

From: Julian Thompson [<mailto:Julian.Thompson@epa.nsw.gov.au>]
Sent: Tuesday, 28 April 2015 9:09 AM
To: Chisholm, Shannon
Cc: Michael Heinze; Graham Roche
Subject: Re: FBB proposal to amend DP&E MCOA - C6

Shannon,
No objections from the EPA to this proposal.
Regards
Julian.

On 27 Apr 2015, at 4:32 pm, "Heinze Michael" <Michael.Heinze@epa.nsw.gov.au> wrote:

Hi Shannon

I'd like to discuss this with Julian before sending through a response, but Julian isn't in today. I will give him a call first thing in the morning, as I will be in Goulburn all day and I'll quickly discuss your email with him and hopefully get a response to you sometime mid-morning.

Regards
Michael

Michael Heinze

Regional Operations Officer | South East Region | NSW Environment Protection Authority
11 Farrer Place, QUEANBEYAN NSW 2620
Ph (02) 6229 7002 | Mobile 0408 695 070 | Fax (02) 6229 7006 | Michael.Heinze@epa.nsw.gov.au

From: Chisholm, Shannon [<mailto:Shannon.Chisholm@fultonhogan.com.au>]
Sent: Monday, 27 April 2015 11:05 AM
To: Heinze Michael
Cc: Graham Roche; TOMS Michelle <Michelle.TOMS@rms.nsw.gov.au>
(Michelle.TOMS@rms.nsw.gov.au); Toby Hobbs; Mcrae, Andrew; Kliger, Irina; Leigh, Sam
Subject: FBB proposal to amend DP&E MCOA - C6

Hi Michael,

Further to our discussion this morning regarding Futon Hogan's proposal to amend the Ministers Conditions of Approval in relation to works outside of standard construction hours, I confirm the following:

- FH are hoping to apply to DP&E for amendment to Condition C4 (e) and removal of Condition C6 as highlighted below.
- We are proposing that these conditions be replaced by inclusion of words to the following effect in lieu of C4(e) "*where an Environment Protection Licence applies to the construction of the project, the approved construction hours, and any associated conditions / requirements, as set out in the Environment Protection Licence*". We are aware that DP&E has incorporated this same wording into other recent Part 3A approved projects.
- This proposal does not impact on the protections afforded to potentially affected noise receivers and in no way affects our commitment or requirement to comply with the Project Environment Protection Licence 20462, specifically conditions relating to L4 "Hours of Operation";
- In relation to any works that FH are required to perform outside of standard construction hours as directed by RMS and/or for reasons supported by Section 2.3 of the Interim Construction Noise Guidelines, FH will always seek to consult with and obtain agreement from potentially affected noise sensitive receivers in accordance with Conditions L4.4 and L4.5;
- The Department of Planning & Environment Conditions C4 and C6 are replicated below, with FH proposal against each FYI: