

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 PTY LTD
PO BOX 215
PARRAMATTA NSW 2124

Scheduled Activity
Railway Systems Activities

Fee Based Activity	Scale
Railway systems activities	Any annual capacity

Region
Metropolitan Infrastructure
Level 13, 10 Valentine Ave
PARRAMATTA NSW 2150
Phone: (02) 9995 5000
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PO Box 668 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 Systems Activities	Railway systems activities	Any annual capacity

A1.2 Except as expressly provided by another condition of this licence, this licence authorises maintenance and construction activities on the rail network except for the following:

- the construction of new track in the metropolitan area greater than 1 kilometre in length, including associated ancillary construction activities;
- the construction of new track in any other area greater than 5 kilometres in length, including associated ancillary construction activities.

A1.3 This Environment Protection Licence comes into effect on 15 January 2012.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
JOHN HOLLAND RAIL PTY LTD
PO BOX 215
PARRAMATTA
NSW 2124

A2.2 The premises comprises:

the rail network depicted in the following rail network diagrams:

- Country Regional Corridor Network Diagram - 1: Document Ref - ARTCS3090008
- Country Regional Corridor Network Diagram - 2: Document Ref - ARTCS3090008

and located in EPA file LIC11/244, and at which *Railway Systems Activities* are carried out; and the following non-operational network lines:

Armidale to Wallangara
Barmedman to Rankins Springs

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Binnaway to Gwabegar
Boree Creek to Oaklands
Bungendore to Captains Flat
Byrock to Brewarrina
Casino to Murwillumbah
Cootamundra to Tumut
Cowra to Eugowra
Cowra to Blainey
Craboon to Coolah
Culcairn to Corowa
Culcairn to Holbrook
Galong to Boorowa
Gilmore to Batlow
Goulburn to Crookwell
Henty to Rand
Hillston to Roto
Koorawatha to Cowra
Koorawatha to Demondrille
Koorawatha to Grenfell
Merrywinebone to Pokataroo
Molong to Dubbo
Moree to Inverell
Narrandera to Tocumwal
North Star to Boggabilla
Nyngan to Bourke
Queanbeyan to Bombala
Sandy Hollow to Merriwa
Tarana to Oberon
Uranquinty to Kywong
Wagga Wagga to Tumbarumba
Weemelah to Mungindi
West Tamworth to Barraba
Willbriggie to Hay (Yanco to Willbriggie shown)
Yass Junction to Yass Town

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.

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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.

Erosion and Sediment Control

- L1.2 The licensee must, before undertaking any earthmoving or vegetation removal works, implement erosion and sediment control measures to prevent pollution of waters in accordance with *Soils and Construction: Managing Urban Stormwater 2004* – ‘the Blue Book’.
- L1.3 All erosion and sediment control measures installed on the premises must be inspected and works undertaken to repair and/or maintain these controls:
- daily during operational hours;
 - daily during rainfall events;
 - within 24 hours of the cessation of a rainfall event causing run off to occur from the premises.

The licensee must record all such inspections including observations and works undertaken to repair and/or maintain erosion and sediment controls.

L2 Noise limits

- L2.1 It is an objective of this Licence to progressively reduce noise levels to the goals of 65 dB(A)Leq, (day time from 7am – 10pm), 60 dB(A)Leq, (night time from 10pm – 7am) and 85dB(A) (24 hr) max pass-by noise, at one metre from the façade of affected residential properties.

L2.2 Locomotives Approvals

The licensee must seek approval from the EPA prior to permitting operation on the “premises” of:

- a class or type of locomotive, whether new or existing, that has not been operated on the licensed premises; or
- a locomotive that has been substantially modified since it was last used on the licensed premises.

EPA approval for a class or type of locomotive will require noise test results from a representative number of locomotives from that class or type.

EPA approval will be on the basis of compliance with the locomotive noise limits in Condition L2. Condition L2 does not apply to the operation of a locomotive solely for the purposes of conducting noise or other tests that are required for the locomotive’s approval by the EPA, the licensee or any person concerned with the design, manufacture, supply or acquisition of the locomotive, provided that:

- operation of the locomotives is not undertaken for commercial purposes or gain; and
- multiple pass bys do not occur adjacent to residential premises in the course of the testing.

- L2.3 Locomotives not included in Condition E2 must not operate on the licensed premises.

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L2.4 Locomotive Noise Limits

For the purpose of Condition L2.2, the following locomotive noise limits apply.

