

Environment Protection Licence

Licence - 21619

Licence Details

Number:	21619
Anniversary Date:	13-April

Licensee

CPB CONTRACTORS PTY LIMITED
 LEVEL 18, 177 PACIFIC HIGHWAY
 NORTH SYDNEY NSW 2060

Premises

WARRINGAH FREEWAY UPGRADE
 WARRRINGAH FREEWAY FROM NORTH OF THE SYDNEY
 HARBOUR BRIDGE TO WILLOUGHBY ROAD NAREMBURN
 NORTH SYDNEY NSW 2060

Scheduled Activity

Road construction

Fee Based Activity

Scale

Road construction ($\geq 50,000T$ & road to be constructed $< 10km$)	> 100000-500000 Remaining extraction or processing
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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 annual return to be sent to the EPA

For each licence fee period you must pay:

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



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

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

Transfer of licence

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

Public register and access to monitoring data

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

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

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

This licence is issued to:

CPB CONTRACTORS PTY LIMITED
LEVEL 18, 177 PACIFIC HIGHWAY
NORTH SYDNEY NSW 2060

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 $< 10km$)	$> 100000 - 500000$ Remaining extraction or processing

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
WARRINGAH FREEWAY UPGRADE
WARRINGAH FREEWAY FROM NORTH OF THE SYDNEY HARBOUR BRIDGE TO WILLOUGHBY ROAD NAREMBURN
NORTH SYDNEY
NSW 2060

A2.2 In relation to Condition A2.1, the premises are defined by the most recent premises map(s) held on EPA Electronic File EF21/16268 and approved in writing by the EPA.

A2.3 Premises map(s) changes are permitted to be altered through this condition. Any proposed variations to the premises must:

- be submitted to the EPA in electronic format for approval;
- be clearly described on a complete map set containing unique identifiers for revision number, map sheet numbers and issue date;
- be submitted to the EPA no less than 10 business days prior to the date of the scheduled land portion handover, land portion surrenders, land portion additions or any other changes;
- be clearly described in writing submitted at the same time as the complete map set;
- be lawful and permitted under the relevant approval; and
- 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.

A2.4 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.

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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.

A4 Other administrative conditions

A4.1 The EPA must be notified in writing, of the intention to commence works or activities authorised by this licence at the premises for the first time, at least 5 business days prior to the proposed commencement of those works or activities.

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 no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Surface water discharge	Surface water discharge	The outlet of sediment basins within the Cammeray Golf Course construction area referred to in P1.2

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2	Surface water discharge	Surface water discharge	Existing stormwater drain approximately 10m south-east of LDP3 (Pt. 1 listed above)
3	Surface water discharge from holding tanks	Surface water discharge from holding tanks	Existing stormwater drain on Alfred Street North, referred to in P1.2
4	Surface water discharge	Surface water discharge	The outlet of sediment basin (WR1) adjacent the northern premise boundary of the Wicks Road construction support site (WFU10) referred to in P1.2
6	Surface water discharge	Surface water discharge	Existing stormwater drain at the WHT Portal site, referred to in P1.2.
7	Surface water discharge	Surface water discharge	Existing stormwater drain at the Mount Street underpass SB referred to in P1.2.
8	Surface water discharge	Surface water discharge	Existing stormwater drain at the Mount Street underpass SB referred to in P1.2.
9	Surface water discharge	Surface water discharge	Existing stormwater drain at the Mount Street on-ramp referred to in P2.1.
10	Surface water discharge	Surface water discharge	Existing stormwater drain slightly North of the High Street Bridge SB referred to in P1.2.
11	Surface water discharge	Surface water discharge	Existing stormwater drain below High Street bridge SB referred to in P1.2.

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 10 business 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.

Note: The premises map(s) and schedule are maintained on electronic file EF21/16268.

P1.3 The licensee must:

- a) ensure the design storage capacity of any sediment basins installed on the premises to detain and discharge surface waters is reinstated within the design management period following the cessation of a rainfall event that causes runoff to occur on or from the premises; and
- b) keep records of the available water and sediment storage capacities in each sediment basin used for detaining and discharging surface waters and provide to an authorised officer upon request.

P1.4 The licensee must ensure that sampling points for water discharged from licensed discharge points are provided and maintained in an appropriate condition to permit:

- a) the clear identification of each sediment basin and discharge point;
- b) the collection of representative samples of the water discharged from the sediment basins; and

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c) access to the sampling points at all times by an authorised officer of the EPA.

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 1,2,3,4,6,7,8,9,10,11

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	Visible				Not visible
pH	pH				6.5-8.5

POINT 1,2,3,6,7,8,9,10,11

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Turbidity	nephelometric turbidity units				51

POINT 4

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit

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Turbidity

nephelometric
turbidity units

80

- L2.5 Exceeding the limits specified in Condition L2.4 of this licence for discharges from the discharge point(s) identified by conditions P1.1 is only permitted if:
- the discharge occurs solely as a result of rainfall measured at the premises exceeding the design rainfall depth value for the corresponding discharge point; and
 - 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.

