premise Boundary' on the diagram titled "*M4-M5 Link Mainline Tunnels - Detailed EPL Premise Map - Current*" held on the EPA electronic file EF17/13247.

A2.3 Premises maps are not deemed to be approved by the EPA unless confirmed in writing.

A2.4 Premises maps changes as a result of scheduled land portion handover, land portion surrenders or land portion additions are permitted to be altered through this condition. Any proposed variations to the premises must:

- be submitted to the EPA in electronic format; and
- be a complete map set containing unique identifiers for revision number and map sheet numbers; and
- be submitted to the EPA no less than 5 business days prior to the scheduled handover, surrender or land portion addition date.

A2.5 The approved premises maps 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.

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## A3 Information supplied to the EPA

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

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

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

## A4 Other administrative conditions

- A4.1 The requirements outlined in conditions A2.5, and G1.1 shall only come into force when works and activities commence at the licensed premises.
- A4.2 The EPA must be notified in writing 7 calendar days prior to works and activities commencing at the licensed premises.

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

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

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

## 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 Noise limits

- L2.1 The licensee must implement all feasible and reasonable noise and vibration mitigation and management measures in or on the premises during construction works, to minimise noise and vibration impacts on nearby noise and vibration sensitive receivers. This must involve, but is not limited to:
- a) implementing noise and vibration mitigation measures described in the WestConnex M4-M5 Link Environmental Impact Statement dated August 2017 (EIS), and the WestConnex M4-M5 Link Submissions

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- and Preferred Infrastructure Report dated January 2018 to achieve construction 'noise affected' Noise Management Levels (NML's) contained in the EIS; and
- b) implementing additional noise mitigation measures as may be necessary throughout the life of construction works to minimise exceedances of NML's at nearby noise sensitive receivers; and
  - c) consideration of the "Interim Construction Noise Guidelines" (DECC, 2009); and
  - d) consideration of the "Environmental Noise Management - Assessing Vibration: a technical guideline" (DEC, 2006).

## L3 Blasting

L3.1 The controlled blasting must be completed in accordance with the *M4-M5 Link Mainline Tunnels Blast Management Strategy V6* dated 26/11/2020 and the M4-M5 Link Mainline Tunnels Blast Monitoring Program V7 dated 1/12/2020 stored on file EF17/13247.

L3.2 Blasting activities must:

- a) only undertaken between the hours of 7:00 am and 6:00 pm Monday to Friday;
- b) only undertaken between the hours of 8:00 am and 6:00 pm on Saturdays.
- c) include a maximum of two blasts per day up to 10mm/s and a further two blasts up to 5mm/s at any sensitive receiver.

Where compelling safety reasons exist, the EPA may permit a blast to occur outside the above mentioned hours. Prior written notification of any such blast must be made to the EPA.

L3.3 At monitoring locations described in condition P1.4, the ground peak vibration velocity from controlled blasting operations carried must not exceed 10mm/s at anytime.

L3.4 To determine compliance with condition L4.3:

- a) Ground vibration levels must be measured and electronically recorded for all blasts carried out in or on the premises at the monitoring points described in condition P1.4;
- b) Instrumentation used to measure the ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006: *Explosives—Storage and use Part 2: Use of explosives*.
- c) Error margins associated with any monitoring equipment used to measure ground vibration levels are not to be taken into account in determining whether or not the limit has been exceeded.

L3.5 All controlled blasting monitoring results conducted under P1.4 must be reported and submitted to the EPA for the first 14 days of when the production blasting is commenced.

- a) The results for Monday to Friday blasting must be submitted within 24 hours of each blast.
- b) The results for Saturday blasting must be submitted by COB the following Monday for each blast.

Note: After 14 days of reporting the EPA will consider the frequency of the reporting program being conducted.



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## L3.6 Controlled Blasting Community Notification

The licensee must notify potentially affected sensitive receivers predicted (modelled) to be within the 2mm/sec contour to be impacted by the controlled blasting between 7 and 5 calendar days prior to the controlled blasting occurring.