Operating Condition	Speed & Location of Measurement	Noise Limit (microphone 1.5m above ground level)
Idle with compressor radiator fans and air conditioning operating at maximum load occurring at idle	Stationary 15 metre contour	70 dB(A) Max
All other throttle settings under self load with compressor radiator fans and air conditioning operating	Stationary 15 metre contour	87 dB(A) Max 95 dB Linear Max
All service conditions	As per Australian Standard AS2377-2002 (Acoustics – Methods for the measurement of railbound vehicle noise) except as otherwise approved by the EPA	87 dB(A) Max 95 dB Linear Max

L2.5 Limits for Tonality

All external noise must be non-tonal. For the purpose of this condition, external noise is non-tonal if the sound pressure level in each unweighted (linear) one-third octave band does not exceed the level of the adjacent bands on both sides by:

- 5 dB if the centre frequency of the band containing the tone is above 400 Hz; and
- 8 dB if the centre frequency of the band containing the tone is between 160 and 400 Hz, inclusively; and
- 15 dB if the centre frequency of the band containing the tone is below 160 Hz.

L2.6 Limits for Low-Frequency Noise

All external noise must not exhibit an undue low-frequency component. To comply with this requirement, linear noise levels must not exceed the A-weighted noise levels by more than 15 dB.

L2.7 Locomotive Noise Emission Test Methods

Application for approval as required by L2.2 must be supported by type testing of the locomotive using procedures that are consistent with the requirements of Australian Standard AS2377-2002 (Acoustics – Methods for the measurement of railbound vehicle noise) except as otherwise approved by the EPA. The type testing must provide all necessary measurement parameters for demonstrating compliance with the locomotive noise limits in L2.

Information supplied to the EPA as part of the application for approval must fulfil the requirements of Section 11 of AS2377-2002 for reporting.

Note: The measurement parameters required in L2 differ in some cases from those identified in AS2377-2002. The test procedures, measurement equipment and environmental conditions applied in supporting the application to the EPA for approval are to yield all parameters identified in L6.2 but are otherwise to be applied in a manner that is consistent with the requirements of AS2377-2002. The 15 metre contour specified in L2.4 is to be represented by the 12 measurement points shown in AS2377-2002, Figure 1.

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- L2.8 The licensee must submit data obtained by type testing of the locomotive required by condition L2.7 in a format specified by the EPA.

L2.9 Approval of Locomotives Not Meeting All EPA Limits

The EPA may approve locomotives that do not comply with all limits prescribed by L2, provided that the application for approval demonstrates that:

- a) the noise emission performance of the locomotive is consistent with current best practice; and
- b) all measures for minimising the extent of any non-compliance have been investigated and those that are identified as reasonable and feasible have been implemented; and
- c) none of the non-compliances will result in unacceptable environmental impacts.

Note: An EPA approval for locomotives under Condition L2.2 is to be taken as an approval for operation of those locomotives on the premises, notwithstanding the requirements of conditions L2.

L3 Blasting

- L3.1 Unless otherwise specified by any other condition of this licence, all blasting activities are prohibited.

L4 Potentially offensive odour

L4.1 Prevention of odours

The licensee is required to take all reasonable measures to prevent or minimise the emission of offensive odours from the premises.

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.

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O3 Dust

O3.1 Dust management

Dust generating activities on the premises must be managed in a proper and efficient manner to minimise the generation of dust and prevent it going offsite.

O4 Other operating conditions

O4.1 Hours of Operation

Railway Maintenance Activities

O4.2 Standard Maintenance Hours

Unless otherwise specified by any other condition of this licence, all maintenance activities are:

- a) restricted to between the hours of 7:00am and 6:00pm Monday to Friday;
- b) restricted to between the hours of 8:00am and 1:00pm Saturday; and
- c) not to be undertaken on Sundays or Public Holidays.

O4.3 Additional Hours

Maintenance activities may be undertaken outside the hours specified in Condition O4.2, but only if carrying out those activities during the hours specified in Condition O4.2 would cause an unacceptable risk to:

- (a) maintenance personnel safety; or
- (b) rail passenger and railways personnel safety, or
- (c) railway network operational reliability.

O4.4 Exemptions to standard maintenance hours.

Three categories of activities that may also be undertaken outside the hours specified in Condition O4.2 are:

- a) the delivery of oversized plant or structures that police or other authorised authorities determine require special arrangements to transport along public roads;
- b) emergency activities to avoid the loss of life or property, or to prevent environmental harm;
- c) activities that do not exceed:
 - 1. 5dBA (LAeq, 15 min) above the relevant rating background level, at all times, and additionally,
 - 2. 15dBA (LA1, 1min) above the relevant rating background level at night time,and measured at the nearest noise sensitive receiver as assessed by acoustic investigation.