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:
- implement the guidance in the Interim Construction Noise Guideline (DEC, 2009) and the Assessing Vibration: a technical guideline (DEC, 2006);
 - implement all reasonable and feasible measures to minimise noise impacts in accordance with the Interim Construction Noise Guideline (DEC, 2009); and
 - 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 must apply a +5dB correction to the measured or predicted level of construction noise at the nearest Noise 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, works and activities must:

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

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- 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 where there is a less than 1-hour respite between ceasing and recommencing of any work that is subject to 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 and night Rating Background Level (RBL) as applicable;
- b) L_{Amax} noise levels greater than 15dB above the night RBL for night works;
- c) the preferred continuous or impulsive vibration values greater than those for human exposure to vibration, set out for residences in Table 2.2 in Assessing Vibration: a technical guideline (DEC, 2006); and
- d) 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).

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. The notification requirements under condition L5.5 do not apply to this condition.

L5.4 Exemptions to standard construction hours in exceptional circumstances

a) The licensee may undertake works and activities outside of standard construction hours specified in condition L5.1 for:

- i. emergency works required to avoid 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.

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

Emergency works do not require a 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

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construction hours unless notification under this condition is not required as specified in another condition of this licence.

a) The notification must:

- i. be given not less than 5 calendar days and not more than 14 calendar days before those works are to be undertaken, unless otherwise agreed with the affected community and notified to the EPA;
- ii. be undertaken by letterbox drop, email, text message or other targeted and equivalent method; and
- iii. 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 the date, timing and 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;
- vii. include the number of the telephone complaints line required by condition M7.1, an after hours contact phone number specific to the works undertaken outside the hours specified in condition L5.1, and the project website address; and
- viii. include consideration of culturally and linguistically diverse Noise Sensitive Receivers where required.

L5.6 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.

L5.7 Works outside of standard construction hours - Regulatory Requirements

In undertaking any out-of-hours works or activities under condition L5.6, 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 out-of-hours works;
 - 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 sensitive receivers during noise generating activities that are representative of the out-of-hours works, 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 L5.7(a)(iii).

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- c) Only undertake activities between the hours of 6:00pm on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays and 7:00am the following day (unless permitted by another condition of this licence).
- d) Activities are not to be undertaken between the hours of 6:00pm on Saturdays, Sundays or Public Holidays and 7:00am the following day (unless permitted by another condition of this licence).
- e) 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 (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 are undertaken prior to 12:00 am (midnight), unless stated otherwise in another condition of this licence.
- h) Where high noise impact activities are undertaken after 12:00 am (midnight), the respite provisions in condition L5.2(c) apply.
- i) Upon request of an authorised officer, the licensee must provide within 5 business day:
 - i. the construction noise and vibration impact assessment required by condition L5.7(a);
 - ii. noise monitoring results required by condition L5.7(b);
 - iii. written evidence demonstrating the works are necessary and permitted under condition L5.6; 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.

- L5.8 Extended packages of works may be undertaken outside of standard construction hours for up to a 56-hour period from Friday 6 February 2026 to Friday 29 January 2027, in accordance with supporting documentation and related email correspondence, provided that:
- a) The licensee submits information to the EPA at least 10 business days prior to the commencement of works and any final updates or amendments to be submitted at least 2 business days prior, that includes the following:
 - i. information and supporting evidence that demonstrates the specific need for the works or activities and provides justification that the works meet the requirements of condition L5.6;
 - ii. details of the out-of-hours works scheduled for 1 week prior and 1 week after the proposed work dates, where the works are predicted to impact the same noise sensitive receivers; and
 - iii. a Construction Noise and Vibration Impact Statement that includes:
 - 1. the requirements of condition L5.7(a); and
 - 2. the proposed noise and vibration mitigation measures specific to the works and activities.
 - b) The licensee executes and follows the current 'Community Engagement Plan - Weekend out of hours work for up to a 3-day period', held on Electronic File EF21/16268;
 - c) The EPA provides the licensee with written approval to undertake the specific extended works or activities prior to the works commencing;
 - d) No other out-of-hours works shall be undertaken for two (2) evenings and/or nights immediately preceding and following the works, where such works would impact the same noise sensitive receivers above the noise levels specified in condition L5.3;
 - e) The licensee must comply with the conditions of EPL 21619, unless otherwise permitted by condition L5.8;
 - f) Respite requirements in condition L5.2(c) apply to high noise impact activities and works, except where it has been demonstrated these respite requirements cannot be provided due to exceptional circumstances, including for safety, in which case:
 - i. where staging options can be identified, the licensee must consult with impacted receivers as described in the Community Engagement Plan held on EPA Electronic File EF21/16268;
 - ii. the licensee must provide information and justification to the EPA at least 5 business days prior to the

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works commencing, which includes details of any proposed staging options and additional mitigation measures, where applicable; and

iii. the EPA has provided written approval for the requirements of condition L5.2(c) to be varied, prior to the works commencing.

g) Representative noise validation monitoring must be conducted for works packages permitted under this condition to verify the noise model predictions. A noise monitoring validation report must be submitted to the EPA no later than 10 business days after the completion of each works package approved under this licence condition and include the following:

i. results from monitoring undertaken at the boundary of representative sensitive receivers in accordance with condition L5.7(a)iii.;

ii. a detailed description and photos of mitigation measures implemented;

iii. details of consideration to the requirements of condition L5.8(i) and any additional respite provided; and

iv. a copy of the Noise Monitoring Record Sheet/s.

