Section 55 Protection of the Environment Operations Act 1997

Environment Protection Licence

Licence Details	
Number:	21784
Anniversary Date:	16-March

Licensee
JOHN HOLLAND PTY LTD
LEVEL 3, 65 PIRRAMA ROAD
PYRMONT NSW 2009

Premises
Sydney Metro West - Eastern Tunnelling Package
SYDNEY NSW 2000

Scheduled Activity (Act)	Licensing Fee Category (Regulation)	Scale
Railway activities - Railway infrastructure construction	Railway infrastructure construction (>=50,000T & track to be constructed <=10km)	> 500000 - 2000000 Remaining extraction or processing

Environment Protection Licence

Contact Us

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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 information to be sent to the EPA

For each licence fee period you must pay:

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

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

The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees.

A licence subject to load-based licensing (LBL) requires an Annual Return to be submitted to the EPA, comprising a Statement of Compliance for Load Based Fee Calculation for each assessable pollutant required by the licence. The Annual Return must be submitted by the "due date", as defined in the dictionary at the end of the licence. Refer to the Annual Return reporting requirements under Section 6 "Reporting Conditions".

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:

Licensee
JOHN HOLLAND PTY LTD
LEVEL 3, 65 PIRRAMA ROAD
PYRMONT NSW 2009

subject to the conditions which follow.

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 (Act) classification, Licensing Fee Category (Regulation) 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 (Act)	Licensing Fee Category (Regulation)	Scale
Railway activities - Railway infrastructure construction	Railway infrastructure construction (>=50,000T & track to be constructed <=10km)	> 500000 - 2000000 Remaining extraction or processing

A1.2 Permitted Works

This licence only permits construction works during standard construction hours and works outside of the standard construction hours (as listed in Condition L5.1) that have been assessed within a Detailed Noise and Vibration Impact Statement (DNVIS), unless the requirements of Conditions L5.3 and L5.4 are satisfied. The DNVIS must be submitted to the EPA for information prior to the commencement of the respective works or within five business days of being endorsed by the Acoustic Advisor, whichever is earlier.

Note: This condition does not apply where out of hours works are undertaken in accordance with Condition L5.8

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
Sydney Metro West - Eastern Tunnelling Package
SYDNEY NSW 2000
LOT //DP
Sydney Metro West - Eastern Tunnelling Package The Bays to Hunter Street, Sydney NSW 2000

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

A2.3 In relation to Condition A2.1, the premises are defined by the most recent premises map(s) held on EPA Electronic File EF23/471 and approved in writing by the EPA.

A2.4 Premises map(s) changes are permitted to be altered through this condition. Any proposed variations to the premises must:

a) be submitted to the EPA in electronic format for approval;
b) be clearly described on a complete map set containing unique identifiers for revision number, map sheet numbers and issue date;
c) 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;
d) be clearly described in writing submitted at the same time as the complete map set;
e) be lawful and permitted under the relevant approval; and
f) if changes to the nature of works are proposed, the licensee must demonstrate any additional environmental impacts in relation to any changes have been considered and can be managed in an appropriate manner.

A2.5 The most recently 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 5 business days after the approval of the map(s) by the EPA. The requirements outlined in this condition only come into force when works or activities commence at the licensed premises.

A3 Information supplied to the EPA

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

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

A3.2 Unless specifically stated by another condition of this licence, Environmental Management Plans or systems supplied to the EPA by the licensee do not form part of this licence.

A3.3 Whenever collecting information from any member of the public, including complaints or consent to out of hours work, a licensee must seek consent from the member of the public for the disclosure of their personal information, and collection by the EPA, or any other NSW government agency.

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 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 Number	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Discharge & Monitoring	Discharge & Monitoring	Discharge from the Hunter St Station WTP to Sydney Harbour
2	Discharge & monitoring	Discharge & monitoring	Discharge from the Eastern Creek Precast Facility sediment basin

P1.2 All licensed monitoring and discharge points referred to in condition P1.1, must be approved by the EPA and identified:

a) in the premises map(s) most recently submitted and approved in writing by the EPA under condition A2.2; and
b) in a schedule submitted to the EPA. The schedule, including any proposed updates, must:
i) be submitted to the EPA in electronic format no less than 5 days prior to any changes;
ii) include unique identifiers consistent with the map(s) required by this condition; and
iii) include easting and northing coordinates for all licensed monitoring and discharge points.

P1.3 The premises map(s) and schedule are maintained on electronic file EF23/471.

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	UOM	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Nitrate	micrograms per litre				660
Arsenic (III)	micrograms per litre				8
Cadmium	micrograms per litre				0.7
Chromium (hexavalent)	micrograms per litre				38
Cobalt	micrograms per litre				1
Copper	micrograms per litre				1.3
Iron	micrograms per litre				700
Zinc	micrograms per litre				15
TRH C10-C14	micrograms per litre				100
Aluminium	micrograms per litre				900
Manganese	micrograms per litre				80
Phosphorus (total)	micrograms per litre				140

Nitrogen (total)	micrograms per litre				1,720
Ammonia	micrograms per litre				910
pH	pH				7.0-8.5
Total suspended solids	milligrams per litre				15

POINT 2

Pollutant	UOM	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				50

POINT 1,2

Pollutant	UOM	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	Visible				Not visible

L2.5 Exceeding the limits specified in Condition L2.4 of this licence for discharges of pH and TSS from the discharge point(s) identified by conditions P1.1 is only permitted if: a) the discharge occurs solely as a result of rainfall measured at the premises exceeding the design rainfall depth value for the corresponding discharge point as described in condition P1.3; and b) the sediment basins and other erosion and sediment controls corresponding to the discharge point(s) have been designed, constructed, operated and maintained in accordance with condition O4.2 of this licence.

L2.6 If the licensee uses turbidity (e.g. NTU) in place of TSS to determine compliance with Condition L2.4, the licensee must:
a) develop a robust site-specific statistical correlation assessment methodology that identifies the relationship between turbidity and TSS for water quality from the discharge point(s);
b) develop a method to enable the ongoing verification of the relationship between turbidity and

TSS;
c) provide the EPA with a copy of the methodologies detailed in a) and b), including relevant results, for approval before using turbidity in place of TSS; and
d) provide the EPA with any amendments the licensee makes to the statistical correlation as a result of the ongoing verification required by this condition before using the revised statistical correlation.

L3 Noise limits

L3.1 The licensee must minimise noise and vibration impacts at residences and other sensitive land uses. To meet the requirements of this condition the licensee must:

a) implement the guidance in the Interim Construction Noise Guideline (DEC, 2009) and the Assessing Vibration: a technical guideline (DEC, 2006);
b) implement all reasonable and feasible measures to minimise noise impacts in accordance with the Interim Construction Noise Guideline (DEC, 2009); and
c) implement vibration mitigation in accordance with the Assessing Vibration: a Technical Guideline (DEC, 2006).

In this condition, 'reasonable' and 'feasible', in relation to noise management, have the same meaning as defined in the Interim Construction Noise Guideline (DEC, 2009).