O4.5 The licensee must notify the EPA within 24 hours of undertaking any activities referred to in Condition O4.4(b).

O4.6 The results of any acoustic investigation undertaken in relation to Condition O4.4(c) must be provided by the licensee when requested by an authorised officer of the EPA.

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O4.7 Noise and vibration mitigation

The licensee must ensure that reasonable and feasible noise and vibration mitigation and management measures in accordance with the *Interim Construction Noise Guideline* (DECCW, 2009) are used during all maintenance activities authorised by this licence.

O4.8 Requirement to notify

The licensee must notify potentially affected sensitive receivers of any proposed railway maintenance activities that are to be conducted outside standard maintenance hours.

O4.9 The notification required by condition O4.8 must be provided at least 5 days prior to the commencement of the applicable railway maintenance activities, except where:

- (a) the licensee first becomes aware of the need to undertake the railway 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 railway maintenance activities; or
- (b) the railway maintenance activities are emergency works and the licensee first becomes aware of the need to undertake the emergency works in which case the notification requirements of condition O4.8 do not apply.

O4.10 Central telephone contact number

The licensee must provide a central telephone contact number to the EPA whereby the following details regarding *any* railway maintenance activities conducted by or on behalf of the Licensee on the licensed premises can be accessed:

- (a) dates and times of a proposed activity;
- (b) location of a proposed activity;
- (c) type(s) work to be performed in conducting the activity;
- (d) plant and equipment to be used; and
- (e) contact name and telephone number of a person who will be on site during the carrying out 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 normal business hours.

The licensee must provide the EPA with the central telephone contact number required by this condition when requested by an authorised officer of the EPA.

Railway Construction Activities

O4.11 Standard construction hours

Unless otherwise specified by any other condition of this licence, all construction activities are:

- a) restricted to between the hours of 7:00am and 6:00pm Monday to Friday;
- b) restricted to between the hours of 8:00am and 1:00pm Saturday; and
- c) not to be undertaken on Sundays or Public Holidays.

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O4.12 Exemptions to standard construction hours

Three categories of activities that may also be undertaken outside the hours specified in Condition O4.11 are:

- a) the delivery of oversized plant or structures that police or other authorised authorities determine require special arrangements to transport along public roads;
- b) emergency activities to avoid the loss of life or property, or to prevent environmental harm;
- c) activities that do not exceed:
 1. 5dBA (LAeq, 15 min) above the relevant rating background level, at all times, and additionally
 2. 15dBA (LA1, 1min) above the relevant rating background level at night time,

and measured at the nearest noise sensitive receiver as assessed by acoustic investigation.

O4.13 Works agreed outside of standard construction hours

The licensee may undertake activities outside of standard construction hours 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 on the premises by the licensee for the duration of the licence.

O4.14 Noise and vibration mitigation

The licensee must ensure that reasonable and feasible noise and vibration mitigation and management measures in accordance with the *Interim Construction Noise Guideline* (DECCW, 2009) are used during all construction activities authorised by this licence.

O4.15 Notification of any additional construction works approved outside of standard construction hours

a) The licensee must notify potentially affected noise sensitive receivers of activities approved outside of standard construction hours not less than 5 days and not more than 14 days before those works are to be undertaken.

- b) The notification must be:
 - i) by letterbox drop; and
 - ii) be detailed on the project website.

- c) The notification required by paragraphs (a) and (b) of this condition must:
 - i) clearly outline the reason that the work is required to be undertaken outside the standard construction hours specified in this licence;
 - ii) include a diagram that clearly identifies the location of the proposed works in relation to nearby cross streets and local landmarks;
 - iii) include details of relevant time restrictions that apply to the proposed works;
 - iv) clearly outline, in plain English, the location, nature, scope and duration of the proposed works;
 - v) detail the expected noise impact of the works on noise sensitive receivers;
 - vi) clearly state how complaints may be made and additional information obtained; and
 - vii) include the number of the telephone complaints line required by this licence, an after hours contact phone number specific to the works undertaken outside the standard construction hours specified in this licence, and the project website address.

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The notification requirements of this condition do not apply to construction works carried out under Condition 4.12(a) or 4.12(b).

O4.16 Central contact telephone number

The licensee must provide a central telephone contact number to the EPA whereby the following details regarding *any* railway maintenance activities conducted by or on behalf of the Licensee on the licensed premises can be accessed:

- (a) dates and times of a proposed activity;
- (b) location of a proposed activity;
- (c) type(s) work to be performed in conducting the activity;
- (d) plant and equipment to be used; and
- (e) contact name and telephone number of a person who will be on site during the carrying out 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 normal business hours.

