

Environment Protection Licence

Licence - 3142

Licence Details

Number:	3142
Anniversary Date:	05-September

Licensee

AUSTRALIAN RAIL TRACK CORPORATION LIMITED

GOUGER STREET PO BOX 10343

ADELAIDE SA 5000

Premises

AUSTRALIAN RAIL TRACK CORPORATION LTD

GPO BOX 14

SYDNEY NSW 2001

Scheduled Activity

Railway systems activities

Fee Based Activity

Railway systems activities

Scale

Any capacity

Region

Metropolitan Infrastructure

Level 13, 10 Valentine Ave

PARRAMATTA NSW 2150

Phone: (02) 9995 5000

Fax: (02) 9995 6900

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:

AUSTRALIAN RAIL TRACK CORPORATION LIMITED
GOUGER STREET PO BOX 10343
ADELAIDE SA 5000

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 capacity

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

- the construction of new track in the network in the metropolitan area greater than 3 kilometres in length, including associated ancillary works; and
- the construction of new track in any other area greater than 5 Kilometres in length, including associated ancillary works.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
AUSTRALIAN RAIL TRACK CORPORATION LTD
GPO BOX 14
SYDNEY
NSW 2001
SEE CONDITION A2.2 FOR THE FULL DESCRIPTION OF THE LICENCED PREMISES.

A2.2 The full description of the licensed premises is as follows:

The premises comprise the Australian Rail Track Corporation (ARTC) network and is defined by the ARTC Network Deeds. The premises are depicted by the following rail network diagrams:

- East West Corridor NSW Network Diagram
- Hunter Valley Corridor Network Diagram
- North South Corridor - North Network Diagram
- North South Corridor - South Network Diagram
- Sydney Freight Network Diagrams

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Note: The premises diagram is contained in the EPA file LIC07/1555 and also on the weblink:
<http://www.artc.com.au/Content.aspx?p=37>

- A2.3 The ARTC premises also comprises the land depicted in the RMS drawing SK-5000, MS-5003, MS-5004 and MS-5005 (the Embankment Construction and Track Deviation Work Construction Drawing) dated 27 November 2015 and contained in the EPA File DOC16/179541.

A3 Information supplied to the EPA

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

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

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

- A3.2 Notwithstanding Condition A3.1 above, the reference to "licence application" in Condition A3.1 is a reference to only those licence applications (including supporting documentation) submitted by ARTC to the EPA on or after 17 August 2004.

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.

L2 Noise limits

Note: It is an objective of this Licence to progressively reduce noise impacts from railways systems activities to the noise level goals of 65 dB(A)Leq, (day and evening 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 facade of affected residential properties.

- L2.1 The licensee must obtain approval from the EPA prior to permitting operation on the "premises" of:
1. a class or type/model of locomotive, whether new or existing, that is not included in Condition E2; or
 2. a locomotive that has been substantially modified since it was last used on the licenses premises.
- A new class of locomotive type/model previously approved under Condition L2 may be brought onto the rail network without further approval provided that it is consistent with that type/model and EPA is notified

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at least 7 days in advance. Condition E2 will then be updated at the next opportunity.

Note: EPA approval for a new locomotive will be granted on the basis of compliance with the locomotive noise limits in Condition L2.5, L2.6 and L2.7 and will require submission of noise test results from a representative number of locomotives from that class or type/model.

L2.2 Locomotives not included in Condition E2 must not operate on the licensed premises unless otherwise exempt.

L2.3 Conditions L2.1 and L2.2 do 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:

a) operation of the locomotive is not undertaken for commercial purposes, gain, or to offset any losses; and

b) more than ten pass-bys in a 24 hour period do not occur within (adjacent to) 200m of any one particular noise sensitive receiver in the course of the testing.

L2.4 An application for the approval of a locomotive as required by Condition L2.2 must be made in the form of a licence variation application in accordance with s.58 of the Protection of the Operations Act 1997 and be accompanied by data of type testing of the locomotive.

Note: Type testing of the locomotive must be in accordance with Condition L2.8.

L2.5 EPA Locomotive Noise Limits

Operating Condition	Location of Measurement	Noise Limit - Microphone Height: 1.5 Metres Above
Low idle with compressor radiator fans and air conditioning operating at maximum load occurring at low idle	Stationary 15 metre contour, except end positions (front and rear)	70 dB(A) LAMax, F, 30s
All other throttle settings under self load with compressor radiator fans and air conditioning operating	Stationary 15 metre contour, except end positions (front and rear)	87 dB LAMax, F, 30s 95 dB LZMax,F,30s

L2.6 Limits for Tonality

All external noise <1000 Hz must be non-tonal. For the purpose of this condition, external noise is non-tonal if the Leq 30s sound pressure level in each Z - weighted one-third octave band does not exceed the level of the adjacent bands on both sides by:

a) 5 dB if the centre frequency of the band containing the tone is above 400 Hz; and

b) 8 dB if the centre frequency of the band containing the tone is between 160 and 400 Hz, inclusively; and

c) 15 dB if the centre frequency of the band containing the tone is below 160 Hz.