L3.2 When construction activities include 'High Noise Impact Activities and Works' as defined in the special dictionary in this licence, quantitative construction noise assessments shall apply a +5 dB correction to the measured or predicted level of construction noise at the nearest sensitive receiver location before assessment against the Interim Construction Noise Guideline (DECC, 2009) noise management levels.

L4 Blasting

L4.1 All blasting activities are prohibited on the licensed premises.

L5 Hours of operation

L5.1 **Standard construction hours**
Unless permitted by another condition of this licence, construction works and activities must:
a) only be undertaken between the hours of 7:00 am and 6:00 pm Monday to Friday:
b) only be undertaken between the hours of 8:00 am and 6:00 pm Saturday; and
c) not be undertaken on Sundays or Public Holidays.

L5.2 **High Noise Impact Activities and Works**
Unless permitted by another condition of this licence, any High Noise Impact Activities and Works that exceed the applicable Noise Management Level (NML) at a Noise Sensitive Receiver 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) if high noise impact works are to be conducted continuously and the location of the works means that it is likely to impact the same receivers, then the works must be conducted in continuous blocks of no more than 3 hours, with at least a 1-hour respite between each block of

continuous high noise impact work; except as expressly permitted by another condition of this licence.

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

L5.3 Exemptions to standard construction hours for low noise impact works

Works and activities may be carried on outside of standard construction hours specified in condition L5.1 if the works and activities do not cause, when assessed at the boundary of the most affected Noise Sensitive Receiver:

a) LAeq(15 minute) noise levels greater than 5dB above the day, evening or night rating background level (RBL) at any residence in accordance with the ICNG; and
b) no more than the "Noise affected" NMLs specified in Table 3 of the ICNG at other sensitive land users(s); and
c) LA1(1 minute) or LAmax noise levels greater than 15 dB above the night RBL for night works;
d) the preferred continuous or impulsive vibration values greater than those for human exposure to vibration, set out for residences in Table 2.2 in Assess Vibration: a technical guideline (DEC, 2006); and
e) the preferred intermittent vibration values greater than those for human exposure to vibration, set out for residences in Table 2.4 in Assessing Vibration: a technical guideline (DEC, 2006).

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

L5.4 Exemptions to standard construction hours in exceptional circumstances

a) The licensee may undertake work and activities outside of standard construction hours specified in condition L5.1 for:
i. emergency works required to avoid injury to persons, the loss of life or property, or to prevent material harm to the environment; and
ii. the delivery of oversized plant, structures or materials determined by the police or other authorised authorities to require special arrangements to transport along public roads.

b) The licensee must, on becoming aware of the need to undertake emergency works under this condition notify the EPA's Environment Line as soon as practicable and submit a report to the EPA by 4:00 pm on the next business day after the emergency works commenced that describes:
i. the cause, time and duration of the emergency;
ii. action taken by or on behalf of the licensee in relation to the emergency; and
iii. details of any measures taken or proposed to be taken by the licensee to prevent or mitigate against a recurrence of the emergency.

Note: For the purposes of this condition:

a) 'material harm to the environment' has the same meaning as in section 147 of the POEO Act,
b) Emergency works under condition L5.4 do not require notification under condition L5.5.

L5.5 Works outside of standard construction hours - Notification

The licensee must notify potentially affected noise sensitive receivers of works outside of standard construction hours not less than 5 calendar days and not more than 14 calendar days before those works are to be undertaken (or otherwise agreed with the affected community and notified to the EPA unless notification under this Condition is not required as specified in another condition of this licence).

a) The notification must:
i) be undertaken by letterbox drop, email, or other equivalent method requested by the stakeholder (e.g text message, WhatsApp or other targeted method); and
ii)be detailed on the project website or other relevant website notified to the EPA.

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 under condition M7.1, an after hours contact phone number specific to the works undertaken outside the hours specified in condition L5.1, and the project website address.

L5.6 The licensee must make all reasonable and feasible efforts to coordinate all works outside of standard constructions with any neighbouring concurrent construction works that have the potential to impact the same Noise Sensitive Receivers. The licensee must ensure Respite Periods are being achieved as much as is reasonably practicable.

L5.7 Condition L5.6 does not apply to low impact noise work permitted by condition L5.3 or emergency works permitted by L5.4 of this licence.

L5.8 Works outside of standard construction hours (out-of-hours works)

Under this condition, works and activities may be undertaken outside of standard construction hours specified in condition L5.1 and L5.2, but only if they are required in relation to one or more of the following:

a) carrying on those works and activities during standard construction hours 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 31000:2018 "Risk Management";
b) the Relevant Road Network Operator has advised the licensee in writing that carrying out the works and activities during standard construction hours would result in a high risk to road network operational performance;
c) a relevant utility service operator has advised the licensee in writing that carrying out the works and activities during standard construction hours would result in a high risk to the operation and

integrity of the utility network;
d) the TfNSW Transport Management Centre (or other road authority) have refused to issue a road occupancy licence during standard construction hours; or
e) Sydney Trains (or other rail authority) requires a rail possession for the activities to be performed outside of standard construction hours.

L5.9 Works outside of standard construction hours - Regulatory Requirements

In undertaking any works and activities outside of standard construction hours under condition L5.8, the licensee must comply with the following:

a) Prepare a construction noise and vibration impact assessment in accordance with the Interim Construction Noise Guideline (DEC,2009) that is to include:
i. a description of the proposed works and activities outside of standard constructions hours;
ii. predictions of LAeq(15 minute) dB 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 sensitivie receivers during noise generating activities that are representative of the works and activities, including during the period/s predicted to have the highest noise level impacts.

b) Undertake noise monitoring in accordance with the monitoring plan required by condition L5.9(a)(iii).

c) Only undertake activities between the hours of 6:00 pm on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays and 7:00 am the following day (unless permitted by another condition of this licence).

d) Activities are not to be undertaken between the hours of 6:00 pm on Saturdays, Sundays, or Public Holidays and 7:00 am the following day (unless permitted by another condition of this licence).

e) Ensure that works and activities do not result in noise levels exceeding those specified in condition L5.3 at the same noise sensitive receivers (unless specified in another condition of this licence) on more than:
i. 2 consecutive evenings and/or nights at any time; and
ii. 3 evenings and/or nights per week; and
iii. 10 evenings and/or nights per month.

f) Undertake any high noise impact works before 12:00 am (midnight) where reasonable and feasible.

g) 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 and Works are undertaken prior to 12:00 am (midnight).

h) Where high noise impact activities are undertaken after 12:00 am (midnight), the licensee is required to submit a written report to the EPA within 2 business days of the activity outlining the

justification for continuing high noise impact works after midnight and the reasonable and feasible mitigation measures that were implemented to address night time impacts.

i) Upon request of an authorised officer, the licensee must provide within 5 business days:
i. the construction noise and vibration impact assessment required by condition L5.9(a);
ii. noise monitoring results required by condition L5.9(b);
iii. written evidence demonstrating the works are necessary and permitted under condition L5.8; and/or
iv. any other relevant information or records requested by the EPA.

j) the notification requirements under condition L5.5 apply to this condition.