h) Works which may be undertaken outside of standard construction hours under conditions L5.6 & L5.7 are permitted to be undertaken concurrently with works permitted under condition L5.8, provided that:

i. a final cumulative Construction Noise and Vibration Impact Statement is provided to the EPA at least 2 business days prior to the works commencing;

ii. the requirements of condition L5.8 apply to concurrent works being undertaken in accordance with conditions L5.6 & L5.7; and

iii. all works are coordinated to ensure respite periods are achieved in accordance with condition L5.2(c) unless an exemption has been provided under condition L5.8(f)iii.

i) The licensee must provide additional periods of respite from high noise impact activities and works during standard construction hours to that required by condition L5.2(c), on the day immediately preceding and following works approved under condition L5.8, where reasonable and feasible;

j) For works planned to be undertaken in accordance with condition L5.8, the licensee must submit to the EPA, on a monthly basis, a calendar of works which includes a summary of proposed work activities and scheduled dates for a minimum period of 2 calendar months ahead; and

k) Works completed under condition L5.8 must be included within the weekly and monthly out-of-hours works limits, as stated in condition L5.7(e)ii. & iii.

Note 1: For the purposes of condition L5.8, a 'business day' includes any weekday where information is submitted before 12 pm midday.

Note 2: Additional periods of respite provided to comply with condition L5.8(i) may be scheduled outside the requirements of condition L5.2(c), subject to approval being provided in writing from the EPA.

L5.9 Concrete works and activities outside of standard construction hours

Concrete works and activities are permitted to be undertaken outside of standard construction hours, in situations where the works do not meet the requirements of condition L5.6, provided that:

a) RMS Specifications require that the concrete works or activities being undertaken cannot reasonably and feasibly be completed during standard construction hours;

b) Any works or activities completed under this condition must be included within the licence limits specified under condition L5.7(e);

c) The licensee must comply with the conditions of the licence when undertaking works under this condition,

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- excluding conditions L5.6, L5.7 (g) and (h), unless otherwise permitted by condition L5.9;
- d) Where technical requirements or RMS Specifications do not allow for compliance with the respite requirements in condition L5.2(c), the licensee is exempt from complying with this condition, provided that:
- i. additional mitigation measures are offered to affected receivers predicted to be impacted by noise levels >15dB above NML, where reasonable and feasible; and
 - ii. the licensee notifies the EPA in writing of any periods during which respite was not provided, no more than 2 business days following the completions of the works or activity.
- e) Upon request of an authorised officer, the licensee must provide within 5 business days, justification and supporting evidence that concrete activities undertaken outside of standard construction hours have complied with the requirements of condition L5.9.

- L5.10 Works may be undertaken outside of the standard construction hours prescribed in condition L5.1 between 10:00pm on 2 April 2026 and 9:00am on 6 April 2026 for the works described in *EPL 21619 Licence Variation Application Rev 1, Change to Hours of Operation - Warringah Freeway Easter Shutdown April-26* and supporting documentation, provided that the licensee complies with the following:
- a) Undertake no other out-of-hours works for two (2) evenings and/or nights immediately preceding and following the works, where such works would impact the same noise sensitive receivers above the noise levels specified in condition L5.3.
 - b) Implements all feasible and reasonable noise mitigation measures as per the relevant Construction Noise and Vibration Impact Assessments (CNVIAs) for the works.
 - c) Undertakes noise monitoring in accordance with the monitoring plan required by condition L5.7a)iii and submit a validation report to the EPA by no later than 5pm on 20 May 2026 which includes the following:
 - i. results from noise monitoring undertaken at the boundary of representative Noise Sensitive Receivers;
 - ii. a description and photos of noise mitigation measures implemented for each works package undertaken outside of standard construction hours; and
 - iii. copies of the field noise monitoring records for monitoring undertaken to comply with condition L5.7a).
 - d) Respite requirements in condition L5.2c) apply to all High Noise Impact Activities and Works and concurrent high noise impact works must be coordinated to ensure respite periods are achieved, where they are likely to impact the same sensitive receivers.
 - e) Other construction works may only be undertaken concurrently with the scope of works provided that:
 - i. They are essential for operations as described in the application document titled *EPL 21619 Licence Variation Application Rev 0, Change to Hours of Operations - Warringah Freeway Easter Shutdown April-26*.
 - ii. They are conducted within the noise levels specified in the CNVIAs required under condition L5.10b).
 - iii. They works comply with the conditions of the licence, unless otherwise permitted by condition L5.10.

L6 Potentially offensive odour

- L6.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

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

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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.

O2.2 All erosion and sediment control measures installed on the premises are considered as 'plant and equipment' for the purpose of complying with condition O2.1 of this licence.

O3 Dust

O3.1 All activities occurring at the premises must be carried out in a manner that will minimise the generation and prevent 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 dust generating materials must have their loads covered at all 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 demonstrate the guidance will provide improved or equivalent outcomes for the environment and meet the requirements of condition L1.1 of this licence.

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- O4.3 The licensee must ensure that all vehicles, motorised plant and equipment leaving the premises do not deposit mud, soil, sand, gravel and any other materials onto public roads.