The notification must be by letterbox drop or email and include, as a minimum, the following information:

- i. Relevant details about the planned controlled blasting including dates, times and locations;
- ii. Clearly state how additional information can be obtained including the project website; and
- iii. Clearly state how complaints can be made including provision of the number of the telephone complaints line required by condition M5.1, and afterhours contact phone number specific to the controlled blasting.

## L4 Hours of operation

L4.1 Unless otherwise specified by any other condition of this licence, construction works is:

- a) restricted to between the hours of 7:00am and 6:00pm Monday to Friday;
- b) restricted to between the hours of 8:00am and 6:00pm Saturday; and
- c) not to be undertaken on Sundays or Public Holidays.

L4.2 Any high noise impact works and activities must only be undertaken:

- a) between 8:00 am and 6:00 pm Monday to Friday;
- b) between 8:00 am and 1:00 pm Saturday; and
- c) in continuous blocks of no more than 3 hours, with at least a 1 hour respite between each block of work generating high noise impact, where the location of the works and activities is likely to impact the same noise sensitive receivers; except as expressly permitted by another condition of this licence.

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

L4.3 Exemptions to standard construction hours for low noise impact works

The following works and activities may be carried out outside of the hours specified in condition L5.1 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; and
- b) LA1(1 minute) or LAm<sub>ax</sub> noise levels greater than 15dB above the night RBL for night works; and
- c) continuous or impulsive vibration values greater than those for human exposure to vibration, set out for residences in Table 2.2 in "Environmental Noise Management - Assessing Vibration: a technical guideline" (DEC, 2006); and
- d) intermittent vibration values greater than those for human exposure to vibration, set out for residences in Table 2.4 in "Environmental Noise Management - Assessing Vibration: a technical guideline" (DEC, 2006).

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

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condition.

## L4.4 Exemptions to standard construction hours in exceptional circumstances

- a) The licensee may undertake works outside of standard construction hours if any of the following applies:
- i. emergency works is required to avoid the loss of lives or property, or to prevent material harm to the environment;
  - ii. the delivery of oversized plant or structures has been 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 construction work under this condition notify the EPA's Environment Line as soon as practicable and submit a report to the EPA by 2pm on the next business day after the emergency works commenced that describes:
- i. the cause, time and duration of the emergency; and
  - 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.

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

## L4.5 Exemptions to standard construction hours for tunnelling, tunnelling support and underground construction works

The following works are permitted to be undertaken 24 hours a day, 7 days a week:

- a) tunnelling activities excluding cut and cover tunnelling;
- b) haulage of spoil and delivery of material necessary to carry out tunnelling activities;
- c) works within an acoustic shed; and
- d) tunnel fit out works.

## L4.6 Works outside of standard construction hours (out-of-hours works)

Works may be undertaken outside of standard construction hours (out-of-hours works) but only if one or more of the following applies:

- a) carrying on those works and activities during the hours specified in condition L5.1 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
- b) the relevant road network operator has advised the licensee in writing that carrying out the works and activities during the hours specified in condition L5.1 would result in a high risk to road network operational performance;
- c) the relevant utility service operator has advised the licensee in writing that carrying out the works and activities during the hours specified in condition L5.1 would result in a high risk to the operation and integrity of the utility network; or
- d) the TfNSW Transport Management Centre (or other road authority) have refused to issue a road occupancy licence during the hours specified in condition L5.1.