L5.10 24 Hour works

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

a) Tunnelling (and associated activities of rockbolting, shotcreting and mucking out but excluding cut and cover tunnelling and surface work),

b) Delivery of material that is required to be delivered outside of standard construction hours in condition L5.1 to directly support tunnelling activities, where approved by a condition of this licence.

c) Haulage of spoil except between the hours of 10:00 pm and 7:00 am to / from the Pyrmont West construction site,

d) work within an acoustic shed where there is no exceedance of noise levels under Low Noise Impact Work circumstances identified in condition L5.3.

L5.11 Rock breaking and Respite

The Proponent must identify all receivers at Pyrmont and Hunter Street Sydney CBD likely to experience internal noise levels greater than Leq(15 minute) 60 dB(A) inclusive of a 5 dB penalty, if rock breaking or any other high noise impact works likely to result in regenerated (groundborne) noise or a perceptible level of vibration is planned (including works associated with utility adjustments), between 7am and 8pm.

Note: This condition does not override requirements for work hours as outlined in Conditions L5.1, L5.2, L5.3 and L5.4 above.

L5.12 The Proponent must consult with all receivers identified in accordance with Condition L5.11 with the objective of determining appropriate hours of respite so that construction noise (including ground-borne noise), does not exceed internal noise levels of:

(a) Leq(15 minute) 60 dB(A) inclusive of a 5 dB penalty if rock breaking or any other high noise impact works likely to result in ground-borne noise or a perceptible level of vibration is planned between 7am - 8pm for more than 50 percent of the time; and

(b) Leq(15 minute) 55 dB(A) inclusive of a 5 dB penalty if rock breaking or any other high noise impact works likely to result in ground-borne noise or a perceptible level of vibration is planned between 7am - 8pm for more than 25 percent of the time,

unless an agreement is reached with those receivers.

Note: This condition requires that noise levels be less than Leq(15 minute) 60 dB(A) for at least 6.5 hours between 7am and 8pm, of which at least 3.25 hours must be below Laeq(15 minute) 55 dB(A). Noise equal to or above Leq(15 minutes) 60 dB(A) is allowed for the remaining 6.5 hours between 7am and 8pm.

L5.13 Notwithstanding Conditions L5.2, L5.3 and L5.4, rock breaking and other particularly high noise impact works for station shaft or cut and cover stations is not permitted outside of hours identified in Condition L5.1, except at Hunter Street Sydney CBD; or

(a) where it is required in an emergency to avoid injury or the loss of life, to avoid damage or loss of property or to prevent environmental harm; or

(b) construction that causes LAeq(15 min) noise levels:

i) no more than 5 dB(A) above the rating background level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009); and
ii) no more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (DECC, 2009) at other sensitive land uses; and
iii) continuous or impulsive vibration values, measures at the most affected residence are no more than those for human exposure to vibration, specified in Table 2.2 of Assessing Vibration: a technical guideline (DEC, 2006); and
iv) intermittent vibration values measured at the most affected residence are no more than those for human exposure to vibration, specified in Table 2.4 of Assessing Vibration: a technical guideline (DEC, 2006).

L5.14 Additional Works Approved Outside of Standard Construction Hours

a) Works at the Hunter Street West construction site may be undertaken out of hours during Light Rail possessions provided that:

i. works are undertaken as per the Hunter Street Station DNVIS.

ii. mitigation measures set out in Section 9 of the above referenced DNVIS are put in place.

b) Out of hours works may be undertaken to permit the installation and demobilisation of tower cranes at Hunter Street West and Hunter Street East construction site in accordance with Road Occupancy Licence requirements provided that:

i. works are undertaken as per the Hunter Street Station DNVIS.

ii. mitigation measures set out in Section 9 of the above referenced DNVIS are put in place.

c) Out of hours works may be undertaken to permit the installation or demobilisation of a tower crane at the Pyrmont East construction site in accordance with Road Occupancy Licence requirements provided that:

i. works are undertaken as per the Pyrmont Station DNVIS.

ii. mitigation measures set out in Section 9 of the above referenced DNVIS are put in place.

L5.15 Concrete works, including concrete pouring, finishing and cleaning, are permitted to be undertaken outside of standard construction hours specified in L5.1 provided that:

a) Works are required to achieve compliance with overarching project technical requirements,
b) Works had already begun within a reasonable time prior to end of standard construction hours,
c) OOH works are undertaken from 6pm to 10pm, Monday to Saturday
d) Concreting activities (e.g. using concrete pump, vibrators, concrete trucks, etc) must be completed before 8pm on Monday to Saturday,
e) Concrete finishing works (e.g. power floats, hand tools) must be completed before 10pm on Monday to Saturday,
f) Works occur no more than 3 times a week.

L5.16 Out-of-Hours Deliveries - Pyrmont East

a) Delivery of material to directly support tunnelling activities, that is required to be delivered outside the standard construction hours in condition L5.1, is permitted between 10:00pm and 7:00am, to / from the Pyrmont East construction site.

d) Deliveries identified in a) and received between 10pm and 7am must be unloaded inside the acoustic shed.

e) The notification requirements under condition L5.5 apply to this condition.

L5.17 Out-of-Hours Deliveries - Pyrmont West

a) Delivery of material to directly support tunnelling activities, that is required to be delivered outside the standard construction hours in condition L5.1, is permitted between 10:00pm and 7:00am, to/from the Pyrmont West construction site.

b) The notification requirements under condition L5.5 apply to this condition.

L5.18 Out-of-Hours Spoil Haulage - Pyrmont East

a) Spoil Haulage outside the standard construction hours in condition L5.1, is permitted between 10:00pm and 7:00am, to/from the Pyrmont East construction site.

b) The notification requirements under condition L5.5 apply to this condition.

L5.19 Out-of-Hours Concrete Segment Deliveries - Pyrmont East

a) Concrete segment deliveries outside the standard construction hours in condition L5.1, are permitted between 10:00pm and 7:00am, to/from the Pyrmont East construction site for a 12-week trial period commencing from the first concrete segment delivery.

b) The licensee is required to undertake attended noise monitoring in accordance with the requirements of condition L5.9 (b).

c) The licensee is required to undertake attended noise monitoring once in each two-week period, and additionally monitor:

i. The first three nights of OOH concrete segment deliveries

d) Attended noise monitoring must:

i. Be conducted in the 10pm - 12am (midnight), 12am (midnight) - 5am, and 5am - 7am time periods if concrete segment deliveries occur during these times, and

ii. Capture vehicles used for concrete segment deliveries entering and exiting the site in each monitoring period.

e) The licensee is required to provide the EPA with a Noise Monitoring Report within 30 days of the end of each month.

f) The notification requirements under condition L5.5 apply to this condition.
g) The licensee is to notify the EPA the date when the concrete segment deliveries is to commence.