The licensee must provide the EPA with the central telephone contact number required by this condition when requested by an authorised officer of the EPA.

O4.17 Work generating high noise impact

Any work generating high noise impact must only be undertaken:

- (a) between the hours of 8:00am and 6:00pm Monday to Friday;
- (b) between the hours of 8:00am and 1:00pm 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 receivers;

except as expressly permitted by another condition of this licence.

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 the subject of this Condition.

For the purposes of this Licence, 'work generating high noise impact' refers to rail regulating and tamping, jack hammering, grinding, line drilling, pile driving, rock hammering, rock breaking, saw cutting, sheet piling, vibratory rolling and any work that generates noise with impulsive, intermittent, low frequency or tonal characteristics.

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:

- 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

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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.

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:

- 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.

M2.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

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 :

- a) the date of the issue of this licence or
- b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.

5 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:
- a) a Statement of Compliance; and
 - b) a Monitoring and Complaints Summary.

At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

- 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.

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 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 Statement 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.

- R1.8 A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.

R2 Notification of environmental harm

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

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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 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.

Notification of construction activities

- R3.5 The licensee will notify the EPA in writing of any new construction activities that are scheduled to be undertaken on the premises at least 7 days prior to the commencement of construction works.

The notification will include details of:

- (i) the dates and times of the construction activities;
- (ii) the location(s) of the construction activities;
- (iii) a description of the works to be undertaken;
- (iv) the type of plant and equipment to be used; and
- (v) details of any environmental measures employed at the construction location in

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accordance with the conditions in this EPL and the Act.

R3.6 The licensee will provide a monthly report to the EPA listing all construction activities being undertaken on the premises.

The report should be provided on the first business day of each month.

Notification of the re-opening of non-operational lines

R3.7 The licensee will notify the EPA in writing of the opening of any non-operational lines on the premises. The notification is to be provided at least 7 days prior to the scheduled re-opening of the line.

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.

7 Special Conditions

E1 Special Dictionary

Railway System Licence Dictionary

Term	Definition
Construction activities	The erection or installation of new rail infrastructure facilities and related ancillary works, excluding maintenance activities.
Emergency works	Unplanned railway maintenance, construction or repair activities required to ensure the safe operation of rail or avoid loss of life, damage to property or environmental harm.
Interstate locomotives	A locomotive built prior to June 2003 for the primary purpose of being operated in a State or Territory other than NSW.
Locomotive	a powered vehicle primarily intended for hauling freight and/or passenger rolling stock or a rail vehicle comprising part of a diesel-multiple unit, but does not include: <ul style="list-style-type: none">• a vehicle used for maintenance of track or other infrastructure, or• a vehicle used or intended to be used solely for heritage purposes.
Maintenance activities	Resurfacing, cleaning, rerailing, reconditioning, alteration, renewal or repair work on or around existing rail infrastructure facilities.

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Metropolitan area	the area of Sydney, Newcastle, Central Coast and Wollongong bounded by and including the local government areas of Newcastle, Lake Macquarie, Wyong, Gosford, Hawkesbury, Blue Mountains, Penrith, Liverpool, Camden, Campbelltown, Wollongong and Shellharbour.
Old locomotive	A locomotive built before 1 January 1982.
Rolling Stock	This has the same definition as in Section 3(1) of the Transport Administration Act 1988, as it exists at the date of issue of this licence.
Sensitive receivers	Land uses with the potential to be affected by noise from maintenance and construction activities, including but not limited to: <ul style="list-style-type: none"> • residences; • schools; • hospitals; • places of worship; • theatres; and • child care centres.
Substantially modified	the major upgrading, replacement, restructuring or reconfiguration of one or more of the principal noise-emitting components of a locomotive, including where applicable: <ul style="list-style-type: none"> • the combustion engine; • the engine exhaust system; • the traction system, including traction motors and gearboxes; • the electrical supply system, including alternators, invertors and control equipment; • cooling systems; and • the dynamic braking system; <p>but does not include routine maintenance of the locomotive.</p>
Track	This has the same definition as in Schedule 1 of the Protection of the Environment Operations Act 1997, as it exists at the date of issue of this licence.