## L4.7 Works outside of standard construction hours - Regulatory Requirements

In undertaking any out-of-hours works under condition L5.6, the licensee must comply with the following:

- a) Prepare a construction noise impact assessment that is to include:
  - i. a description of the proposed out-of-hours works;

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ii. predictions of LAeq (15 minute) noise levels at noise sensitive receivers from these works and activities, where noise levels are predicted to be greater than those permitted under condition L5.3; and

iii. a monitoring plan to validate the noise predictions, based on monitoring at the boundary of representative sensitive receivers during noise generating activities that are representative of the out-of-hours works;

b) Repealed.

c) Only undertake activities between the hours of 6:00pm on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays and 7:00am the following day;

d) Ensure that out-of-hours works do not result in noise levels exceeding those specified in condition L5.3 at the same noise sensitive receivers on more than:

- i. 2 consecutive evenings and or nights per week; and
- ii. 3 evenings and or nights per week; and
- iii. 10 evenings and or nights per month.

e) Where high noise impact activities are undertaken, the respite provisions as per the requirements of condition L5.2(c) do not apply provided that all high noise impact activities are undertaken prior to 11pm where reasonable and feasible.

f) The licensee must notify the EPA of the commencement date of any out-of-hours works carried out under condition L5.6, 2 weeks prior to any work commencing at the licensed premises.

Note: The related monitoring requirement is specified in condition M6.4, and the relevant reporting requirements are specified in conditions R4.1b)vi. and R4.2.

## L4.8 Works outside of standard construction hours - Notification

In undertaking any out-of-hours works under condition L5.6, the licensee must notify potentially affected noise sensitive receivers of works outside of standard construction hours not less than 5 calendar days and not more than 14 calendar days before those works are to be undertaken.

a) The notification must be:

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

b) The notification required by this Condition must:

- i. Clearly outline the reason that the work is required to be undertaken outside the hours specified in condition L5.1;
- 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 M5.1, an after hours contact phone number specific to the works undertaken outside the hours specified in condition L5.1, and the project website address.

## L4.9 Works outside of standard construction hours - Respite Night Coordination

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- a) In undertaking any out-of-hours works under condition L5.6, the licensee must not allow out-of-hours works to occur on the respite night of any noise sensitive receiver that is likely to be affected by any works carried out:
- i. outside the premises under the WestConnex M4-M5 Link SSI 7485 Infrastructure Approval issued under section 5.19 of the Environmental Planning and Assessment Act 1979 ('the Infrastructure Approval'); or
  - ii. under environment protection licences 4627, 20772 ("the New M5 licences") and 20734 ("the M4 East licence") issued under the Act.
- b) The licensee must coordinate the timing of out-of-hours works with the holders of the New M5 licences, and the M4 East licence to meet the requirements of this condition.

For the purposes of this condition, 'respite night' means an evening and night period when;

- a) a noise sensitive receiver is affected by noise levels from works less than those specified in condition L5.3, or
- b) out-of-hours works are not occurring under condition L5.6.

## L4.10 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.

- L4.11 Any agreement(s) between the licensee and noise sensitive receivers referred to in condition L5.10 must be:
- a) submitted to the EPA for approval 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); and
  - d) prepared and implemented in accordance with condition E1.

## L4.12 Additional Out Of Hours Works

Concrete work activities associated with the ventilation building and substation construction at St Peter's Interchange are permitted to be undertaken outside of standard construction hours as specified in L5.2 due to technical quality requirements and specifications. That requires the concrete to be poured at RMS specification B80.

- a) In undertaking any works or activities under this condition the licensee must comply with the mitigation measures described in the Noise Vibration Management Plan and the assessment submitted to the EPA 29/5/2020.
- b) These works will be undertaken in maximum eight events (pours) with one continuous shift for each event and minimum one week apart between the events.
- c) The licensee must notify the EPA 24 hours prior to each scheduled event to the environment line.

Note: The eight events are scheduled between June 2020 through to November 2021.

For the avoidance of doubt, conditions L4.8 and L4.9 will be applicable to any works carried out in accordance with this condition.

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## 4 Operating Conditions

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

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

This includes:

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

### O2 Maintenance of plant and equipment

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

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

### O3 Dust

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

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

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

### O4 Waste management

O4.1 The licensee must assess, classify and manage any waste generated at the premises in accordance with the *Waste Classification Guidelines Part 1: Classifying Waste, November 2014* prior to taking the waste off the premises.