O5 Waste management

- O5.1 The licensee must prepare and provide to the EPA a Construction Waste Management Plan (CWMP) for each stage of the project or where due to project variables the CWMP requires updating. The CWMP must be provided prior to the commencement of each stage of the project and include (at a minimum):
- the waste types and likely or estimated quantities for each waste type to be generated on the premises;
 - details of the proposed sampling, testing and other methods to be used to characterise and classify waste to be generated on the premises for waste management and transport purposes;
 - anticipated or known waste classification and characterisation of waste in accordance with the Waste Classification Guidelines Part 1: Classifying waste (EPA, 2014);
 - details of how and where the waste is anticipated to be reused, recycled, stored or disposed of;
 - the proposed location(s) for all waste anticipated to be stored at the premises;
 - The proposed methods and frequencies for conducting compliance checks under condition O5.4; and
 - the licensee must consider the guidance in Construction and demolition waste: a management toolkit (EPA, 2019) when preparing and implementing the CWMP.

Note: the requirements of this condition may be addressed in another plan or document provided to the EPA and referenced in the CWMP to satisfy the requirements of this condition.

- O5.2 The licensee must keep detailed records of waste generated, received or removed from the premises that includes (at a minimum):
- details of all waste transporters and 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);
 - documented evidence (such as a licence) from each place of disposal that they can lawfully receive and manage (store, process, reuse, dispose) the types of waste proposed to be transported there;
 - the location(s) for all waste stored at the premises;
 - 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;
 - legible copies of all documents/records evidencing that all waste transported from the premises was taken to and received at a facility/premises that lawfully accept and process the waste as intended;
 - keep legible copies of any waste tracking documentation required for the offsite transport of the waste to demonstrate the waste was tracked in accordance with NSW legislation;
 - comparisons showing the proposed waste quantities and waste types documented in the CWMP against the actual waste quantities and waste types; and
 - comparisons showing intended reuse, recycling or disposal locations documented in the CWMP against actual reuse, recycling and disposal locations.
- O5.3 The CWMP must be implemented for the duration of licensed activities, and a copy of the current CWMP, historic versions of the CWMP and all records required by condition O5.2 must be kept on the premises for the duration of the licence and provided to an EPA officer upon request.

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

O5.4 The licensee must conduct compliance checks pursuant to the compliance check frequencies provided in the CWMP. The compliance checks must be conducted while licenced waste activities are being undertaken to ensure that all waste is being managed, transported, reused, recycled or disposed in a lawful manner. The compliance checks must take the form of one or more of the following:

- a) desktop investigations, such as:
 - i. contacting reuse, recycling or disposal facilities directly;
 - ii. reviewing waste disposal dockets and waste transport tracking documentation and requirements;
 - iii. reviewing waste characterisation and classification information;
 - iv. reviewing exemption requirements against particular loads of waste;
 - v. reviewing environment protection licences, authorisations or approvals of facilities that receive waste generated by the project); or
- b) site inspections to non-licenced reuse, recycling or disposal locations; or
- c) any other method agreed in writing by the EPA.

All compliance checks conducted under this condition must be recorded and provided to an authorised officer upon request.

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:

- a) virgin excavated natural material;
- b) as expressly permitted by a condition of this licence; or
- c) 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 point at which the sample was taken; and
- d) the name of the person who collected the sample.

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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 1,2,3,4,6,7,8,9,10,11

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium (dissolved)	micrograms per litre	Special Frequency 2	Grab sample
Aluminium (total)	micrograms per litre	Special Frequency 2	Grab sample
Cadmium (dissolved)	micrograms per litre	Special Frequency 2	Grab sample
Copper (dissolved)	micrograms per litre	Special Frequency 2	Grab sample
Lead (dissolved)	micrograms per litre	Special Frequency 2	Grab sample
Oil and Grease	Visible	Special Frequency 1	Visual Inspection
pH	pH	Special Frequency 1	Probe
Turbidity	nephelometric turbidity units	Special Frequency 1	Probe
Zinc (dissolved)	micrograms per litre	Special Frequency 2	Grab sample

POINT 3,4,6,7,8,9,10,11

Pollutant	Units of measure	Frequency	Sampling Method
Ammonia	milligrams per litre	Special Frequency 2	Grab sample
Nitrogen (total)	micrograms per litre	Special Frequency 2	Grab sample
Phosphorus (total)	micrograms per litre	Special Frequency 2	Grab sample
Polycyclic aromatic hydrocarbons	micrograms per litre	Special Frequency 2	Grab sample
Total petroleum hydrocarbons	micrograms per litre	Special Frequency 2	Grab sample

POINT 3,6,7,8,9,10,11

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic (dissolved)	micrograms per litre	Special Frequency 2	Grab sample
Chromium (dissolved)	micrograms per litre	Special Frequency 2	Grab sample
Mercury (dissolved)	micrograms per litre	Special Frequency 2	Grab sample
Nickel (dissolved)	micrograms per litre	Special Frequency 2	Grab sample

M2.3 For the purposes of Condition M2.2 and the table thereto, the term 'Special Frequency 1' means:
a) less than 24 hours prior to a controlled discharge and daily for any continued controlled discharge, when it

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is safe to do so; and

b) when rainfall causes a discharge from a sediment basin or holding tank which has not been emptied within the design management period following cessation of a rainfall event, when it is safe to do so.

M2.4 For the purposes of Condition M2.2 and the table thereto, the term 'Special Frequency 2' means at least one (1) sample from any basin or holding tank where a controlled discharge is undertaken within a calendar month period. In the event that two (2) or more controlled discharges are undertaken from a basin within a calendar month period, a minimum total of two (2) samples must be collected from each discharging basin or holding tank. Collection of 'Special Frequency 2' samples must be undertaken either during or as close as possible to the time of discharge, when it is safe to do so.

