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Via Major Projects Portal

EPA Advice on Environmental Impact Statement

Dear Ms Mazaheri

Thank you for the request for advice from Public Authority Consultation (PAE-70891485), requesting the review by the NSW Environment Protection Authority (EPA) of the Environmental Impact Statement (EIS) for the proposed Copi Mineral Sands Project (Application SSD-41294067) located approximately 75km northwest of Wentworth and 180km southwest of Broken Hill, within the Wentworth Local Government Area (LGA).

The EPA has reviewed the following documents:

- *Environmental Impact Statement for the Copi Mineral Sands Project* – R.W.Corkery & Co Pty Ltd – May 2024
- *Copi Mineral Sands Project Groundwater Impact Assessment* – GEO-ENG – February 2024
- *Surface Water Assessment for the Copi Mineral Sands Project* - R.W.Corkery & Co Pty Ltd – March 2024
- *Noise Impact Assessment, Copi Mineral Sands Project Wentworth, NSW* – Muller Acoustic Consulting – March 2024
- *Copi Mineral Sands Project Air Quality Impact Assessment* – northstar – 23 April 2024
- *Copi Mineral Sands Project – Land and Soil Capability Assessment* – Sustainable Soils Management Pty Ltd – January 2024.

The EPA understand the proposal is for:

- Open cut mining using a combination of traditional dry (excavate, load and haul) and wet (dredging) mining techniques to extract up to approximately 28.2 million tonnes per annum (Mtpa) of overburden, 48.0 Mtpa of interburden and 27.7Mtpa of ore;
- On-site processing of extracted ore using a floating Wet Concentrator and land-based Rare Earth Concentrate Plant;

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- Transportation of mine products in sealed containers from the Mine Site to the Rail Facility via a Site Access Road, an upgraded Anabranth Mail Road and the Silver City Highway to Broken Hill;
- Initial placement of overburden and reject into an Off Path Storage Facility until sufficient area within the dredge pond has been established. Following this, reject would be placed within completed sections of the dredge pond, with overburden used to cap the placed material and for construction of the final landform;
- Progressive establishment of a final landform, including a realignment of Nulla Road, and revegetation of that landform with native species to re-establish ecosystem function and agricultural productivity within the Mine Site;
- Use of the existing Rail Facility in Broken Hill for the purposes of loading mine product containers onto trains;
- Construction and use of a range of ancillary infrastructure, including but not limited to:
 - A mine camp for 200 people;
 - A Solar Farm;
 - A diesel-powered Power Station (for construction operations and emergency backups only);
 - Offices and administration facilities, workshops and stores;
 - Site access road between the Infrastructure Area and Anabranth Main Road;
 - A 66kV powerline adjacent to the Site Access Road from the 220kV Buronga to Broken Hill Transmission Line to an onsite substation, as well as associated power distribution infrastructure;
 - A Water Storage Dam for managing pond water levels during the initial mining operations; and
 - Internal roads, stockpiles and related infrastructure.

Based on the information provided, the proposal will require an environment protection licence under section 43 of the *Protection of the Environment Operations Act 1997* (POEO Act) for Mining for Minerals clause 29 of Schedule 1 of the POEO Act.

The EPA has reviewed the EIS and notes that the EIS does provide the information required by the Secretary's Environmental Assessment Requirements SSD-41294067. However, the EPA requests additional information to be able to assess the proposal.

The EPA has the following additional comments and recommendations:

1. Matters to be addressed prior to determination

a. Air Quality Impact Assessment

The EPA have reviewed the Air Quality Impact Assessment and have identified the following issues:

1. Emissions inventory is not sufficiently transparent;
2. Emissions inventory lacks detail regarding wind erosion of exposed areas;
3. Control factors outlined within the AQIA may be difficult to achieve in practice; and
4. Proposed silt content of haul roads does not reflect figures outlined in the AQIA.

Detailed comments on the identified issues are provided in **Attachment A**.

The EPA recommends that the Air Quality Impact Assessment be revised to address these issues before conditions of approval can be recommended.

b. Waste Tyre Disposal

The EPA recommends that further information is provided about the Applicants proposal for the disposal of end of life mining heavy plant tyres.

Further information is required around any proposal to dispose of end of life mining heavy plant tyres, either offsite or on the premises.

