

Environment Protection Licence

Licence - 13421

Licence Details

Number:	13421
Anniversary Date:	13-January

Licensee

JOHN HOLLAND RAIL PTY LTD

PO BOX 215

PARRAMATTA NSW 2124

Premises

JOHN HOLLAND RAIL NETWORK

PARRAMATTA NSW 2124

Scheduled Activity

Railway activities - railway infrastructure operations

Fee Based Activity

Railway infrastructure operations

Scale

Any annual capacity

Region

Metropolitan North - Sydney

4 Parramatta Square, 12 Darcy Street

PARRAMATTA NSW 2150

Phone: (02) 9995 5000

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PARRAMATTA NSW 2124

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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:

JOHN HOLLAND RAIL PTY LTD
PO BOX 215
PARRAMATTA NSW 2124

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
Railway activities - railway infrastructure operations	Railway infrastructure operations	Any annual capacity

Objectives of this licence

A1.2 It is an objective of this licence to control and progressively reduce noise and air quality impacts from the operation of rolling stock and management of rail infrastructure.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
JOHN HOLLAND RAIL NETWORK
PARRAMATTA
NSW 2124
<p>THE PREMISES TO WHICH THIS LICENCE APPLIES COMPRISES THE JOHN HOLLAND RAIL NETWORK WHICH IS DEFINED BY THE FOLLOWING RAIL NETWORK DIAGRAM:</p> <p>A) RAIL NETWORK DIAGRAM - RAILWAYS OF NEW SOUTH WALES - 2018 JHR V0.7 SHOWN AS: I) COUNTRY REGIONAL NETWORK OPERATIONAL TRACK; AND II) COUNTRY REGIONAL NETWORK NON-OPERATIONAL TRACK.</p> <p>NOTE: THE RAIL NETWORK DIAGRAM IS CONTAINED IN EPA FILE EF13/4211 AND IS AT THE WEBLINK: HTTP://WWW.JHRARN.COM.AU/WHO-WE-ARE/ABOUT-US/COUNTRY-REG IONAL-NETWORK-CRN/#</p>

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A3 Information supplied to the EPA

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

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

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

2 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.

3 Operating Conditions

O1 Activities must be carried out in a competent manner

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

O2 Maintenance of plant and equipment

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

O3 Dust

- O3.1 The premises must be operated and managed to minimise the generation of dust.

O4 Ongoing track maintenance

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- O4.1 The premises must be maintained to minimise noise impacts on noise sensitive receivers where safe and practicable to do so.

O5 Idling and horn use

- O5.1 The licensee must minimise noise and air emissions and impacts on sensitive receivers, from locomotive idling on the premises.
- O5.2 The licensee must minimise noise impacts on noise sensitive receivers from locomotive horn usage on the premises.

O6 Braking, bunching and stretching

- O6.1 The licensee must minimise noise impacts on noise sensitive receivers from braking, bunching and stretching of rolling stock on the premises.

O7 Environmental awareness

- O7.1 All staff, including contractors and subcontractors, involved in the carrying out of the activities authorised by this licence must be aware of their environmental responsibilities relating to the activities regulated by this licence.

O8 Waste management

- O8.1 The licensee must assess, classify and manage any waste generated at the premises in accordance with the Waste Classification Guidelines Part 1: Classifying Waste, November 2014 prior to transporting the waste off the premises.
- O8.2 The licensee must not cause, permit or allow any waste generated:
 - a) outside the licensed premises to be received at the licensed premises, except as expressly permitted by a condition of this licence or a resource recovery order and resource recovery exemption under the POEO Act.
 - b) at the premises to be disposed of at the premises, except as expressly permitted by another condition of this licence.
- O8.3 Waste that is generated at the premises (including excavated material) may be:
 - a) Lawfully re-used or recovered within the premises; or
 - b) Transported from one part of the premises to another part by road in accordance with Condition O8.4.
- O8.4 The licensee must ensure that:
 - a) the body of any vehicle or trailer, used to transport waste or excavated material from the premises, is covered before leaving the premises to minimise any spill or escape of any dust, waste, or spoil from the vehicle or trailer; and
 - b) mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the premises, is removed to the greatest extent practicable

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before the vehicle, trailer or motorised plant leaves the premises; and
c) the surfaces of access roads connecting the premises to public roads are effectively cleaned of any tracked material.