L2.7 Locomotive Noise Emission Test Methods

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Application for approval as required by Condition L2.1 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 specified in this licence or approved by the EPA. The type testing must provide all necessary measurement parameters for demonstrating compliance with the locomotive noise limits in Condition L2.5 and Condition L2.6.

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 Condition L2.5 and Condition L2.6 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 Condition L2.5 and L2.6 but are otherwise to be applied in a manner that is consistent with the requirements of AS2377-2002. The 15 metre contour specified in Condition L2.5 is to be represented by the measurement points shown in AS2377-2002, Figure 1 excluding the front and rear positions (i.e. 10 points). The 15 metre contour is to be measured from the track centre line as shown in AS2377-2002, Figure 2.

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.

Note: The format required by Condition L2.8 must include a written report on the results of the testing and an electronic version of the test results in a spreadsheet form nominated 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 Condition L2.6 and L2.7, if that the application for approval demonstrates, to the satisfaction of the EPA, 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.

L2.10 An EPA approval for locomotives under Condition L2.9 is to be taken as an approval for operation of those locomotives on the premises, notwithstanding the requirements of Condition L2.1, L2.5 and L2.6.

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:

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- 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 **Air**
- Dust generating activities on the premises must be managed to minimise the generation of dust and prevent it going offsite so far as reasonably practicable.

O4 Other operating conditions

Railway Maintenance and Construction Activities

Note: The objective of this condition is 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

- O4.1 So far as is reasonably practicable and where to do so would not adversely affect ARTC's ability to provide safe and reliable services or a safe working environment, 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.

Exemption to standard maintenance hours

- O4.2 Activities that may also be undertaken outside the hours specified in Condition O4.1 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:

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- i. 5dBA(Laeq, 15min) above the relevant rating background level, at all times and assessed at the nearest sensitive receiver, and additionally,
- ii. 15dBA(LA1, 1min) above the relevant rating background level at night time, and assessed at the nearest noise sensitive receiver as assessed by acoustic investigation
- iii. The results of any acoustic investigation undertaken in relation to Condition O4.2c must be provided by the licensee when requested by an authorised officer of the EPA.

Note: Activities may also be undertaken outside the hours specified in Condition O4.1 where there are no sensitive receivers. An acoustic investigation is not required in the absence of sensitive receivers.

O4.3 Where maintenance activities are undertaken, including outside of the hours specified in Condition O4.1 noise impacts must be managed in accordance with those provisions of the Interim Construction Noise Guideline (DECCW,2009) which require the licensee to:

- a) identify noise sensitive receivers that may be affected at least 7 days prior to the proposed commencement date; except where the licensee first becomes aware of the need to undertake the railway maintenance activities less than 7 days prior to the proposed commencement date, in which case the identification must be undertaken as soon as practicable after becoming aware of the need to undertake the railway maintenance activities
- b) identify hours for the proposed activities;
- c) identify noise impacts at noise sensitive receivers;
- d) select and apply reasonable and feasible work practices to minimise noise impacts;
- e) notify the noise sensitive receivers at least 5 days prior to the commencement of railway maintenance activities undertaken outside of the hours specified in Condition O4.1, except where the licensee first becomes aware of the need to undertake those 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

O4.4 When requested by an authorised officer of the EPA, the licensee must provide the following information regarding any proposed maintenance activities on the premises:

- a) dates and times of the proposed maintenance activity;
- b) location of the proposed maintenance activity;
- c) type(s) of work to be performed in conducting the proposed maintenance 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 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.

O4.5 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 O4.1 comply with that condition

Railway construction activities

O4.6 So far as is reasonably practicable and where to do so would not adversely affect ARTC's ability to provide safe and reliable services or a safe working environment, construction 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

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c) not on Sundays or public holidays.

Exemption to standard construction hours

- O4.7 Activities that may also be undertaken outside the hours specified in Condition O4.6 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:
 - i. 5dBA(Laeq, 15min) above the relevant rating background level, at all times and assessed at the nearest sensitive receiver, and additionally;
 - ii. 15dBA(LA1, 1min) above the relevant rating background level at night time, and assessed at the nearest noise sensitive receiver as assessed by acoustic investigation;
 - iii. The results of any acoustic investigation undertaken in relation to Condition O4.7c must be provided by the licensee when requested by an authorised officer of the EPA.

Note: Activities may also be undertaken outside the hours specified in Condition O4.6 where there are no sensitive receivers. An acoustic investigation is not required in the absence of sensitive receivers.

Note: Project specific activities that may also be undertaken outside the hours specified in Condition O4.6 are specified in Condition E3.

- O4.8 The licensee may also undertake works 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 works.