L5.20 a) For the purpose of completing crossover and station cavern invert pours at the Pyrmont East site, the licensee is permitted to receive concrete via the Union Street ancillary facility and undertake out-of-hours (OOH) concrete works, limited to:
i. Nineteen pours lasting up to 15 hours in duration
ii. Five pours lasting up to 25 hours in duration
b) Works are permitted to commence from 7am for the durations listed in this condition.
c) Works are permitted for a ten-week period commencing in November 2025.
d) The EPA must be notified 24 hours prior to the first pour occurring.
e) Works must be compliant with conditions L5.5 and L5.9(a), (f) and (i).
f) The Licensee is required to undertake noise monitoring in accordance with L5.9(b).
g) The Licensee is required to undertake noise monitoring on a monthly basis and additionally monitor the first two occasions of OOH concrete works that extend past:
i. 6pm
ii. 10pm
h) The Licensee is required to provide the EPA with a Noise Monitoring Report within 30 days of the end of each month, in which applicable noise monitoring occurs.
i) If technical issues or unforeseen circumstances arise during concretes pours that:
i. must be rectified to enable completion of the pour to meet technical standards; and
ii. will cause the pour to exceed the pour time permitted by condition L5.20(a)(i)
the concrete pour is permitted to continue to completion.
j) If a concrete pour exceeds the 15-hours as per L5.20(i), the Licensee is required to submit a written report within 2 business days to the EPA outlining:
i. The cause of the issue
ii. Justification to extend the pour time
iii. Reasonable and feasible mitigation measures that were implemented to address impacts on sensitive receivers.

L5.21 TBM Retrieval - Hunter Street East Site

Out-of-hours Works at the Hunter Street East site associated with the Tunnel Boring Machine (TBM) retrievals and transportation are permitted during the period between 1 January 2026 to 31 May 2026, provided that:

(i) Transport must be undertaken in accordance with Oversize and/or Over-mass (OSOM) permits issued by the National Heavy Vehicle Regulator (NHVR), and any other permits issued by the City of Sydney Council and/or relevant authorities.
(ii) During works authorised by this condition, no other works permissible under Condition L5.8 are to be undertaken that will impact the same noise sensitive receiver by noise levels greater than those outlined in Condition L5.3.
(iii) Works must be undertaken in compliance with Condition L5.5, including the implementation of respite periods and noise mitigation measures.
(iv) Works must be undertaken in compliance with Condition L5.9(a), (b), (f), (h), and (i), including community consultation, monitoring, and mitigation protocols.

L5.22 Out-of-Hours Concrete Works - Hunter Street West

a) For the purpose of completing the Station Cavern Lining pours at Hunter St West, the Licensee is permitted to receive concrete via the Hunter Street ancillary facility and undertake out-of-hours (OOH) concrete works, limited to:
i. Thirteen pours lasting up to 15 hours in duration
ii. Fourteen pours lasting up to 28 hours in duration
iii. Two pours lasting up to 35 hours in duration
b) For out-of-hours (OOH) concrete pours to be undertaken under L5.22:
i. Works under (a)(i) and (a)(iii) are required to commence at 7am for the duration listed in this condition
ii. Works under (a)(ii) are required to commence between 7am and 6pm for the duration listed in this condition.
c) Works are permitted for a 24-week period commencing in April 2026, from the date of the first pour.
d) The EPA must be notified 24 hours prior to the first pour occurring.
e) Works must be compliant with conditions L5.5 and L5.9(a), (f) and (i).
f) The Licensee is required to undertake noise monitoring in accordance with L5.9(b).
g) The Licensee is required to undertake noise monitoring on a monthly basis and additionally monitor the first two occasions of OOH concrete works that extend past:
i. 6pm
ii. 10pm
h) The Licensee is required to provide the EPA with a Noise Monitoring Report within 30 days of the end of each month, in which applicable noise monitoring occurs.
i) If technical issues or unforeseen circumstances arise during concretes pours that:
i. must be rectified to enable completion of the pour to meet technical standards; and
ii. will cause the pour to exceed the pour time permitted by condition L5.22(a) the concrete pour is permitted to continue to completion.
j) If a concrete pour exceeds the pour time permitted by condition L5.22(a), the Licensee is required to submit a written report within 2 business days to the EPA outlining:
i. The cause of the issue
ii. Justification to extend the pour time
iii. Reasonable and feasible mitigation measures that were implemented to address impacts on sensitive receivers.

L6 Potentially offensive odour

L6.1 No condition in this licence identifies a potentially offensive odour for the purposes of section 12 of the Protection of the Environment Operations Act 1997.

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

4 Operating Conditions

O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.
This includes:
a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:
a) must be maintained in a proper and efficient condition; and
b) must be operated in a proper and efficient manner.

O3 Dust

O3.1 All activities occurring at the premises must be carried out in a manner that will minimise the generation and prevents the emission of air pollution from the premises, as much as is reasonably practicable.

O3.2 The premises must be maintained in a condition which minimises the generation and prevents the emission of air pollution from the premises, as much as is reasonably practicable.

O3.3 The licensee must implement all reasonable and feasible measures to demonstrate compliance with condition O3.1 and O3.2.

O3.4 Trucks entering and leaving the premises that are carrying loads of material with the potential to generate dust must be covered at all times, except during loading and unloading.

O4 Processes and management

O4.1 The licensee must implement all feasible and reasonable erosion and sediment controls as may be necessary throughout the life of works and activities to minimise sediment leaving the premises.

O4.2 The licensee must ensure erosion and sediment controls are designed, constructed, operated and maintained consistent with the principle and practices of industry best practice, including:

a) Managing Urban Stormwater - Soils and Construction, Volume 2D, Main Road Construction (DECC, 2008), to be read and used in conjunction with Managing Urban Stormwater: Soils and Construction, Volume 1, 4th Edition (Landcom, 2004);

b) Best Practice Erosion and Sediment Control (IECA 2008); and

c)Other industry best practice documents if it can be demonstrated the guidance will provide improved or equivalent outcomes for the environment and meet the requirements of condition L1.1 of this licence.

O4.3 The licensee must ensure:

a) all vehicular access points to the premises are designed, constructed, maintained and stabilised to minimise vehicles tracking materials onto public roads and roads outside the premises as much as is reasonable and feasible;

b) vehicle, motorised plant and equipment movements onto or off the premises minimise the deposition of any material onto the surface of roads outside of the premises;

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

d) road surfaces subject to any tracking of material by vehicles leaving the premises must be cleaned as required to ensure compliance with a) and b) of this condition and condition L1.1 of this licence.

O5 Waste management

O5.1 Waste Management Plans must be prepared and implemented 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:

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.
e) Where the place of disposal changes after the plan has been made, an amendment to the plan can be made as a register that includes an update to points a) to d) above. The Waste management plan must be submitted to the EPA prior to the commencement of scheduled activities. Any subsequent amendments must be provided to the EPA upon request.