2. Matters to be addressed with conditions

a. Noise

The EPA has reviewed the Noise Impact Assessment and notes the assessment typically provides an assessment in accordance with the Noise Policy for Industry (NPfI) 2017.

The EPA notes that background noise monitoring was not conducted for this project and that the minimum background noise levels were used for the development Project Noise Trigger Levels (PNTLS) consistent with the NPfI. The results of the operational noise assessment provided in EIS demonstrates that noise emissions associated with the operation of the Project would not exceed the PNTLS at any of the assessed receiver locations. This also means that voluntary land mitigation rights under the 'Voluntary Land Acquisition and Mitigation Policy' administered by the Department of Planning, Housing and Infrastructure would not apply.

The NIA demonstrates that traffic noise and construction noise can be managed consistent with NSW noise policies.

The EPA has attached recommended conditions for noise and recommended they be added to the project approval should the project be approved, please see **Attachment B**.

b. Noise Management Plan

The EPA recommends that the Applicant prepare and implement a Noise Management Plan for the development to the satisfaction of the Secretary, and prior to any construction works. The plan must incorporate all activities conducted within the Copi Mineral Sands mining leave and at the Broken Hill rail facility. This plan must:

- i) Be prepared in consultation with the EPA; and
- ii) Include, but is not limited to, the following matters:
 - a. Describe the measure that would be implemented to ensure compliance with the noise criteria and operating conditions (outlined in Attachment B); and
 - b. Include a monitoring program that is consistent with the requirements of Attachment B and;
 - Identifies noise affected properties and sensitive receptors;
 - A noise monitoring program that evaluates and reports on noise impacts at the identified sensitive receptors against the noise criteria;
 - Noise mitigation measures to be implemented; and
 - Details about the proposed response to criteria exceedances identified by the monitoring, and includes a protocol for notification to relevant stakeholders of any noise incidents.

c. Surface and Groundwater Water

The EPA recommends that the Applicant prepare and implement Surface Water and Groundwater Management Plans for the development to the satisfaction of the Secretary, and prior to any construction works. The plans must incorporate all activities conducted within the Copi Mineral Sands mining lease and at the Broken Hill rail facility. This plan must:

- i) Be prepared in consultation with the EPA; and
- ii) Include, but is not limited to, the following matters:
 - a. A groundwater quality monitoring program;
 - b. A surface water quality monitoring program; and
 - c. Contaminated process and stormwater collections systems and associated dam construction.

The EPA intend to use the information provided in the groundwater quality monitoring program and surface water quality monitoring program to determine and condition the monitoring requirements within an Environment Protection Licence for the proposal.

d. Waste Management Plan

The EPA recommends that the Applicant prepare and implement a Waste Management Plan for the development to the satisfaction of the Secretary, and prior to any construction works. The plan must incorporate all activities conducted within the Copi Mineral Sands mining lease and at the Broken Hill rail facility. This plan must:

- i) Be prepared in consultation with the EPA; and
- ii) Include, but is not limited to, the following matters:
 - a. Ensure that prior to disposal all waste is classified in accordance with the *NSW Waste Classification Guidelines* (EPA 2014);
 - b. Meets the environmental goals listed in the *Environmental Guidelines: Solid Waste Landfills* (EPA 2016);
 - c. Comprehensive details about handling, storage and disposal of tailings and mining by-products and the management of tailings storage facilities;
 - d. The strategies and procedures for the management of drilling fluids and muds associated with groundwater well construction;
 - e. Include the strategies for handling and storage of overburden and develop a strategy for blending Potential Acid Forming (PAF) and Non Acid Forming (NAF) overburden material and describe how this will be incorporated into the protocol for disposal of overburden in the void; and
 - f. Integrate waste monitoring and management with Rehabilitation and Closure plans for the overall operations.

The Applicant must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by an Environment Protection Licence.

e. Waste Tyre Storage and Disposal

The EPA applies the waste hierarchy which is a set of priorities that underpin the objectives of the *Waste Avoidance and Resource Recovery Act 2001*. This ensures waste avoidance and reduction is addressed as a priority. However, the EPA notes that at the current time there are barriers to recycling end of life heavy mine tyres. Consistent with previous planning responses for waste tyre disposal on large mines, the EPA has recommended a set of licence conditions to

authorise the storage of waste tyres on sites. This is with the expectation that the Applicant investigates all available recycling options.