O9 Other operating conditions

Railway maintenance and construction activities

Note: The objectives of these conditions are to minimise noise impacts from railway maintenance and construction activities, recognising that operational safety and other factors constrain when these activities can be carried out on the premises. These factors include avoiding disruptions during peak periods for passenger services and ensuring that programmed track closures facilitate the efficient completion of maintenance and construction activities. Night-time and weekend work will be required for some activities.

Railway maintenance activities

Standard railway maintenance hours

- O9.1 Maintenance activities must be undertaken:
- a) between the hours of 7:00am and 6:00pm Mondays to Friday
 - b) between the hours of 8:00am and 1:00pm Saturday; and
 - c) not on Sundays or public holidays,
- unless an exception in Condition O9.2 or Condition O9.3 applies.

Exception to standard railway maintenance hours

- O9.2 The licensee may undertake maintenance activities outside of the hours specified in Condition O9.1:
- a) to provide safe and reliable services or a safe working environment; or
 - b) for emergency works; or
 - c) for the delivery of oversized plant or structures that require special arrangements or authorisation to be lawfully transported along public roads.

Exception to standard railway maintenance hours for low noise impact generating works

- O9.3 (a) The licensee may undertake maintenance activities outside of the hours specified in Condition O9.1, if the activities do not exceed:
- (i) 5dBA (LAeq, 15min) above the relevant rating background levels at day, evening and night, as determined at the nearest noise sensitive receiver as assessed by acoustic investigation, and
 - (ii) 15dBA (LA1, 1min or LAmax) above the relevant rating background level at night, as determined at the nearest noise sensitive receiver as assessed by acoustic investigation.
- (b) The results of any acoustic investigation undertaken in relation to Conditions O9.3(a)(i) and O9.3(a)(ii) must be provided by the licensee when requested by an authorised officer of the EPA.
- (c) An acoustic investigation referred to in Conditions O9.3(a)(i) and O9.3(a)(ii) is not required if there are no noise sensitive receivers impacted by the activities.

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Management of noise impacts from railway maintenance

- O9.4 Where maintenance activities are undertaken, including outside of the hours specified in Condition O9.1, noise impacts must be managed in accordance with the recommendations of the Interim Construction Noise Guideline (DECCW, 2009), as updated from time to time. Consistent with those recommendations, under this condition the licensee is required to:
- identify noise sensitive receivers that may be affected;
 - identify hours of work for the proposed activities;
 - identify noise impacts at noise sensitive receivers;
 - select and apply reasonable and feasible work practices to minimise noise impacts; and
 - notify the identified noise sensitive receivers at least 5 days prior to the commencement of maintenance activities undertaken outside of the hours specified in Condition O9.1, except where the licensee first becomes aware of the need to undertake those maintenance activities less than 5 days prior to the proposed commencement date, in which case the notification must be provided as soon as practicable after becoming aware of the need to undertake the maintenance activities.
- O9.5 When requested by an authorised officer of the EPA, the licensee must provide the following information regarding any proposed maintenance activities on the premises:
- dates and times of the proposed maintenance activity;
 - location of the proposed maintenance activity;
 - type(s) of work to be performed in conducting the proposed maintenance activity;
 - plant and equipment to be used; and
 - contact name and telephone number of a person who will be on site during the activity and who is authorised by the licensee to take action, including the cessation of the activity or any part of it, if so directed by the EPA. A contact person must be contactable 24 hours a day via the supplied telephone number(s) during the whole of the period that the activity takes place outside the hours specified in Condition O9.1.
- O9.6 When requested by an authorised officer of the EPA, the licensee must provide written reasons that demonstrate that maintenance activities undertaken outside of the hours specified in Condition O9.1 comply with the licence.

Railway construction activities

Standard railway construction hours

- O9.7 Construction activities must be undertaken:
- between the hours of 7:00am and 6:00pm Mondays to Friday
 - between the hours of 8:00am and 1:00pm Saturday; and
 - not on Sundays or public holidays, unless an exception in condition O9.8, O9.9 or O9.10 applies.