O5.2 The licensee must keep detailed records of waste generated, received or removed from the premises that includes (at a minimum):

a) the addresses and facility/business names of destination location(s) for all waste generated and transported off the premises for any purpose (including recycling, reuse, processing, treatment and disposal);
b) details of all waste received on the premises or transported off the premises that is subject to a Resource Recovery Order and/or Exemption under the Protection of the Environment Operations (Waste) Regulation 2014, and demonstration that the waste meets the requirements of the Order and/or Exemption;
c) legible copies of all documents/records evidencing that all waste transported from the premises was taken to a facility/premises that can lawfully accept that waste type; and
d) records of all compliance checks conducted under condition O5.3.

Note: A copy of an up-to-date Construction Waste Management Plant (CWMP) and records must be kept on the premises for the duration of the licence and provided to an EPA officer upon request.

O5.3 The licensee must develop a compliance program to ensure that all waste is being managed, transported, reused, recycled or disposed in a lawful manner. The compliance program must include, but not limited to:

a) Desktop investigations;
b) Site Inspections of reuse, recycling or disposal locations;
c) any other suitable method to check compliance with the CWMP.

The records for the compliance program must be available to the EPA upon request.

O5.4 Excavated material suitable for re-use within the premises, may be transported from one part of the premises to another part of the premises by road.

O5.5 The licensee must not cause, permit or allow any waste generated outside the licensed premises to be received at the licensed premises, except virgin excavated natural material or as expressly permitted by a condition of this licence or a resource recovery order and/or resource recovery exemption under the Protection of the Environment Operations (Waste) Regulation 2014.

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 EPA point identification number for the point at which the sample was taken; and
d) the name of the person who collected the sample

M2 Requirement to monitor concentration of pollutants discharged

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

M2.2 Water and/ or Land Monitoring Requirements

POINT 1

Pollutant	UOM	Frequency	Sampling Methods
Aluminium	micrograms per litre	Monthly during discharge	Grab sample
Ammonia	micrograms per litre	Monthly during discharge	Grab sample
Arsenic (III)	micrograms per litre	Monthly during discharge	Grab sample
Cadmium	micrograms per litre	Monthly during discharge	Grab sample
Chromium (hexavalent)	micrograms per litre	Monthly during discharge	Grab sample
Cobalt	micrograms per litre	Monthly during discharge	Grab sample
Copper	micrograms per litre	Monthly during discharge	Grab sample
Iron	micrograms per litre	Monthly during discharge	Grab sample
Manganese	micrograms per litre	Monthly during discharge	Grab sample
Nitrate	micrograms per litre	Monthly during discharge	Grab sample
Nitrogen (total)	micrograms per litre	Monthly during discharge	Grab sample

Oil and Grease	Visible	Monthly during discharge	Visual Inspection
pH	pH	Daily during any discharge	Probe
Phosphorus (total)	micrograms per litre	Monthly during discharge	Grab sample
Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample
TRH C10-C14	micrograms per litre	Monthly during discharge	Grab sample
Zinc	micrograms per litre	Monthly during discharge	Grab sample

POINT 2

Pollutant	UOM	Frequency	Sampling Methods
Oil and Grease	Visible	Special Frequency 1	Visual Inspection
pH	pH	Special Frequency 1	Probe
Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample

M2.3 For the purposes of Condition M2.2 and the Table thereto, 'Special Frequency 1' means:
a) less than 24 hours prior to a controlled discharge and daily for any continued controlled discharge, when it is safe to do so; and
b) when rainfall causes a discharge from a sediment basin which has not been emptied within the design management period following cessation of a rainfall event, when it is safe to do so.

M3 Testing methods - concentration limits

M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 Environmental monitoring

M4.1 All noise monitoring for the purposes of determining compliance with the conditions of this licence must be undertaken by a suitably qualified and experienced person.

M4.2 All noise monitoring for the purposes of determining compliance with the conditions of this licence must consider and be undertaken in accordance with:

a) Australian Standard AS 2659.1-1998: Guide to the use of sound measuring equipment - portable sound level meters; and

b) The compliance monitoring guidance provided in chapter 7 'Monitoring Performance' of the Noise Policy for Industry (EPA, 2017).

M4.3 All vibration monitoring must be:
a) undertaken in accordance with the technical guidance provided in the Assessing Vibration: a technical guideline (DEC, 2006); and
b) assessed and reported against the acceptable values of human exposure to vibration set out in Tables 2.2 and 2.4 of the Assessing Vibration: a technical guideline (DEC, 2006).

M4.4 The licensee must undertake noise and vibration monitoring as directed by an authorised officer of the EPA. If a licensee is unable to obtain permission, they must provide the response to the EPA.

M5 Weather monitoring

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

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

M6 Recording of pollution complaints

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

M6.2 The record must include details of the following:
a) the date and time of the complaint;
b) the method by which the complaint was made;
c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
d) the nature of the complaint;
e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
f) if no action was taken by the licensee, the reasons why no action was taken.

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

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

M7 Telephone complaints line

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

Note: The EPA acknowledges that the telephone complaints line is managed and operated by Sydney Metro.

M7.2 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.

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

M7.4 The licensee must undertake the following community notification activities:

a) a project website should be created and including information on:

i. the nature, location and estimated construction time of the works;
ii. how members of the public can make a complaint on the telephone complaints line and online; and
iii. the after hours contact telephone number for any out of hours works permitted by this licence;

b) public notices in local newspapers, including community language newspapers;

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

d) having staff available to respond to complaints during hours when works are occurring;

e) ongoing additional community notification must be undertaken if:

i. new sensitive receivers are affected by noise, vibration or other construction impacts; or
ii. the details notified to the community in accordance with this condition materially change.

M7.5 Noise and Vibration Complaints

The licensee must:

a) Investigate noise and vibration complaints:

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

b) Offer to the complainant to undertake noise or vibration monitoring at their premises if:

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

c) Undertake attended monitoring, or unattended monitoring with equipment capable of real time data interrogation, at their premises if the occupant of the dwelling or management personnel of a noise sensitive receiver (other than a dwelling) accepts the offer of noise or vibration monitoring:

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

d) The licensee must, in respect of each complaint made, advise each complainant of the results of its investigation of their complaint and any proposed remedial action within a reasonable period of time.

6 Reporting Conditions

R1 Compliance, and annual reporting requirements

Compliance with licence conditions

R1.1 The licensee must supply the EPA, via the EPA's online digital portal, the following details of any non-compliance with the conditions of the licence within 21 days after the licensee becomes aware of the non-compliance:

a. the date the licensee became aware of the non-compliance;
b. the date(s) the non-compliance occurred, including if the non-compliance is continuing;
c. whether the non-compliance relates to air, water/land, noise or waste matters (if applicable);
d. whether the non-compliance relates to a pollution incident;
e. the licence condition(s) not complied with;
f. a summary of particulars of the non-compliance, including (if known):
    i. the location where the non-compliance occurred;
    ii. the duration of the non-compliance;
    iii. if the non-compliance is continuing, the suspected end date of the non-compliance;
g. the cause or suspected cause of the non-compliance;
h. any action taken, or proposed to be taken, to mitigate the effects of the non-compliance; and
i. any action taken, or proposed to be taken, to prevent a recurrence of the non-compliance.