The EPA recommends that the following conditions are added to the project approval should the project be approved.

- i) Stockpiles of any heavy plant waste tyres stored at the premises awaiting disposal must:
 - a. Be less than 3 metres in height;
 - b. Not cover an area of more than 200 square metres; and
 - c. Not be located within 10 metres of any other flammable or combustible materials.
- ii) The Applicant must undertake a review of available recycling options for end of life heavy plant tyres at least once every two (2) years and provide a report to the EPA that contains (but is not limited to) the following:
 - a. Analysis of the current capacity of recycling facilities that can accept end of life mining heavy plant tyres for processing in NSW and other neighbouring states;
 - b. Evidence of efforts made by the Applicant in the previous 24 months to actively seek recycling options for end of life heavy mining plant tyres generated at the premises;
 - c. Analysis of any pre-treatment options that can be performed at the premises to reduce the costs associated with the transport and recycling of end of like mining heavy plant tyres;
 - d. Analysis of the specific costs to the Applicant associated with the transport and delivery/acceptance of site generated end of life mining heavy plant tyres at the nearest capable recycling facilities.

f. Radiation Management Plan

The EPA recommends that the Applicant prepare and implement a 'Radiation Waste Management Plan' for the development to the satisfaction of the Secretary, and prior to any construction works. The plan must:

- i) Be prepared in consultation with the EPA by a suitable qualified expert; and
- ii) Include, but is not limited to, the following matters:
 - a. Generally meet the environmental goals listed in Environmental Guidelines: Solid Waste Landfills (DEC, 1996 or its latest version);
 - b. Considers the requirements of the *Protection from Harmful Radiation Act 1990*, the *NSW Protection of the Environment Operations (Waste) Regulation 2014* and be consistent with the Code of Practice and Safety Guide for Radiation Protection and Radioactive Waste Management in Mining and Mineral Processing (ARPANSA, 2005);
 - c. Classify the nature of the wastes, including the radionuclide content and their physical and chemical states;
 - d. Describe how radiation waste will be managed and disposed of, including operational details of waste disposal area, and include estimated radiation doses, the potential escape pathways and impacts;
 - e. Develop a radiation monitoring program that includes reviews and revision of the disposal of radiation waste; and
 - f. Integration of the radiation waste monitoring and management with the Waste, Rehabilitation and Closure Plans for the overall operations.

g. Environmental Management

The EPA recommends that the Applicant prepare and implement and 'Environmental Management Strategy' for the development to the satisfaction of the Secretary, and prior to any construction works. The plan must:

- i) Be prepared in consultation with the EPA; and
- ii) Include, but is not limited to, the following matters:
 - a. Provide the strategic framework for environmental management of the development;
 - b. Identify and manage the statutory approvals that apply to the development;
 - c. Identify and manage the strategies, plans and programs approved under the conditions of this consent;
 - d. Identify and implement all the monitoring requirements to be undertaken under the conditions of this consent and statutory approvals that apply to the development;
 - e. Identify and implement all legislative requirements of the development;
 - f. Describe the roles and responsibilities, authority and accountability of all key personnel involved in the environmental management of the development;
 - g. Develop a complaints register with response mechanisms and dispute resolution procedures; and
 - h. Develop emergency and pollution response management plans.

3. Minor matters

a. Groundwater

The EPA note that the project proposes removing a Water NSW owned, government groundwater monitoring bore (GW036722) as it is located within the mining lease. The bore is a clustered bore consisting of 3 individual wells monitoring different depths in the underlying strata. The bore is 411m at its deepest. The EPA recommends that :

1. DCCEE-W, water group should be consulted for an agreement on the replacement of the subject monitoring bore should it be removed.
2. Decommissioning activities should be conducted in accordance with Chapter 18 of the Minimum Construction Requirements for Water Bores in Australia.

If you have any questions about this request, please contact myself on 6983 4918 or via email at info@epa.nsw.gov.au.