Exception to standard railway construction hours

- O9.8 a) The licensee may undertake construction activities outside of the hours specified in Condition O9.7:
- to provide safe and reliable services or a safe working environment; or
 - for emergency works; or
 - for the delivery of oversized plant or structures that require special arrangements or authorisation to be

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lawfully transported along public roads.

b) If emergency works outside of the hours specified in Condition O9.7 are to be undertaken in proximity to noise sensitive receivers the licensee must, on becoming aware of the need to undertake the emergency works, notify the EPA's Environment Line as soon as practicable and submit a report to the EPA by 2pm on the next business day after the emergency works commenced that describes:

- i) the cause, time and duration of the emergency;
- 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.

c) For emergency works undertaken under this condition, the licensee is not required to comply with Condition O9.13.

Exception to standard railway construction hours for low noise impact generating works

- O9.9 (a) The licensee may undertake construction activities outside of the hours specified in Condition O9.7, if the activities do not exceed:
- i) 5dBA (LAeq, 15min) above the day, evening and night relevant rating background levels, as determined at the nearest noise sensitive receiver as assessed by acoustic investigation, and
 - ii) 15dBA (LA1, 1min or LAm_{ax}) above the relevant rating background level at night, as determined at the nearest noise sensitive receiver as assessed by acoustic investigation;
- (b) The results of any acoustic investigation undertaken in relation to Conditions O9.9(a)(i) and O9.9(a)(ii) must be provided by the licensee when requested by an authorised officer of the EPA.
- (c) An acoustic investigation referred to in Conditions O9.9(a)(i) and O9.9 (a)(ii) is not required if there are no noise sensitive receivers impacted by the activities.

Other exceptions to standard railway construction hours

- O9.10 The licensee may undertake construction activities outside of the hours specified in Condition O9.7 if agreement between the licensee and potentially affected noise sensitive receivers, termed the 'local community', has been reached. Any agreement(s) between the licensee and the local community must be recorded in writing and a copy of the agreement(s) kept at the premises by the licensee for the duration of the works and provided to the EPA at any time during or following the works, on request.

Hours for high noise impact generating works

- O9.11 With regard to construction activities, any high noise impact generating works must only be undertaken:
- a) Between 08:00am – 06:00pm Monday to Friday;
 - b) Between 08:00am – 01:00pm Saturday; and
 - c) in continuous blocks of no more than 3 hours, with at least a 1 hour respite between each block of work generating high noise impact, where the location of the work is likely to impact the same noise sensitive receivers. For the purposes of this condition, 'continuous' includes any period during which there is less than a 1 hour respite between ceasing and recommencing any of the work that is the subject of this condition, or
 - d) at any other time where there are no noise sensitive receivers identified under Condition O9.12(a) or agreement has been reached with the local community in accordance with Condition O9.10.

Management of noise impacts from railway construction

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O9.12 Where railway construction activities are undertaken, including outside of the hours specified in Condition O9.7, noise impacts must be managed in accordance with the recommendations of the Interim Construction Noise Guideline (DECCW, 2009), as updated from time to time. Consistent with those recommendations, the licensee is required to:

- identify noise sensitive receivers that may be affected;
- identify hours of work for the proposed activities;
- identify noise impacts at noise sensitive receivers;
- select and apply reasonable and feasible work practices to minimise noise impacts; and
- notify the noise sensitive receivers in accordance with Condition O9.13.

O9.13 Where noise sensitive receivers are required to be notified under Condition O9.12(e), and except in relation to emergency works undertaken under Condition O9.8, the notification must be made not less than 5 days and not more than 14 days before those works and activities are to be undertaken, unless agreement has been reached with the local community in accordance with Condition O9.10.

- The notification must be:
 - by letterbox drop or other targeted and equivalent method; and
 - published on the project website where one exists,
- The notification must:
 - clearly outline the reason that the work is required to be undertaken outside the hours specified in Condition O9.7;
 - include a diagram that clearly identifies the location of the proposed works in relation to nearby cross streets and local landmarks;
 - include details of relevant time restrictions that apply to the proposed works;
 - clearly outline in plain English the location, nature, scope and duration of the proposed works;
 - detail the expected noise impact of the works on noise sensitive receivers;
 - detail any mitigation measures to be implemented to minimise noise and/or vibration impacts;
 - clearly state how complaints may be made and additional information obtained; and
 - include the number of the telephone complaints line required by this licence, an afterhours contact phone number specific to the works and activities, and the project website address where applicable.