R1.2 The EPA may make a written request for further details in relation to each non-compliance reported in accordance with Condition R1.1. The licensee must provide such further details to the EPA, via the EPA's online digital portal, within the time specified in the request.

R1.3 Condition R1.1 does not apply where a non-compliance with a licence condition has been identified by the EPA as part of an EPA environmental compliance audit.

Reporting transition arrangements

R1.4 By 05 August 2026, the licensee must supply to the EPA, via the EPA's online digital portal the details required in Condition R1.1 for any non-compliance with the conditions of the licence that occurred:

i. after the date the licensee supplied their last Statement of Compliance - Licence Conditions to the EPA, and
ii. before the date of the notice of variation of licence that added this condition to this Licence.

Pollution monitoring data summary

R1.5 If the licensee undertakes monitoring as a result of a licence condition, the licensee must supply to the EPA a summary of the results of the pollution monitoring data in respect of each reporting period. The summary must be provided as a Microsoft Excel file, formatted with the following column headings:

a. EPA point identification number;
b. pollutant;
c. unit of measure;
d. number of samples required;
e. number of samples collected and analysed;
f. lowest sample value;
g. mean of sample values; and
h. highest sample value.

The pollution monitoring data summary for the reporting period must be supplied to the EPA via the EPA's online digital portal by the "due date", as defined in the dictionary at the end of this licence.

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

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:
a) the cause, time and duration of the event;
b) the type, volume and concentration of every pollutant discharged as a result of the event;
c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;

d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
g) any other relevant matters.

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

R4 Other reporting conditions

R4.1 Daily Complaints Reports

a) The licensee must submit by 2:00 pm each business day a report to the EPA that provides details of all complaints received in relation to activities regulated by this licence on the telephone complaints line required under condition M7.1 or through any other means.

b) The report outlined above must be:

i. provided in a format approved in writing by the EPA;
ii. submitted to the email address nominated by the EPA; and
iii. include the complaints received in the previous 24 hours to 12 pm;

c) If the works that are the subject of complaint have been carried out under Conditions L5.2, L5.3 or L5.4 the report must include details of how the requirements of these conditions have been met.

d) The licensee is not required to submit a report:

i. for any reporting period during which no complaint have been received;
ii. that would otherwise be required to be submitted on a Saturday, Sunday or public holiday. It must instead be submitted not later than 2:00 pm on the next business day.

R4.2 Noise and Vibration Reports

Upon request of an authorised officer, the licensee must submit a Preliminary Investigation Report to the EPA in respect of any noise or vibration monitoring undertaken in accordance with the requirements of Condition M4.4.

a) The Preliminary Investigation Report must be submitted to the EPA by 48 hours after any noise or vibration monitoring.

b) The Preliminary Investigation Report must include:

i. numerical and/or graphical representation of the noise and vibration monitoring results including both ambient noise levels and the level of noise from activities on the premises only; and
ii. the noise levels reported using the following noise descriptors: LAeq, T; LAF90, T; and LAFmax,

T (T representing the 15 minute measurement period unless an alternative period is justified); and iii. an assessment of measured construction noise levels against noise limits noise management levels specified in this licence, requirements in the project specific Construction Noise and Vibration Plan and/or Impact Statement prepared for the activities, relevant noise modelling and any relevant noise guidelines.

R4.3 In the event of any exceedance of the best achievable noise performance objectives identified in the project specific Construction Noise and Vibration Plan and/or Impact Statement prepared for the activities, the license must:

a) modify activities and implement all reasonable and feasible measures to prevent a recurrence of the exceedance and verify noise and vibration levels have reached the best achievable noise performance objectives;

b) submit a Follow-Up Investigation Report to the EPA within 5 business days of any noise or vibration monitoring having been undertaken that detected the exceedance (unless otherwise approved by the EPA); and

c) include the following information in the Follow-Up Investigation Report:

i. confirmation of whether noise monitoring has been undertaken in accordance with AS2659 and the compliance monitoring guidance provided in the Interim Construction Noise Guideline (DECC, 2009);
ii. confirmation of whether vibration monitoring has been undertaken in accordance with the guidance provided in Assessing Vibration: a technical guideline (DEC, 2006);
iii. details of the prevailing meteorological conditions during the period when the monitoring was undertaken;
iv. a map of each noise and vibration monitoring location in relation to the noise source, including relevant distances;
v. numerical and graphical representation of the noise and vibration monitoring results;
vi. an analysis of the noise and vibration monitoring results;
vii. details of any remedial action taken in relation to the matter; and
viii. in cases not the subject of remedial action, detailed justification of the decision not to undertake remedial action.

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.

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

G2 Contact number for incidents and responsible employees

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

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

b) 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 the licence.

G2.2 The contact details required under 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 all personnel and contractors involved in undertaking any activity subject to this licence have received environmental induction training prior to undertaking that activity; and

b) The induction training must:

i. clearly identify the general 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 Pollution Studies and Reduction Programs

U1 Ammonia and NOx Treatment Study and Report

U1.1 The licensee must:

a) Investigate best practice treatment processes to address the treatment of ammonia and NOx that could be added on to the existing treatment plant at Points 1 with a goal to meet 15ug/L for both ammonia and NOx; and

b) Investigate optimising the existing water treatment plant for ammonia and NOx treatment with a goal to meet 15ug/L for both ammonia and NOx.

U1.2 The licensee must prepare a report outlining the results of the investigations in condition U1.1 (a and b) including but not limited to the following information:

a) Details of the general treatment approach for each treatment process investigated eg continuous or batch processing,

b) Details of the treatment processes including chemicals used and approaches that will be taken to optimise its performance including treatment unit configuration and capacity, contact or reaction time, influent flow rate, dosage/dosing rate and monitoring to ensure treatment is completed,

c) Providing any available performance curves for the treatment processes derived from monitoring data on existing projects and comparing them to how the process could be managed,

d) If the treatment processes include ion exchange:

i. Details of the ion exchange process including the technical details of the resin and approaches that will be taken to optimise its performance including treatment unit configuration and capacity, average and worst case flow rate through units, redundancy for resin regeneration and prevention of fouling, and

ii. Details of ion exchange resin regeneration including regeneration solution type and annual waste stream volume and approaches that will be taken to optimise the effectiveness of the regeneration process including treatment unit configuration, treatment unit capacity and time allowed to complete the process.

e) Regarding optimisation of the existing plant, provide details of the areas or processes that will be targeted for improvement and the changes that will be made to achieve improvements

This report must be submitted to the EPA in writing before 31January 2024 to info@epa.nsw.gov.au.