Yours sincerely



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NSW Environment Protection Authority

Attachment A – Air Quality – EPA Additional Information Required

The EPA request the provision of further information regarding the following aspects of the AQIA:

1. The emissions inventory is not sufficiently transparent

The emissions inventory provides formulas used to calculate fugitive dust emissions from project activities. However, the emissions inventory lacks specific details relating to the calculation of several figures including, (but not limited to) mass of haul trucks, load of haul trucks, distances travelled, calculations of exposed areas and wind speeds. The EPA advises that the emissions inventory should be sufficiently transparent to allow for all emissions to be reproduced and assessed.

Recommendation: *The AQIA be revised to include additional detailed information in the emissions inventory to enable emission estimates to be assessed and replicated.*

2. Emissions inventory lacks detail regarding wind erosion of exposed areas

The emissions inventory within the AQIA outlines several exposed areas susceptible to wind erosion including vegetation cleared, overburden removal area, overburden backfill area, soil spreading and revegetation. These areas were identified to have a combined area of 5.3ha for annual emissions in scenario 1. However, the AQIA states that the active area of exposed areas (except for the HMC storage area), is taken to be 10% of the total area. It is understood that the limit of disturbance equates to approximately 5622ha, therefore 10% of this figure is significantly greater than the provided value of 5.3ha. The EPA notes that the AQIA is unclear regarding how these areas have been calculated since the emissions inventory does not provide adequate detail.

The emissions inventory includes “soil spreading and reveg area” however, it is unclear if the figures attached to this description match the intended scale of revegetation/rehabilitation of the project. Rehabilitation is proposed to occur progressively throughout the life of the project, with the extraction area progressively backfilled, shaped and rehabilitated. The Emission Estimation Technique Manual for Mining¹ recommends emission reduction factors between 30% - 90% depending on the level of rehabilitation, whilst an emission reduction factor of 100% is reserved for fully rehabilitated areas. Rehabilitation is expected to cover a significant portion of the limit of disturbance over the project duration. The EPA notes that the scale of rehabilitation does not appear to be reflected within the emissions inventory. Wind erosion of exposed areas has the potential to form a significant portion of the project related dust emissions, therefore the assessment should reflect the scale of such areas and outline proposed controls where appropriate.

Recommendation: *The AQIA be revised to enable emission estimates to be assessed and replicated for exposed areas susceptible to wind erosion. Further specific detail should be provided regarding the calculation of all exposed areas (including rehabilitated/revegetated areas and the off-path storage facility) to ensure the emissions inventory is accurate, transparent, and able to be replicated. The updated AQIA should include consideration regarding the anticipated level of rehabilitation achieved for each scenario.*

3. Control factors outlined within the AQIA may be difficult to achieve in practice.

The emissions inventory of the AQIA notes that “stripped overburden to placement area” makes up the largest portion of controlled dust (including TSP, PM₁₀ and PM_{2.5}) emissions for the majority of assessed scenarios. The control efficiency applied per table 42 of the AQIA indicates that the application of water and/or chemical suppressants on unpaved haulage routes is estimated to provide a 90% reduction from the uncontrolled figure. A further control efficiency of 75% was applied

¹ Emission Estimation Technique Manual for Mining, National Pollutant Inventory, Australian Government (dated January 2012)

for the limiting of on-site vehicle speeds to less than or equal to 50km/h. The combination of these control efficiencies equates to a control efficiency of 97.5%. The EPA raise concerns that this significant control efficiency would need to be maintained at all times throughout the project lifetime to reduce the risk of project related dust impacts. The EPA note that a marginal decrease of the proposed 97.5% control efficiency down to a 90% control efficiency would equate to a ~three-fold increase in the total dust emissions released from the project on an annual basis. The top 10 ranked 24-hour PM₁₀ incremental impacts at receptor 1 indicate an average incremental impact of 6µg/m³, ranging from 4.7 to 8µg/m³ over the dataset. Due to the proximity of receptor 1 to the project limit of disturbance (~2km), increases in the total dust releases from the project is likely to result in significant project related impacts at this location. The proponent is therefore highly reliant on control efficiencies to ensure that incremental impacts are minimised at sensitive receptors.