Note: 'Special Frequency 2' samples must include filtered (dissolved) and unfiltered (total) samples in the case of aluminium and filtered (dissolved) samples only in the case of all other pollutants.

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 and vibration monitoring for the purposes of determining compliance with the conditions of this licence must be undertaken by a Competent Person as defined in the special dictionary of this licence.

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

(a) Australian Standard AS 1055: 2018 Acoustics - Description and measurement of environmental noise; and

(b) the compliance monitoring guidance provided in the 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 and maximum values of human exposure to vibration set out in Tables 2.2 and 2.4 of this guideline.

M4.4 The licensee must undertake noise and vibration monitoring as directed by an authorised officer of the EPA. Where the monitoring is requested to take place on private land (for example a residential property) the licensee must request permission to access the premises in advance and keep a record of permission requests and responses. If a licensee is unable to obtain permission, the licensee must undertake the monitoring at an indicative location where possible and they must provide the response (including any nil response) to the EPA.

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M5 Weather monitoring

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

- a) be representative of the premises;
- 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.

The rainfall monitoring data collected in compliance with this condition can be used to determine compliance with condition L2.5.

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: Unless a 24 hour complaints line is required by the development consent

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 13 April 2022 the date of the issue of this licence.

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- M7.4** The licensee must ensure that the community complaints line and community notification required by conditions M7.1, M7.2 and M7.5 is undertaken at least 14 calendar days prior to commencement of licensed activities.
- M7.5** For the purposes of condition M7.1, the telephone complaints line may be operated by a third-party provider. The licensee must have staff available to respond to complaints during hours when works are occurring.
- M7.6** Unless otherwise undertaken by the project proponent, the licensee must undertake the following community notification activities:
- a) include on the project website or other relevant website information on:
 - i. the nature, location and estimated construction time of the works;
 - ii. what works are expected to exceed Interim Construction Noise Guideline (DECC, 2009) noise management levels and the noise control measures to be implemented;
 - iii. how members of the public can make a complaint on the telephone complaints line and online;
 - iv. the after hours contact telephone number for any out of hours works permitted by this licence; and
 - v. how the complaints will be processed;
 - b) public notices in local newspapers, including community language newspapers including the information required by part a) of this condition;
 - c) clear signage at the boundary of each worksite that contains both the telephone complaints line number and the project website details;
 - d) 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.
- M7.7** Noise and Vibration Complaints
- a) the licensee must commence investigation of noise and vibration complaints:
 - i. within two hours of the complaint being made; or
 - ii. in accordance with any documented complaint management agreement between the licensee and the complainant.
 - b) the licensee must offer to the complainant to undertake attended noise or vibration monitoring at their premises if:
 - i. any investigation referred to in this condition identifies works or activities being undertaken on the licensed premises as the likely source of the complaint; and
 - ii. the licensee is not in possession of noise monitoring data representative of the complainants location and of the subject works and activities being undertaken on the licensed premises.
 - c) if the occupant of the dwelling or management personnel of a Noise Sensitive Receiver (other than a dwelling) accepts the offer of attended noise or vibration monitoring the licensee must undertake that attended monitoring:
 - i. as soon as practicable; or
 - ii. at a time agreed with the complainant.
 - d) The licensee must, in respect of each complaint made, 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

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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.

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

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

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

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

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

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

R2 Notification of environmental harm

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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 4:00 pm each business day a report to the EPA that provides details of all complaints relating to activities regulated by this licence received on the telephone complaints line required by Condition M7.1 or through any other means.
- b) The report must be:
 - i. provided in a format approved in writing by the EPA;
 - ii. submitted to the email address nominated by the EPA;
 - iii. include the complaints received in the previous 24 hours to 12pm;

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- c) The licensee is not required to submit a report:
 - i. for any reporting period during which no complaints have been received;
 - ii. that would otherwise be required to be submitted on a Saturday, Sunday or public holiday. It must instead be submitted not later than 4:00pm on the next business day.

R4.2 Noise and Vibration Reports

- a) Upon request of an authorised officer, the licensee must submit a Preliminary Investigation Report to the EPA in respect of any noise or vibration monitoring undertaken in accordance with the requirements of Condition M4.4.
- b) The Preliminary Investigation Report must be submitted to the EPA by 4:00 pm on the afternoon of the next working day following any noise or vibration monitoring or other time as agreed in writing by EPA.
- c) The Preliminary Investigation Report must include:
 - i. numerical and/or graphical representation of the noise and vibration monitoring results including both ambient noise levels and the level of noise from 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 and vibration levels against noise limits or noise management levels specified in this licence, requirements in the project specific Construction Noise and Vibration Plan and/or Impact Statement prepared 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 ("the plans") prepared for the activities, the licensee must:

- a) investigate the cause of the exceedance and identify whether all feasible and reasonable noise and vibration mitigation measures identified in the plans have been effectively deployed;
- b) identify any noise and vibration measures recommended in the plans that were not effectively deployed;
- c) assess appropriate remedial actions to seek to achieve the best achievable noise performance objectives;
- d) submit a Follow-Up Investigation Report to the EPA within 5 business days (unless agreed in writing by the EPA) of any noise or vibration monitoring having been undertaken that detected the exceedance; and
- e) include the following information in the Follow-Up Investigation Report:
 - i. confirmation of whether noise monitoring has been undertaken in accordance with AS1055:2018 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.

R4.4 The licensee must record all inspections of erosion and sediment control measures installed on the premises, including observations and works undertaken to repair and/or maintain these measures, and provide these records to an authorised officer upon request.

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R4.5 Surface Water Discharge Monitoring Reporting

- a) Where monitoring has been undertaken in accordance with conditions M2.1 - M2.4, the licensee must submit a monitoring report to the EPA on a monthly basis, and/or as requested by an authorised officer;
- b) The reports must include a comparison of the monitoring results with ANZG (2018) assessment criteria and any exceedances which were recorded; and
- c) If any exceedances have been recorded, the licensee must provide details of the nature and source of pollution and the actions implemented to prevent future exceedances.

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.

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

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

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

G2 Contact number for incidents and responsible employees

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

- a) To contact either the licensee or a representative of the licensee who can respond at all times to incidents relating to the premises, and
- b) To contact the licensee's senior employees or agents authorised at all times to;
 - i. speak on behalf of the licensee, and
 - ii. provide any information or document required under licence.

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 all personnel and contractors involved in undertaking any activity subject to this licence that has the potential to impact Noise Sensitive Receivers have received environmental induction training relevant to their role prior to undertaking that activity; and
- b) The induction training must:
 - i. clearly identify the location of all noise sensitive receivers likely to be affected by noise or vibration

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- 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 Community Agreements

E1.1 Work outside standard construction hours - community consultation and agreement

The licensee may work outside standard construction hours (as defined in L5.1) in circumstances other than those permitted under conditions L5.3, L5.4, or any other condition of this licence if the Licensee:

- a) undertakes community consultation and agreement as described in E1.2;
- b) submits to the EPA a written request to work outside the standard construction hours attaching information set out in E1.3; and
- c) obtains approval by the EPA to work outside standard construction hours. The EPA may, in exercising its discretion to approve the works outside standard construction hours, review whether the licensee has obtained community agreement. Specifically, whether a substantial majority of the individual Noise Sensitive Receivers who together comprise the Community Affected Catchments and were contacted has consented to the planned works out of standard hours.

E1.2 Requirements for community consultation and agreement

Any community consultation and agreement undertaken with respect to the proposed out of hours works (OOHW) 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) include consultation of all noise sensitive receivers within the Community Affected Catchments. This includes Noise Sensitive Receivers that have declined to participate in previous agreements unless a community member has explicitly requested not to be involved in any future consultation about future OOHW;
- c) ensure that the noise sensitive receivers understand the nature of the works and any predicted impacts, including that consideration is made of additional requirements relevant to the needs of culturally and linguistically diverse Noise Sensitive Receivers, and include details for interpreting services for languages other than English where required.
- d) include in the community consultations with Noise Sensitive Receivers the following information:
 - i. the actual works proposed;
 - ii. any expected impacts in clear, plain English based on noise modelling;
 - iii. the expected duration of the works;
 - iv. any expected benefits for receivers;
 - v. any other known concurrent OOHW that will be occurring; and
 - vi. any other OOHW that will be occurring on the nights preceding and following the proposed works or, if the proposed work precedes or follows a weekend period, any other OOHW that will be occurring on the weekend.
- e) request consent from the Noise Sensitive Receiver for their responses to be provided to the EPA;
- f) ensure that a record is kept when 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.
- g) demonstrate, where the OOHW is predicted to go on longer than 28 calendar day, that 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;

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Detailed records are to be maintained by the licensee of all community consultations, including attempts to contact Noise Sensitive Receivers, and must be maintained for the duration of the licence;
Any Noise Sensitive Receiver who requests a copy of the record of conversations must be supplied with one.

E1.3 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 E1.2;
- 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 E1.4;
- 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:

- a) 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
- b) be made available on the licensee's project website or another website approved in writing by the EPA for the duration of the OOHWs permitted under condition E1.1. (Personal details of Noise Sensitive Receivers must be omitted).

E1.4 Noise Validation Monitoring

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

E1.5 Validation monitoring must be undertaken for any OOHW that are the approved under condition E1.1 and must:

- a) be undertaken in accordance with the monitoring plan prepared under condition E1.4;
- b) be performed by a Competent Person;
- c) be performed on at least the first 2 occasions (day, evening, nights) where OOHW will be undertaken and are likely to impact Noise Sensitive Receivers;
- d) be performed on any other occasion (day, evening, night) where the nature of the works is likely to cause greater noise impacts than the first 2 occasions;
- e) be representative of the impacts in terms of monitoring locations, time and duration of measurements; and
- f) be recorded and provided to an EPA officer upon request.

E1.6 If validation monitoring undertaken under Condition E1.5 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) after considering the circumstances EPA may withdraw its permission under E1.1.

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E1.7 Ongoing community engagement and agreement

- a) For any approval of OOHW under E1.1 predicted to take longer than 28 calendar days to remain valid, the licensee must be able to demonstrate agreement from the community is maintained and continuing.
- b) 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 consent to the OOHW pursuant to the re-engagement period determined under condition E1.2(d);
 - ii. provide the EPA with a report within 7 calendar days of the end of each re-engagement period summarising the community response including ongoing consent rates of the Noise Sensitive Receiver; and
- c) Where the licensee is unable to demonstrate a substantial majority of agreement from Community Affected Catchment is maintained and continuing:
 - i. the licensee must report immediately to the EPA; and
 - ii. after considering the circumstances EPA may withdraw its permission under E1.1.