U1.3 If the predicted or actual levels of ammonia and NOx after the investigations in Condition U1.1 are still above the guideline value of 15ug/L for both ammonia and/or NOx the licensee must undertake a water discharge impact assessment detailing the impact of both ammonia and NOx on the receiving waterway at the concentrations and volumes proposed or actually discharging. The assessment must, at a minimum:

a) Demonstrate that all practical and reasonable measures to avoid or minimise water pollution and protect human health and the environment from harm have been investigated and implemented.

b) Identify and assess the potential impact of ammonia and NOx concentrations and loads on the environmental values of the receiving waterway, including typical through to worst-case scenarios, with reference to the relevant guideline values for a slightly to moderately disturbed waterway consistent with the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG2018) or reference to a site specific guideline value derived using a reference site agreed to by the EPA considering (as a minimum):

i. ambient water quality of the receiving environment.
ii. the appropriate level of protection for the environmental uses and values of the receiving waters.

iii. the potential for pollutant loading and associated risk for both chronic toxicity and the promotion of nuisance species.
iv. temporal and spatial release characteristics of the discharge.
v. the constraints of the discharge location including mixing of effluent and their contribution to pollutant loading impacts.

c) Where a mixing zone is required, demonstrate how the National Water Quality Guideline criteria for relevant chemical and non-chemical parameters will be met at the edge of the initial mixing zone of the discharge.

d) Demonstrate how the WTP will be designed and operated to;

i. protect the Water Quality Objectives for receiving waters where they are currently being achieved; and
ii. contribute towards achievement of the Water Quality Objectives over time where they are not currently being achieved;

The water discharge impact assessment report must be submitted to the EPA in writing before 28/2/2025 to info@epa.nsw.gov.au

9 Special conditions

E1 Community Agreements

E1.1 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. This condition applies to out-of-hours works that have not been approved by another condition of this licence.

E1.2 Any agreement(s) between the licensee and noise sensitive receivers referred to in Condition E1.1 must be:

a) submitted to the EPA at least 15 business days prior to any works that are the subject of the agreement being undertaken;

b) prepared in writing and a copy of the agreement(s) kept on the premises by the licensee for the duration of this licence; and

c) be made available on the licensee's project website or another website approved in writing by the EPA for the duration of the agreement (personal details of noise sensitive receivers must be omitted).

E1.3 Requirements for community agreements

Any community agreement to permit out of hours works (OOHW) to be undertaken outside of standard construction hours under Condition L5.1 must:

a) be prepared and implemented in accordance with the Interim Construction Noise Guidelines (DEC 2009), the Noise Policy for Industry (EPA, 2017) and AS2436-2010: Guide to noise and vibration control on construction, demolition and maintenance sites;

b) detail the following:

i. the actual works proposed;
ii. any expected impacts in clear, simple English based on noise modelling;
iii. the expected duration of the works;
iv. any expected benefits for receivers;
v. any other concurrent OOHW that will be occurring; and
vi. any other OOHW that will be occurring on the nights proceeding and following the proposed works or, in the proposed work precedes or follows a weekend period, any other OOHW that will be occurring on the weekend.

c) demonstrate that the noise sensitive receivers party to the agreement understand the nature of the works and any predicted impacts;

d) for any community agreement longer than 28 calendar days, demonstrate the licensee has consulted the community in relation to re-engagement periods for the purpose of determining agreement from the community is maintained and continuing;

e) be kept for the duration of the agreement and made available to an EPA authorised officer on request; and

f) undertake community notification as required by condition L5.5.

E1.4 Consultation and Engagement

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

a) all noise sensitive receivers predicted by modelling to be impacted noise levels greater than L5.3a), b) and c) must be consulted on any proposed community agreement. This includes noise sensitive receivers that have declined to participate in previous agreements;

b) all proposed agreements must include details for interpreting services for languages other than English where required;

c) if a licensee is unable to contact a noise sensitive receiver after three attempts, including leaving "sorry I missed you" cards explaining the reason for the visit and requesting a return phone call, then the licensee will note that the receiver could not be contacted and the receiver will not be considered to have either agreed or disagreed; and

d) records of the attempts to contact the receiver will be kept by the licensee.

E1.5 Agreement thresholds

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

a) noise sensitive receivers predicted by the licensee to be impacted by noise levels exceeding

those
specified in Condition L5.3a), L5.3b) and L5.5c); and

b) noise sensitive receivers predicted by the licensee to be impacted by noise levels above a highly noise affected level of 75dB(A).

Note: E1.5a) and E1.5b) are hereafter referred to as the community affected catchment. Community response and agreement rates should be reported against the total community affected catchment, and must be broken down into response and agreement rates based on sub-catchments that are delineated by affectation levels.

E1.6 Community agreements attained by phone

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

a) the phone script used to describe the proposed agreement (including information required under Condition E1.3) is to be provided to the EPA with the community agreement;

b) the script must include a description of the proposed works, the likely impacts and benefits for the community and a clear question requesting receiver agreement to the proposal;

c) detailed records are to be maintained by the licensee of all community agreement phone conversations and must be maintained for the duration of the community agreement; and

d) any noise sensitive receiver who requests a copy of the phone agreement must be supplied with one.

E1.7 The licensee must report to the EPA the community consultation and agreement process that was undertaken with the Community Affected Catchments. This report to the EPA must be:

a) prepared in writing;

b) detail the steps taken to fulfil the requirements of condition E1.3, E1.4, E1.5 and E1.6;

c) demonstrate that the Noise Sensitive Receivers understood the nature of the works and any predicted impacts, including that consideration was made of additional requirements relevant to the needs of culturally and linguistically diverse Noise Sensitive Receivers;

d) provide the script used during the community consultation with Noise Sensitive Receivers;

e) report community response and consent rates (including where no contact could be made) against the total community affected catchments, and must be broken down into response and consent rates based on sub-catchments that are delineated by affectation levels;

f) include a noise validation monitoring plan as required by E1.8; and

g) be submitted to the EPA at least 15 business days prior to any works that are the subject of the agreement being undertaken unless prior arrangements have been made with the EPA. A copy of

the report must be:

i. kept by the licensee for the duration of this licence including on the premises, and made available to an EPA authorised officer on request; and
ii. be made available on the licensee's project website or another website approved in writing by the EPA, for the duration of the Out of hours works covered by condition E1.1.

Note: Regarding Condition E1.7, personal details of Noise Sensitive Receivers must be omitted.

E1.8 Noise Monitoring

A noise validation monitoring plan must be submitted to the EPA as part of the community agreement documentation prior to any OOHW that are subject to the community agreement.

E1.9 Validation monitoring must be undertaken for any works that are the subject of a community agreement and must:

a) be performed by a suitably qualified and experienced person;

b) be performed on at least the first 2 nights where OOHW will be undertaken;

c) be performed on any other night where the nature of the works is likely to cause greater noise impacts than the first 2 nights;

d) be representative of the impacts;

e) be undertaken in accordance with the monitoring plan prepared under condition E1.8; and

f) be recorded and provided to an EPA officer upon request; and

g) be performed during the day time or evening time period if out of hours works are only occurring during these times.

E1.10 If validation monitoring undertaken under Condition E1.9 shows that noise levels are higher than those predicted by any noise modelling undertaken as part of the community agreement, work practices must be modified immediately so that measured noise levels do not exceed predicted levels.

Where it has been determined that works cannot be modified to achieve the predicted noise levels:

a) the licensee must report immediately to the EPA; and

b) the licensee must cease works associated with the agreement.