O9.14 When requested by an authorised officer of the EPA, the licensee must provide the following information regarding any proposed construction activities on the premises:

- dates and times of the proposed construction activity;
- location of the proposed construction activity;
- type(s) of work to be performed in conducting the proposed construction activity;
- plant and equipment to be used; and
- contact name and telephone number of a person who will be on site during the activity and who is authorised by the licensee to take action, including the cessation of the activity or any part of it, if so directed by the EPA. A contact person must be contactable 24 hours a day via the supplied telephone number(s) during the whole of the period that the activity takes place outside the hours specified in Condition O9.7.

O9.15 When requested by an authorised officer of the EPA, the licensee must provide written reasons that demonstrate that construction activities undertaken outside of the hours specified in Condition O9.7 comply with the licence.

Blasting

O9.16 All blasting activities are prohibited unless permitted under another condition of this licence.

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Erosion and sediment control

- O9.17 The licensee must, before and during maintenance activities and/or construction activities, implement all feasible and reasonable erosion and sediment controls to minimise sediment leaving the premises.
- O9.18 Erosion and sediment controls must be designed, constructed, operated and maintained in accordance with “Managing Urban Stormwater: Soils and Construction, Volume 1, 4th Edition” (Landcom, 2004) to be read and used in conjunction with the relevant DECC Managing Urban Stormwater – Soils and Construction volume.

4 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:
- in a legible form, or in a form that can readily be reduced to a legible form;
 - kept for at least 4 years after the monitoring or event to which they relate took place; and
 - 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:
- the date(s) on which the sample was taken;
 - the time(s) at which the sample was collected;
 - the point at which the sample was taken; and
 - the name of the person who collected the sample.

M2 Recording of pollution complaints

- M2.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M2.2 The record must include details of the following:
- the date and time of the complaint;
 - the method by which the complaint was made;
 - any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - the nature of the complaint;
 - the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - if no action was taken by the licensee, the reasons why no action was taken.
- M2.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

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

M3 Telephone complaints line

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

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

M3.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

M4 Other avenues for complaints

M4.1 The licensee must have an avenue for complaints, such as an email address, accessible from its website, for the purpose of receiving any complaints from members of the public in relation to activities carried out under this licence.

5 Reporting Conditions

R1 Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

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

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- R1.3 Where this licence is transferred from the licensee to a new licensee:
- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
 - b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

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

- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
 - b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.
- R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').
- R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.
- 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

- 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 the incident occurred.

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

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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

Identification of rolling stock on the premises in response to complaints

- R4.1 a) At the request of an EPA authorised officer, the licensee must make all reasonable inquiries to identify the Rolling Stock Operator which is the subject of a complaint reported to the EPA and to supply those details to the EPA within such time as may be specified in the request.
- b) Where the licensee receives a pollution complaint, including noise and vibration complaints, through the telephone complaints line (Condition M3) or other avenues (Condition M4), which relates to rolling stock operating on the premises, the licensee must make all reasonable inquiries to identify the Rolling Stock Operator which is the subject of the complaint (except where the complaint arises because of the actions or instructions of the licensee) where it will assist in resolving the complaint. The details of the complaint must then be provided to the relevant Rolling Stock Operator as soon as is reasonably practicable.

Complaints register reporting

- R4.2 a) Within 10 business days of the end of each calendar month, the licensee must submit a report to the EPA, in a form nominated by the EPA, that provides details of all pollution complaints, including noise and vibration complaints, received on the telephone complaints line (Condition M3) or through other avenues (Condition M4) or otherwise referred to the licensee in regards to the activities authorised and controlled by this licence. The report must include:
- i) a unique identifier number for each complaint;
 - ii) the details required by condition M2.2;

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- iii) the Rolling Stock Operator which is the subject of the complaint, where relevant; and
- iv) the date and time that the complaint was reported to any identified Rolling Stock Operator which is the subject of the complaint.
- b) The licensee is not required to submit a report for any calendar month during which no complaints were received by or referred to the licensee.
- c) The preceding conditions do not apply until 3 months from 5 of August 2020.