O4.2 The licensee must not cause, permit or allow any waste generated outside the licensed premises to be received at the licensed premises for storage, treatment, processing, reprocessing, or disposal on the licensed premises, except as expressly permitted by an environment protection licence or resource recovery order and resource recovery exemption under the POEO Act, if such a licence is required in relation to that waste.

#### O4.3 Waste Management Plans

Waste Management Plans must be prepared for all demolition/construction/excavation works undertaken on the premises that generate waste that will be disposed offsite (not including office paper or cardboard). The plan must be completed prior to waste being transported off the premises. The plans must include the following:



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- a) Estimations of the different waste types to be generated from the proposed works; and
- b) Estimations of how much of each waste type will be generated from the proposed works; and
- c) List of all places (full street address) where waste will be transported to; and
- d) Written confirmation from each place of disposal (listed in point c) that they can lawfully receive the types of waste proposed to be transported there; and
- e) Where the place of disposal changes after the plan has been made, an amendment to the plan can be made as an addendum that includes an update points a) to d) above.

O4.4 The licensee must ensure waste management, waste transport and waste disposal is carried out in accordance with the waste management plans prepared for the premises.

O4.5 A copy of all waste management plans must be kept on the premises.

## O4.6 Waste Transport Documentation and Record Keeping

Legible copies of all receipts and/or weighbridge dockets in relation to disposal of waste from the premises must be collected from transporters and/or contractors and kept by the licensee.

## O5 Other operating conditions

### O5.1 Long-term Environmental Management Plan

The licensee must implement all of the environmental protection measures (including monitoring, reporting and any required contingency action processes) in accordance with the document entitled 'Long-Term Environmental Management Plan - St Peters Interchange Area, WestConnex Stage 3A' ('LTEMP') prepared by Senversa Pty Ltd and dated 6 September 2022, unless otherwise agreed to in writing with the EPA.

Note: Annual reports must be provided to the EPA each year from December 2023 to 2032 inclusive, and verification reports must be provided at the end of 2027 and 2033.

## 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



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d) the name of the person who collected the sample.

## M2 Recording of pollution complaints

M2.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M2.2 The record must include details of the following:

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

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

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

## M3 Telephone complaints line

M3.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M3.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

M3.3 The preceding two conditions do not apply until 5 business days after the date of the issue of this licence.

## M4 Noise monitoring

M4.1 All noise monitoring must be undertaken in accordance with Australian Standard AS 2659.1 – 1998: "Guide to the use of sound measuring equipment – portable sound level meters", or any revisions of that standard which may be made by Standards Australia, and the compliance monitoring guidance provided in the "NSW Noise Policy for Industry" (EPA, 2017).

M4.2 All vibration monitoring must be undertaken in accordance with the technical guidance provided in the "Environmental Noise Management - Assessing Vibration: a technical guideline" (DEC, 2006). All vibration monitoring results may be assessed and reported against the acceptable values of human exposure to vibration set out in Tables 2.2 and 2.4 of the guideline.

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

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M4.4 During out-of-hours works undertaken in accordance with condition L4.6, noise monitoring is to be undertaken in accordance with the monitoring plan prepared under condition L4.7 a).

## 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.

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

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

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

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

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

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- 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.



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- R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- the licence holder; or
  - 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 they became aware of the incident.

## R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- where this licence applies to premises, an event has occurred at the premises; or
  - 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:
- the cause, time and duration of the event;
  - the type, volume and concentration of every pollutant discharged as a result of the event;
  - 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;
  - 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;
  - action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
  - details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
  - 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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## 7 General Conditions

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

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

### G2 Contact number for incidents and responsible employees

- G2.1 The licensee must provide the EPA with up to date contact details to enable the EPA:
  - a) to contact either the licensee or a representative of the licensee who can respond at all times to incidents relating to the premises, and
  - b) to contact the licensee's senior employees or agents authorised at all times to:
    - i. speak on behalf of the licensee, and
    - ii. provide any information or document required under licence.
- G2.2 The contact details required by condition G2.1 above must include:
  - a) the full name and title of the authorised representatives and the scope of their respective authorisations; and
  - b) the direct telephone number, mobile number, email address and postal address for contacting each authorised representative.