Recommendation: *The AQIA be revised to include additional detail of how control efficiencies will be met throughout the lifetime of the project. This includes (but is not limited to) the availability of water/chemical suppressants and the proposed application rates of water/chemical suppressants. The revised AQIA should include the viability of the adopted level of controls to reduce expected emissions. The updated AQIA should confirm whether there are any additional practicable mitigation controls or measures that could be implemented to minimise air emissions or reduce future impacts once the site is operational.*

4. Proposed silt content of haul roads does not reflect figures outlined in the AQIA

The AQIA notes that the silt content of unpaved haul roads at the project site has been taken to be 4.8 %. However, the AQIA notes that the silt content of topsoil and subsoil is 6.2% whilst the silt content for overburden/interburden is approximately 10%. The AQIA notes that where practicable, the pavement of internal roads would be constructed of low-silt materials to minimise dust lift-off, however the AQIA is unclear regarding specific details of how the proposed silt content for haul roads will be met in practice.

Recommendation: *The AQIA be revised to include specific details of how haul roads will be constructed of low-silt materials and how such material will be sourced.*

Attachment B – EPA Recommended Conditions for Noise

Please note, the condition numbering reflects condition numbers within an Environment Protection Licence and are for representative purposes only.

Noise Limit Conditions

- L6.1** Noise generated at the premises must not exceed the noise limits at the times and locations in the table below. The locations referred to in the table below are indicated by Noise Impact Assessment (NIA), Copi Mineral Sands Project, 15 March 2024, conducted by Muller Acoustic Consulting (MAC) Figure 3.

Location	Noise Limits in dB(A)			
	Day	Evening	Night	Night
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{AFmax}
R1 – Huntingfield Homestead	40	35	35	52
R3 – Wemba Homestead	40	35	35	52
R4 – Warwick Homestead	40	35	35	52
R5 – Sunshine Homestead	40	35	35	52
R6 – Amoskeg Homestead	40	35	35	52
R7 – Bunnerungee Homestead	40	35	35	52
R8 – Coleraine Homestead	40	35	35	52
R9 – Warranaga Homestead	40	35	35	52
R10 – Toora Homestead	40	35	35	52

- L6.2** For the purposes of condition L6.1:

- a) Day means the period from 7am to 6pm Monday to Saturday and the period from 8am to 6pm Sunday and public holidays.
- b) Evening means the period from 6pm to 10pm.
- c) Night means the period from 10pm to 7am Monday to Saturday and the period from 10pm to 8am Sunday and public holidays.

- L6.3** Noise-enhancing meteorological conditions

- a) The noise limits set out in condition L6.1 apply under the following meteorological conditions:

Assessment Period	Meteorological Conditions
Day	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.
Evening	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.
Night	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level; or Stability category E and F with wind speeds up to and including 2m/s at 10m above ground level.

- b) For those meteorological conditions not referred to in condition L6.3(a), the noise limits that apply are the noise limits in condition L6.1 plus 5dB.

L6.4 For the purposes of condition L6.3:

- a) The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as EPA monitoring point TBD (Onsite meteorological weather station, exact location to be determined post approval)
- b) Stability category shall be determined using the following method from Fact Sheet D of the *Noise Policy for Industry* (NSW EPA, 2017):
 - i. Use of sigma-theta data (section D1.4).

L6.5 To assess compliance:

- a) with the $L_{Aeq(15 \text{ minutes})}$ or the L_{Amax} noise limits in condition L6.1 and L6.3, the noise measurement equipment must be located:
 - (i) approximately on the property boundary, where any residence is situated 30 metres or less from the property boundary closest to premises; or where applicable,
 - (ii) in an area within 30 metres of a residence façade, but not closer than 3 metres where any residence on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable,
 - (iii) in an area within 50 metres of the boundary of a National Park or Nature Reserve,
 - (iv) at any other location identified in condition i)
- b) with the $L_{Aeq(15 \text{ minutes})}$ or the L_{Amax} noise limits in condition L6.1 and L6.3, the noise measurement equipment must be located:
 - (i) at the reasonably most affected point at a location where there is no residence at the location; or,
 - (ii) at the reasonably most affected point within an area at a location prescribed by condition L6.5 (a).

L6.6 A non-compliance of conditions L6.1 and L6.3 will still occur where noise generated from the premises is measured in excess of the noise limit at a point other than the reasonably most affected point at the locations referred to in condition L6.5 (a) or L6.5 (b).