E2 Wicks Road Construction Support Site (WFU10)

- E2.1 Stockpiles of materials, whether raw or processed, must not exceed 8 metres in height from ground level.
- E2.2 The licensee must install and maintain stockpile height markers at the premises. The markers must show a height limit of 8 metres from ground level and be positioned so that a visual check can be made of all stockpiles at the premises.
- E2.3 The authorised amount of material permitted on the premises cannot exceed 22,000 tonnes at any one time.
- E2.4 Conditions E2.1 - E2.3 only apply to the Wicks Road construction support site (WFU10), as described in the current premises maps held on EPA Electronic File EF21/16268.

E3 Completed AND/OR Removed Special Conditions

- E3.1 A record of past special conditions that have been completed and/or removed from the licence.

Name of condition	Description of condition	Reason and date removed
E2 North Zone Traffic Switch Shutdown	Works may be undertaken outside of standard construction hours for a 54-hour period from Friday 20 January to Monday 23 January 2023 to enable Warringah Freeway inner carriage way works as described in the licence variation application submitted to the EPA on 13 October 2022 and related email correspondence.	Removed on 04.07.2023 as works associated with condition have been completed.

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E3 Ernest Street northbound off ramp 6 week shutdown	Works may be undertaken outside of standard construction hours from Tuesday 27 December 2022 to Monday 6 February 2023 to enable re-grading of the Ernest Street tidal ramp as described in the licence variation application received by the EPA on 28 November 2022, supporting documentation and related email correspondence.	Removed on 04.07.2023 as works associated with condition have been completed.
E4 Dismantling of Ridge Street pedestrian/cyclist ramp and tree removal works	Works may be undertaken outside of standard construction hours between Friday 27 January and Sunday 29 January 2023 to enable tree removal and dismantling of the Ridge Street pedestrian/cyclist ramp as described in the licence variation submitted to the EPA on 1 December 2022, supporting documentation and related email correspondence.	Removed on 04.07.2023 as works associated with condition have been completed.
E4 Dismantling of Ridge Street pedestrian/cyclist ramp and tree removal works	Works may be undertaken outside of standard construction hours between Saturday 25 February and Sunday 26 February 2023 to enable dismantling of the remaining Ridge Street pedestrian/cyclist ramp as described in the email correspondence and supporting documentation.	Removed on 04.07.2023 as works associated with condition have been completed.
E2, E3, E4 (see above)	See above	Removed on 05.07.2023 as works associated with conditions have been completed.
L5.9 Works outside of standard construction hours for Falcon St, Ernest Street and Mount Street during Sep/Oct 2023	Works may be undertaken outside of standard construction hours for Falcon St demolition, Ernest Street girder lift and Mount Street headstocks installation	Removed on 03.11.2023 as works associated with condition have been completed
L5.9 Works outside of standard construction hours required for the lifting and installation of precast panels on the Ernest Street bridge	Works outside of standard construction hours required for the lifting and installation of precast panels on the Ernest Street bridge may commence at 10:00pm on Monday 6 November 2023, subject to further requirements.	Removed on 21.12.2023 as works associated with condition have been completed
L5.9 Works outside of standard construction hours from 26 December 2023 until 15 January 2024	Works may be undertaken outside of standard construction hours from 9 pm on 26 December 2023 until 4:30 am on 15 January 2024 for the works described in EPL 21619 Licence Variation Application – Rev 1 and supporting documentation, provided that the licensee complies with conditions L6.9a)-j)	Removed on 07.02.2024 as works associated with condition have been completed

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L5.9 Works outside of standard construction hours from 16 February 2024 to 19 February 2024 for removal of Ausgrid ducts.	Works may be undertaken from 10 pm Friday 16 February until 5 am Monday 19 February 2024 for removal of the Ausgrid ducts at the intersection of Mount Street and Alfred Street North, in accordance with condition L5.8, excluding the minimum timeframe requirement in condition L5.8(a) for submission of information to the EPA.	Removed on 11.03.2024 as works associated with condition have been completed.
L5.10 Works outside of standard construction hours from Thursday 28 March 2024 to Tuesday 2 April 2024	L5.10 Works may be undertaken outside of standard construction hours between 10pm on Thursday 28 March 2024 and 6am on Tuesday 2 April 2024 for ITS backbone installation, Installation of gantry foundations on the mainline adjacent to Ridge Street, Utilities relocation works on Alfred Street North and Mount Street intersection and Placement of concrete on the Southbound lane 6 of the Warringah Freeway. Subject to the requirements of the condition and EPL.	Removed on 04.04.2024 as works associated with the condition have been completed.

E4 Special Dictionary

Special Dictionary

Term	Meaning
Best Achievable Noise Performance Objectives	The construction noise level predicted at a receiver location after all feasible and reasonable noise mitigation measures have been incorporated into the prediction model and considered in deriving the predicted noise level
Construction Noise and Vibration Impact Assessment is a document or suite of documents that:	Describe the construction activities proposed; identifies the potential impacts of those activities on the community; the measures that will be used to reduce impacts on the affected community; how the community will be informed and engaged; and, how noise impacts will be monitored and enforced. They are often referred to as Noise and Vibration Management Plans, Construction Noise and Vibration Impact Statements, Construction Method Statements, Work Method Statements and the like
Construction Work	includes all construction work and activities, and all construction-related work and activities, undertaken on the premises

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High Noise Impact Activities and Works	<p>means construction works which are:</p> <ul style="list-style-type: none"> • Identified as particularly annoying in section 4.5 of the ICNG; • Works identified as 'Highly Noise Intensive Works' in a planning approval for the activities in this licence; and/or • Any other activity identified by the EPA, and advised to the licensee, following an assessment of the character of the noise emitted by the activity based on the Noise Policy for Industry, Fact Sheet C considerations (EPA, 2017).
Interim Construction Noise Guidelines (ICNG)	Interim Construction Noise Guidelines (DECC, July 2009)
In Writing	documents are to be submitted electronically unless otherwise requested by EPA
NTU	Nephelometric Turbidity Unit
Noise Management Level (NML)	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, including residences and other sensitive land uses detailed in Table 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
Out of Hours (OOHWs)	means hours outside those prescribed by condition L5.1
Rating Background Level (RBL)	the same meaning as in the Interim Construction Noise Guideline (DECC 2009)
Residence	A lawful and permanent structure erected in a land-use zone that permits residential use (or for which existing use rights under the EP&A Act apply) where a person/s permanently reside and is not, nor associated with, a commercial undertaking such as caretakers quarters, hotel, motel, transient holiday accommodation or caravan park
Resource Recovery Order and/or Exemption	As described under Part 9, Clause 93 of the Protection of the Environment Operations (Waste) Regulation 2014
Competent Person - For the purpose of noise monitoring, must satisfy one or more of the following	<ul style="list-style-type: none"> • have qualifications and/or experience sufficient to fulfil the requirements of 'member' grade of the Australian Acoustical Society • undertake the duties of an acoustic consultant on behalf of a consultancy firm that is a member of the Association of Australasian Acoustical Consultants • have a recognised tertiary qualification in a discipline pertinent to acoustics • be able to demonstrate competence through professional experience and/or technical expertise to the satisfaction of EPA



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Community Affected Catchment	<p>means the combined group of all noise sensitive receivers who are either:</p> <p>a) predicted by the licensee to be impacted by noise levels exceeding those specified in Condition L5.3a) and L5.3b); or</p> <p>b) predicted by the licensee to be impacted by noise levels above a highly noise affected level of 75dB(A).</p>
Respite Period	<p>Respite periods can be any combination of days or hours where out-of-hours work would not be more than 5 dB(A) above the rating background noise level at any residence.</p>
Relevant Road Network Operator	<p>means the local, state or Commonwealth government department responsible for the operational performance of the relevant road/s where activities are occurring.</p>

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Dictionary

General Dictionary

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

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

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TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non-putrescible), special waste or hazardous waste
Wellhead	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Ms Olivia Patterson

Environment Protection Authority

(By Delegation)

Date of this edition: 13-April-2022

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End Notes

2	Licence varied by notice	1621976 issued on 23-Sep-2022
3	Licence varied by notice	1623551 issued on 24-Nov-2022
4	Licence varied by notice	1625136 issued on 21-Dec-2022
5	Licence varied by notice	1625539 issued on 23-Dec-2022
6	Licence varied by notice	1625856 issued on 10-Jan-2023
7	Licence varied by notice	1626222 issued on 25-Jan-2023
8	Licence varied by notice	1626488 issued on 06-Feb-2023
9	Licence varied by notice	1626961 issued on 24-Feb-2023
10	Licence varied by notice	1630654 issued on 05-Jul-2023
11	Licence varied by notice	1631897 issued on 16-Aug-2023
12	Licence varied by notice	1633259 issued on 28-Sep-2023
13	Licence varied by notice	1634451 issued on 03-Nov-2023
14	Licence varied by notice	1635559 issued on 22-Dec-2023
15	Licence varied by notice	1636324 issued on 22-Jan-2024
16	Licence varied by notice	1636554 issued on 09-Feb-2024
17	Licence varied by notice	1637060 issued on 15-Feb-2024
18	Licence varied by notice	1637276 issued on 11-Mar-2024
19	Licence varied by notice	1638038 issued on 28-Mar-2024
20	Licence varied by notice	1638257 issued on 22-Apr-2024
21	Licence varied by notice	1639908 issued on 05-Jun-2024
22	Licence varied by notice	1642485 issued on 26-Aug-2024
23	Licence varied by notice	1643179 issued on 09-Sep-2024
24	Licence varied by notice	1643853 issued on 03-Oct-2024
25	Licence varied by notice	1645348 issued on 02-Dec-2024
26	Licence varied by notice	1645560 issued on 19-Dec-2024
27	Licence varied by notice	1645951 issued on 23-Dec-2024
28	Licence varied by notice	1646626 issued on 24-Jan-2025
29	Licence varied by notice	1647694 issued on 21-Mar-2025



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30	Licence varied by notice	1648169 issued on 17-Apr-2025
31	Licence varied by notice	1650354 issued on 30-Jun-2025
32	Licence varied by notice	1655454 issued on 22-Dec-2025
33	Licence varied by notice	1656322 issued on 06-Feb-2026
34	Licence varied by notice	1657644 issued on 02-Apr-2026