### G3 Other general conditions

- G3.1 Environmental induction
  - a) The licensee must ensure that before any construction work is undertaken, all personnel involved in undertaking that work receive environmental induction training.
  - b) The induction training must:
    - i. Clearly identify the location of all noise sensitive receivers likely to be affected by noise or vibration generated during the course of the work undertaken by those personnel; and
    - ii. Highlight the licence requirements to minimise noise and vibration impacts on noise sensitive receivers.

## 8 Special Conditions

### E1 Special Dictionary

- E1.1 Special Dictionary

The control blasting trial sensitive receiver is defined as: The land use at which vibration from the

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activity/blasting can potentially be felt by an occupant.

Term	Meaning
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).
Construction works	includes all construction work and activities, and all construction-related work and activities, undertaken on the premises.
Day	the period from 0700 to 1800 h (Monday to Saturday) and 0800 to 1800 h (Sundays and Public Holidays).
Evening	the period from 1800 to 2200 h.
Feasible and reasonable	feasible means actions to reduce impacts, and is capable of being put into practice or engineered and practical to build given project constraints. Reasonable means selecting reasonable measures from those that are feasible based on whether the overall benefits outweigh the overall adverse social, economic and environmental effects, including the cost of the measure.
High noise impact works and activities	means work occurring on the surface that generates noise with impulsive, intermittent, tonal or low frequency characteristics, and may include jack hammering, rock breaking or hammering, pile driving, vibratory rolling, cutting of pavement, concrete or steel.
Night	the period from 2200 to 0700 h (Monday to Saturday) and 2200 to 0800 h (Sundays and Public Holidays).
Noise Management Levels (NML's)	has the same meaning as "Airborne Noise Management Levels" in the Interim Construction Noise Guideline (DECC, 2009).
Noise sensitive receiver	Land uses that are sensitive to noise, such as residential areas, churches, schools and recreation areas.
Out-of-hours works (OOHW)	means construction works and activities undertaken outside those times prescribed by condition L4.1.
Standard construction hours	means the times specified in condition L4.1.

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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
<b>Wellhead</b>	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Mr Mike Sharpin

Environment Protection Authority

(By Delegation)