E1.11 Ongoing community engagement and agreement

a) For any community agreement longer than 28 calendar days, the licensee must be able to demonstrate agreement from the community is maintained and continuing. To demonstrate agreement from the community is maintained and continuing the licensee must:

i. engage the community to determine if a substantial majority of noise sensitive receivers continue

to support the agreement pursuant to the re-engagement period determined under condition E1.3(d);
ii. provide the EPA with a report within 7 calendar days of the end of each re-engagement period summarising the community response and comparing community agreement rates against previous community agreement rates; and

b) Where the licensee is unable to demonstrate a substantial majority of agreement from the community is maintained and continuing:

i. the licensee must report immediately to the EPA; and
ii. the licensee must cease works associated with the agreement.

E2 WTP Proof of Performance Reports

E2.1 A) The licensee must undertake water quality sampling of all discharges from the water treatment plant at Pyrmont Station (EPA Pt 4) and The Bays (EPA Pt 6) (Condition P1.1), and submit to the EPA a WTP Performance Report within 10 business days of each sample result being taken.

Sampling must be undertaken:

i) daily on the first 3 days of discharges,
ii) weekly for the first month of discharges,
iii) fortnightly for the first 3 months,
iv) As per condition M2.2, following this sampling frequency or as directed by the EPA.

B) The WTP Performance Report must:

i) include results of all discharge quality monitoring with a comparison to all pollutants listed in conditions L2.4 and M2.2 for Point 4 and 6.
ii) include results of all WTP influent quality, and
iii) be emailed to the EPA to info@epa.nsw.gov.au

Note: The purpose of Condition E2.1 is to allow proof of performance testing to assist the EPA in setting accurate discharge limits for the WTP(s). The EPA will review the limits against the performance of the WTPs and revise them as appropriate.

E3 Pollution Treatment Technology Commitment

E3.1 In accordance with the Licensee's commitments outlined in documentation provided on the 15 August 2023, the Licensee must install the following pollution treatment technologies at the Pyrmont Station and Hunter St WTPs:

1. Breakpoint chlorination
2. Ion exchange

The above treatment technologies must be installed prior to any discharges from the Pyrmont Station WTP, and by 1 December 2023 for the Hunter St WTP.

E4 Special Dictionary

E4.1 Special Dictionary

Term	Meaning
Best Achievable NoisePerformance Objectives	The construction noise level predicted at a receiverlocation after all feasible and reasonable noise mitigationmeasures have been incorporated into the predictionmodel and considered in deriving the predicted noiselevel
Detailed/Construction Noise andVibration Impact Assessment is adocument or suite of documentsthat:	Describe the construction activities proposed; identifies the potential impacts of those activities on thecommunity; the measures that will be used to reduceimpacts on the affected community; how the communitywill be informed and engaged; and, how noise impactswill be monitored and enforced. They are often referred toas Noise and Vibration Management Plans, ConstructionNoise and Vibration Impact Statements, ConstructionMethod Statements, Work Method Statements and thelike.
Construction Work	Includes all construction work and activities, and allconstruction-related work and activities, undertaken onthe premises
High Noise Impact Activities and Works	Means jack hammering, rock breaking or hammering,pile driving, vibratory rolling, cutting of pavement,concrete or steel or other work occurring on the surfacethat generates noise with impulsive, intermittent, tonal orlow frequency characteristics
Interim Construction Noise Guidelines (ICNG)	Interim Construction Noise Guidelines (DECC, July 2009)
In Writing	Documents are to be submitted electronically unlessotherwise requested by EPA
Noise Management Level (NML)	Has the same meaning as "Airborne Noise ManagementLevels" in the Interim Construction Noise Guideline(DECC 2009)
Noise sensitive receiver	Land uses that are sensitive to noise, includingresidences and other sensitive land

	uses detailed inTable 3 of the Interim Construction Noise Guideline(DECC 2009)
Operating Hours	Means hours during which any construction-related works or activities are being undertaken, including outside of standard construction hours means hours during which any construction-related works or activities are being undertaken, including outside of standard construction hours
Out of Hours	Means hours outside those prescribed by condition L5.1
Rating Background Level (RBL)	The same meaning as in the Interim Construction NoiseGuideline (DECC 2009)
Residence	A lawful and permanent structure erected in a land-usezone that permits residential use (or for which existinguse rights under the EP&A Act apply) where a person/spermanently reside and is not, nor associated with, acommercial undertaking such as caretakers quarters,hotel, motel, transient holiday accommodation orcaravan park
Resource Recovery Order and/or Exemption	As described under Part 9, Clause 93 of the Protectionof the Environment Operations (Waste) Regulation 2014
Suitably Qualified andExperienced Person - For thepurpose of noise monitoring,must satisfy one or more of thefollowing	• Have qualifications and/or experience sufficient to fulfilthe requirements of ‘member’ grade of the AustralianAcoustical Society• Undertake duties of an acoustic consultant on behalf ofa firm that is a member of the Association ofAustralasian Acoustical Consultants• Have a recognised tertiary qualification in a disciplinepertinent to acoustics• Demonstrate competence through professionalexperience and/or technical expertise to the satisfaction of the EPA ifrequested.

Dictionary

General Dictionary

3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2022
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2022
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2022
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the *Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales*.

COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
due date	Means: i) not later than 60 days after the end of each reporting period; or ii) in the case of a transferring licence - not later than 60 days after the date the transfer was granted.
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means the Environment Protection Authority of New South Wales.
EPA Online digital portal	Means eConnect EPA
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
Licensing Fee Category (Regulation)	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2022.
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2022

local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 of the Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
Percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution incident	Has the same meaning as in the Protection of the Environment Operations Act 1997
Pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.

restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	Together with a number, means a test method of that number prescribed by the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.
TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste
wellhead	Has the same meaning as in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2022

Jenny Lange
Unit Head Operations PLC
ENVIRONMENT PROTECTION AUTHORITY NSW

End Notes

Licence varied by notice POEO-2429, issued on 07-07-2026

Licence varied by notice POEO-1610, issued on 05-06-2026

Licence varied by notice POEO-1610, issued on 05-06-2026

Licence varied by notice 1657297 issued on 10-Apr-2026

Licence varied by notice 1656277 issued on 02-Feb-2026

Licence varied by notice 1654906 issued on 15-Dec-2025

Licence varied by notice 1651986 issued on 02-Oct-2025

Licence varied by notice 1648012 issued on 06-Jun-2025

Licence varied by notice 1647367 issued on 19-Mar-2025

Licence varied by notice 1644959 issued on 17-Dec-2024

Licence varied by notice 1635768 issued on 27-Feb-2024

Licence varied by notice 1634583 issued on 28-Nov-2023

Licence varied by notice 1632487 issued on 26-Sep-2023

Licence varied by notice 1629863 issued on 04-Jul-2023

Licence varied by notice 1628507 issued on 11-May-2023

Licence varied by notice 1628251 issued on 21-Apr-2023