E2 Locomotives approved for operation on the licensee's premises

E2.1 The following locomotives are approved for operation on the licensee's premises

Class	Approval Path	Approval Date
BK	EPA SDA1 Type approved	16 November 2012
1100	EPA Class approved	13 March 2012
SCT	EPA GT 46 C-ACe Type approved	17 April 2008
LDP	EPA GT 46 C-ACe Type approved	17 April 2008
TT	EPA GT 46 C-ACe Type approved	17 April 2008
TT1	EPA GT 46 C-ACe Type approved	17 April 2008
WH	EPA GT 46 C-ACe Type approved	17 April 2008
GWA	EPA GT 46 C-ACe Type approved	17 April 2008
92	EPA C43aci & 44aci Type approved	3 September 2009
93	EPA C43aci & 44aci Type approved	3 September 2009
6000	EPA C43aci & 44aci Type approved	3 September 2009
XRN	EPA C43aci & 44aci Type approved	3 September 2009

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GWU	EPA C43aci & 44aci Type approved	3 September 2009
CEY	EPA C43aci & 44aci Type approved	3 September 2009
CF	EPA C43aci & 44aci Type approved	3 September 2009
14	EPA Class approved	19 January 2007
Hunter rail car	EPA Class approved	15 August 2006
RL	EPA Class approved	30 November 2007
VL	EPA Class approved	14 April 2008
XR-2/XRB	EPA Class approved	2006
90	Approved under previous legislation	1994
NR	Approved under previous legislation	1996
82	Approved under previous legislation	1994
81	Approved under previous legislation	1982
BL	Approved under previous legislation	1982
G	Approved under previous legislation	1982
Endeavour Car	Approved under previous legislation	1993
Xplorer	Approved under previous legislation	1993
18	Introduced prior to approval processes	Not applicable
22	Introduced prior to approval processes	Not applicable
31	Introduced prior to approval processes	Not applicable
35	Introduced prior to approval processes	Not applicable
42	Introduced prior to approval processes	Not applicable
421	Introduced prior to approval processes	Not applicable
423/1502	Introduced prior to approval processes	Not applicable
43	Introduced prior to approval processes	Not applicable
44	Introduced prior to approval processes	Not applicable
44s	Introduced prior to approval processes	Not applicable
442	Introduced prior to approval processes	Not applicable
442s	Introduced prior to approval processes	Not applicable
45	Introduced prior to approval processes	Not applicable
45s	Introduced prior to approval processes	Not applicable
47	Introduced prior to approval processes	Not applicable
48	Introduced prior to approval processes	Not applicable
48s	Introduced prior to approval processes	Not applicable
422	Introduced prior to approval processes	Not applicable
49	Introduced prior to approval processes	Not applicable
73	Introduced prior to approval processes	Not applicable
80	Introduced prior to approval processes	Not applicable

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80s	Introduced prior to approval processes	Not applicable
600	Introduced prior to approval processes	Not applicable
830	Introduced prior to approval processes	Not applicable
900	Introduced prior to approval processes	Not applicable
930	Introduced prior to approval processes	Not applicable
ALF	Introduced prior to approval processes	Not applicable
AN	Introduced prior to approval processes	Not applicable
B	Introduced prior to approval processes	Not applicable
C	Introduced prior to approval processes	Not applicable
CLF	Introduced prior to approval processes	Not applicable
CLP	Introduced prior to approval processes	Not applicable
D	Introduced prior to approval processes	Not applicable
DC	Introduced prior to approval processes	Not applicable
DL	Introduced prior to approval processes	Not applicable
EL	Introduced prior to approval processes	Not applicable
FL	Introduced prior to approval processes	Not applicable
GL	Introduced prior to approval processes	Not applicable
GM(1-11)	Introduced prior to approval processes	Not applicable
GM(12-47)	Introduced prior to approval processes	Not applicable
HL	Introduced prior to approval processes	Not applicable
JL	Introduced prior to approval processes	Not applicable
KL	Introduced prior to approval processes	Not applicable
MM	Introduced prior to approval processes	Not applicable
PL	Introduced prior to approval processes	Not applicable
LQ	Introduced prior to approval processes	Not applicable
LZ	Introduced prior to approval processes	Not applicable
S	Introduced prior to approval processes	Not applicable
L	Introduced prior to approval processes	Not applicable
K	Introduced prior to approval processes	Not applicable
T	Introduced prior to approval processes	Not applicable
X	Introduced prior to approval processes	Not applicable
XP (XPT)	Introduced prior to approval processes	Not applicable
3200	EPA Class Approved	28 June 2013
BRM	EPA Class Approved	12 July 2013
CFCLA CM	EPA Class Approved	22 January 2014

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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		
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	