Notification of railway construction projects

- R4.3 Within 10 days of the end of each calendar month, the licensee must provide a monthly report to the EPA listing all construction activities being undertaken on the premises or scheduled to be undertaken on the premises prior to the next monthly reporting period. The report must include:
- a) the dates and times of the construction activities;
 - b) the location(s) of the construction activities;
 - c) a description of the works to be undertaken, including the type of plant and equipment used;
 - d) details of any mitigation or management measures implemented at the construction location to meet the conditions of this licence and the requirements of the Act; and
 - e) The licensee is not required to submit a report for any calendar month during which there were no construction activities undertaken or scheduled to be undertaken by the licensee.

6 General Conditions

G1 Copy of licence kept at the premises or plant

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.
- G1.4 For the purpose of Condition G1.1 the premises is defined as the principal office of the licensee.
- G1.5 For the purpose of G1.3 "available for inspection" includes inspection via electronic means.

G2 Contact number for incidents and responsible employees

- G2.1 The licensee must provide the EPA with up to date contact details to enable the EPA:
 - a) to contact either the licensee or a representative of the licensee who can respond at all times to incidents relating to the premises, and
 - b) to contact the licensee's senior employees or agents authorised at all times to:
 - i) speak on behalf of the licensee, and
 - ii) provide any information or document required under the licence.
- G2.2 The contact details required by Condition G2.1 above must include:

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- 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.

7 Pollution Studies and Reduction Programs

U1 Pollution Study - Operation Report – Idling

U1.1 The licensee must prepare a report which:

- (a) describes the actions and practices undertaken by the licensee to prevent or minimise noise and air emissions, and impacts on sensitive receivers, from locomotives idling on the premises; and
- (b) examines matters related to network operation and control affecting rolling stock operating on the premises.

Note: This report may be used to develop a Pollution Reduction Program to further investigate potential improvements to current actions and practices and develop a management plan to minimise the impacts of idling where appropriate and as requested by the EPA.

U1.2 In the report, the licensee must:

- a) include relevant information regarding idling, including but not limited to:
 - i) a review of the complaints it has received regarding idling;
 - ii) categorisation of the complaints by cause and location and identification of the number of complaints for each category; and
 - iii) details of all actions and practices that were identified and/or implemented by the licensee to address the complaints; and
- b) details any actions, practices or possible improvements that the licensee could undertake to minimise impacts on sensitive receivers from locomotives idling on the premises.

U1.3 The licensee must provide the EPA with the report within 12 months of the date of issue of this licence.

U2 Pollution Study - Operation Report – Horn use

U2.1 The licensee must prepare a report which:

- (a) describes the actions and practices undertaken by the licensee to prevent or minimise noise impacts on noise sensitive receivers from locomotive horn use on the premises; and
- (b) examines matters related to network operation and control affecting rolling stock operating on the premises.

Note: This report may be used to develop a Pollution Reduction Program to further investigate potential improvements to current actions and practices and develop a management plan to minimise impacts of locomotive horn use where appropriate and as requested by the EPA.

U2.2 In the report, the licensee must:

- a) include relevant information regarding horn use, including but not limited to:
 - i) a review of the complaints it has received regarding horn use;

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- ii) categorisation of the complaints by cause and location and identification of the number of complaints for each category; and
- iii) details of all actions and practices that were identified and/or implemented by the licensee to address the complaints; and
- b) details of any actions, practices or possible improvements that the licensee could undertake to minimise impacts on noise sensitive receivers from locomotive horn use on the premises.

U2.3 The licensee must provide the EPA with the report within 12 months of the date of issue of this licence.

U3 Pollution Study - Operation Report – Braking, bunching and stretching

U3.1 The licensee must prepare a report which:

- (a) describes the actions and practices undertaken by the licensee to prevent or minimise noise impacts on noise sensitive receivers from braking, bunching and stretching of freight wagons on the premises; and
- (b) examines matters related to network operation and control affecting rolling stock operating on the premises.

Note: This report may be used to develop a Pollution Reduction Program to further investigate potential improvements to current actions and practices and develop a management plan to minimise impacts from braking, bunching and stretching where appropriate and as requested by the EPA.

U3.2 In the report, the licensee must:

- a) include relevant information regarding bunching, braking and stretching of freight wagons, including but not limited to:
 - i) a review of the complaints it has received regarding noise impacts associated with braking, bunching and stretching of freight wagons;
 - ii) categorisation of the complaints by cause and location and identification of the number of complaints for each category; and
 - iii) details of all actions and practices that were identified and/or implemented by the licensee to address the complaints; and
- b) details of any actions, practices or possible improvements that the licensee could undertake to minimise noise impacts on noise sensitive receivers from braking, bunching and stretching of freight wagons on the premises.