NOTE to L6.5 and L6.6: The reasonably most affected point is a point at a location or within an area at a location experiencing or expected to experience the highest sound pressure level from the premises.

L6.7 For the purpose of determining the noise generated from the premises, the modifying factor corrections in Table C1 in Fact Sheet C of the *Noise Policy for Industry* (NSW EPA, 2017) may be applied, if appropriate, to the noise measurements by the noise monitoring equipment.**L6.8** Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.**Monitoring Conditions****M7.1** The meteorological weather station identified as EPA monitoring point TBD (Onsite meteorological weather station, exact location to be determined post approval) must be maintained so as to be capable of continuously monitoring the parameters specified in condition M7.2.**M7.2** For each monitoring point specified in the table below the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The

licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.

Point <insert point number as listed in table P1.1>

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Air temperature	°C	Continuous	1 hour	AM-4
Wind direction	°	Continuous	15 minute	AM-2 & AM-4
Wind speed	m/s	Continuous	15 minute	AM-2 & AM-4
Sigma theta	°	Continuous	15 minute	AM-2 & AM-4
Rainfall	mm	Continuous	15 minute	AM-4
Relative humidity	%	Continuous	1 hour	AM-4

M8 Requirement to Monitor Noise

M8.1 Attended noise monitoring must be undertaken in accordance with Condition L6.5 and must:

- a) occur at each location specified in Condition L6.1;
- b) occur bi-annually in a reporting period;
- c) occur during each day, evening and night period as defined in the *Noise Policy for Industry* for a minimum of:
 - 1.5 hours during the day;
 - 30 minutes during the evening; and
 - 1 hour during the night.
- d) occur for three consecutive operating days unless where rain or wind speed at microphone level will affect the acquisition of valid measurements.

Note: The EPA has published an Approved Methods for the Measurement and Analysis of Environmental Noise that set out minimum requirements and good practice methods. Formal licence conditions referencing these Approved Methods are yet to be added to PALMS. However, you may wish to consider adding the following condition to the licence: *Subject to any express provision to the contrary in this licence, measurement and analysis of noise required by this licence must be done in accordance with the Approved Methods for the Measurement and Analysis of Environmental Noise in NSW.*

Reporting Conditions

R4 Noise Monitoring Report

A noise compliance assessment report must be submitted to the EPA within 30 days of the completion of the bi-annual monitoring. The assessment must be prepared by a competent person and include:

- a) an assessment of compliance with noise limits presented in Condition L6.1 and L6.3; and
- b) an outline of any management actions taken within the monitoring period to address any exceedences of the limits contained in Condition L6.1 and L6.3.

Additions to Definition of Terms of the licence

- Noise Policy for Industry - the document entitled “*Noise Policy for Industry*” published by the NSW Environment Protection Authority in October 2017.
- Noise – ‘sound pressure levels’ for the purposes of conditions L6.1 to L6.8.
 - $L_{Aeq(15\text{ minute})}$ - the value of the A-weighted sound pressure level of a continuous steady sound that, over a 15 minute time interval, has the same mean square sound pressure level as a sound under consideration with a level that varies with time (Australian Standard AS 1055:2018 *Acoustics: description and measurement of environmental noise*).
 - L_{AFmax} – the maximum sound pressure level of an event measured with a sound level meter satisfying Australian Standard AS IEC 61672.1-2013 *Electroacoustics - Sound level meters - Part 1: Specifications* set to ‘A’ frequency weighting and fast time weighting.

Construction Noise

Hours of Construction

- L6.9** All road construction work in the Broken Hill area must be conducted between 7am and 6pm Monday to Friday and between 8am and 1pm Saturdays and at no time on Sundays and public holidays.

Exceptions to construction hours

The following activities may be carried out outside the recommended construction hours:

- a) construction that causes $L_{Aeq(15\text{ minute})}$ noise levels that are:
 - i. no more than 5dB above Rating Background Level at any residence in accordance with the *Interim Construction Noise Guideline* (DECC, 2009); and
 - ii. no more than the Noise Management Levels specified in Table 3 of the *Interim Construction Noise Guideline* (DECC, 2009) at other sensitive land uses; or
- b) for the delivery of materials required by the police or other authorities for safety reasons; or
- c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or
- d) as approved through the process outlined in “Variation of construction hours” of this approval.