Date of this edition: 09-October-2018

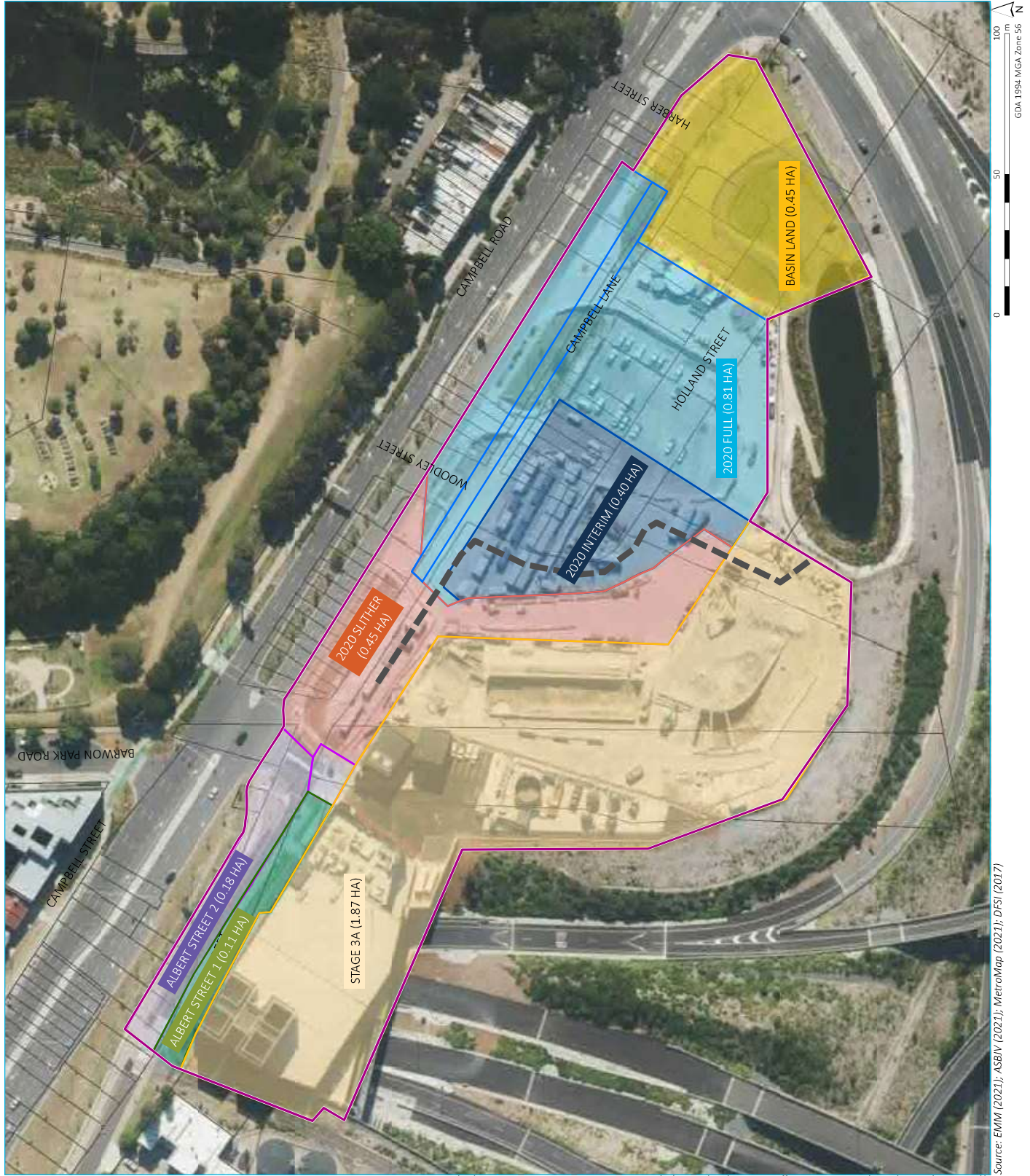
# Environment Protection Licence

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## End Notes

2	Licence varied by notice	1575164 issued on 25-Jan-2019
3	Licence varied by notice	1576547 issued on 27-Feb-2019
4	Licence varied by notice	1576785 issued on 08-Mar-2019
5	Licence varied by notice	1582531 issued on 19-Jul-2019
6	Licence varied by notice	1587476 issued on 01-Nov-2019
7	Licence varied by notice	1594860 issued on 15-May-2020
8	Licence varied by notice	1595196 issued on 12-Jun-2020
9	Licence varied by notice	1597223 issued on 22-Jul-2020
10	Licence varied by notice	1597841 issued on 24-Jul-2020
11	Licence varied by notice	1599691 issued on 10-Dec-2020
12	Licence varied by notice	1617357 issued on 05-Apr-2022
13	Licence varied by notice	1618701 issued on 21-Dec-2022
14	Licence varied by notice	1625493 issued on 21-Dec-2022
15	Licence varied by notice	1628363 issued on 14-Jun-2023
16	Licence varied by notice	1635536 issued on 04-Apr-2024





- KEY**
- Site audit area
  - Vertical barrier wall
  - Cadastral boundary
  - Configuration of SPI Site
  - Basin Land
  - 2020 Full
  - 2020 Interim
  - 2020 Slither
  - Albert Street 2
  - Albert Street 1
  - Stage 3A

SPI site area

ASBJV - St Peters Interchange  
 Long Term Environmental Management Plan  
 Figure 1.2



Source: EMM (2021); ASBJV (2021); MetroMap (2021); DFSI (2017)