U3.3 The licensee must provide the EPA with the report within 12 months of the date of issue of this licence.

8 Special Conditions

E1 Special Dictionary

Railway Infrastructure Operations Licence Dictionary

E1.1 In this licence, unless the contrary is indicated, the terms below have the following meanings:

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Term	Definition
construction activities	means construction of railway infrastructure carried out at a scale below the threshold for the scheduled activity of “railway activities—railway infrastructure construction” in clause 33(2) of Schedule 1 to the Protection of the Environment Operations Act 1997. ‘Railway infrastructure’ has the same meaning as in clause 33(4) of Schedule 1 to the Act.
day	the period from 0700 to 1800 h (Monday to Saturday) and 0800 to 1800 h (Sundays and Public Holidays).
emergency works	means unforeseen works: (a) to avoid harm to persons (loss of life and personal injury) or damage to property or to prevent environmental harm; or (b) To restore safe and reliable railway passenger and freight services or to prevent imminent interruptions to those services.
evening	the period from 1800 to 2200 h.
feasible and reasonable	has the same meaning as defined in the Rail Infrastructure Noise Guideline (EPA, 2013) for operational rail activities and has the same meaning as defined in the Interim Construction Noise Guideline (DECC, 2009) for construction / maintenance activities.
freight wagon	a railway vehicle that is used or intended to be used to transport freight for reward, but does not include a locomotive.
high noise impact generating works	means: (a) rail regulating and tamping, jack hammering, grinding, line drilling, pile driving, vibratory rolling, rock hammering, rock breaking, saw cutting, sheet piling; or (b) any other activities where those activities in (a) above generate offensive noise (as defined in the Dictionary to the Protection of the Operations Act 1997) at noise sensitive receivers, because of their impulsive, intermittent, low frequency or tonal characteristics.
LAFMax	means A-weighted maximum noise level, fast weighting.
locomotive	a vehicle powered by an internal combustion engine that is primarily intended for hauling freight and/or passenger rolling stock.
LZFMMax	means Z-weighted maximum noise level, fast weighting.
maintenance activities	means repair, upgrading or alteration of ‘railway infrastructure’ as defined in clause 33(4) of Schedule 1 to the Act.
night	the period from 2200 to 0700 h (Monday to Saturday) and 2200 to 0800 h (Sundays and Public Holidays)
noise sensitive receivers	receiver types and land-uses identified in Table 1, 2 and 3 of the Rail Infrastructure Noise Guideline (EPA, 2013).
railway infrastructure operations	means the scheduled activity in clause 33A of Schedule 1 to the Act.

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railway infrastructure operator	means a person authorised by an environment protection licence to carry out the scheduled activity of Railway Infrastructure Operations under clause 33A of Schedule 1 to the Act.
rating background level (RBL)	is the overall single-figure background noise level measured in each relevant assessment period (during or outside the recommended standard hours). Determination of the rating background level is by the method described in the NSW Noise Policy for Industry (EPA, 2017)
rolling stock	has the same meaning as in clause 33B of Schedule 1 to the Act.
rolling stock operations	means the scheduled activity in Clause 33B of Schedule 1 to the Act.
rolling stock operator	means a person authorised by an environment protection licence to carry out the scheduled activity of Rolling Stock Operations under Clause 33B of Schedule 1 to the Act.
sensitive receiver	a location where people are likely to work or reside; this includes residential dwellings, schools, hospitals, offices or public recreational areas.

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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

Ms Jacinta Hanemann

Environment Protection Authority

(By Delegation)

Date of this edition: 13-January-2012

End Notes

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|---|---------------------------|-------------------------------|
| 2 | Licence varied by notice | 1504575 issued on 27-Feb-2012 |
| 3 | Licence varied by notice | 1519800 issued on 10-Feb-2014 |
| 4 | Licence format updated on | 27-Feb-2014 |
| 5 | Licence varied by notice | 1548217 issued on 27-Jan-2017 |
| 6 | Licence varied by notice | 1551483 issued on 27-Apr-2017 |
| 7 | Licence varied by notice | 1560821 issued on 23-Feb-2018 |
| 8 | Licence varied by notice | 1586295 issued on 02-Oct-2019 |