High noise generating works

- O4.9 When construction activities are required to be undertaken outside of the hours specified in Condition O4.6, any high noise generating works must only be undertaken:
- a) between the hours of 8:00am and 10:00pm Monday to Friday;
 - b) between the hours of 8:00am and 6:00pm Saturdays and Sundays; and
 - c) where the high noise impact generating works are likely to impact the same noise sensitive receivers, in blocks of no more than 3 hours, with at least a 1 hour respite between each block of work.

Note: High noise impact generating works may also be undertaken outside the hours specified in Condition O4.9 where there are no sensitive receivers or agreement has been reached with the community as per Condition O4.8.

- O4.10 Where construction activities are undertaken, including outside of the hours specified in Condition O4.6, noise impacts must be managed in accordance with those provisions of the Interim Construction Noise Guideline (DECCW, 2009) which require the licensee to:
- a) identify noise sensitive receivers that may be affected at least 7 days prior to the proposed commencement date;
 - b) identify hours for the proposed activities;

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- c) identify noise impacts at noise sensitive receivers;
- d) select and apply reasonable and feasible work practices to minimise noise impacts; and
- e) notify the noise sensitive receivers as per Condition O4.11

O4.11 With regard to construction activities and the notification required by Condition O4.10e), the notification must be made not less than 5 days and not more than 14 days before those activities are to be undertaken.

- a) The notification must be:
 - i) by letterbox drop; and
 - ii) detailed on the project website where one exists,
- b) The notification required by this condition must:
 - i) clearly outline the reason that the work is required to be undertaken outside the hours specified in Condition O4.7;
 - 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 afterhours contact phone number specific to the works, and the project website address where applicable.

O4.12 When requested by an authorised officer of the EPA, the licensee must provide the following information regarding any construction activities on the premises:

- a) dates and times of the construction activity;
- b) location of the construction activity;
- c) type(s) of work to be performed in conducting the construction 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 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.

O4.13 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 O4.6 comply with that condition.

Emergency Works

O4.14 Condition O4.1 to O4.13 do not apply to emergency works

Blasting

O4.15 All blasting activities are prohibited unless approved under another condition of this licence.

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Blasting for the purposes of the Cunningar Rail Siding Upgrade Project

- O4.16 Notwithstanding Condition O4.15, blasting is permitted for the purposes of the Cunningar Rail Siding Upgrade Project in accordance with Conditions O4.17 - O4.23.
- O4.17 The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive receivers. Error margins associated with any monitoring equipment used to measure this must not be taken into account in determining whether or not the limit has been exceeded.
- O4.18 The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise receivers for more than five per cent of the total number of blasts over the course of the project. Error margins associated with any monitoring equipment used to measure this must not be taken into account in determining whether or not the limit has been exceeded.
- O4.19 Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/second at any time at any noise sensitive receivers. Error margins associated with any monitoring equipment used to measure this must not be taken into account in determining whether or not the limit has been exceeded.
- O4.20 Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/second at any noise sensitive receivers for more than five per cent of the total number of blasts over the course of the project. Error margins associated with any monitoring equipment used to measure this must not be taken into account in determining whether or not the limit has been exceeded.
- O4.21 Blasting at the premises must only take place between 9:00am-5:00pm Monday to Friday. Blasting is not permitted on public holidays.
- O4.22 Blasting outside of the hours specified in O4.21 can only take place with the written approval of the EPA.
- O4.23 To determine compliance with Conditions O4.17 to O4.20:
- Airblast overpressure and ground vibration levels experienced at the following noise sensitive receivers must be measured and recorded for all blasts carried out on the premises;
 - Lot 63 DP 753607, 2937 Cunningar Road, Cunningar NSW 2587
 - Instrumentation used to measure and record the airblast overpressure and ground vibration must meet the requirements of the Australian Standard AS 2187.2-2006.

Note: A breach of the licence will still occur where airblast overpressure or ground vibration levels from the blasting operations at the premises exceeds the limits specified in Conditions O4.17 to O4.20 at any noise sensitive receivers other than the locations identified in Condition O4.23

Erosion and sediment control

- O4.24 The licensee must, before undertaking any and during maintenance or construction activities, implement and maintain erosion and sediment control measures to prevent pollution of waters in accordance with Landcom's Soils and Construction: Managing Urban Stormwater 2004 -"the Blue book".

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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
 - 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

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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.

5 Reporting Conditions

R1 Annual return documents

What documents must an Annual Return contain?

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 a copy of the form that must be completed and returned to the EPA.

Period covered by Annual Return

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.

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Deadline for Annual Return

- 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').

Licensee must retain copy of Annual Return

- 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.

Certifying of Statement of Compliance and signing of Monitoring and Complaints Summary

- 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.
- 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.
- 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.

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.

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.

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- 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

Notification of construction activities

- R4.1 The licensee must provide a monthly report to the EPA listing all construction projects being undertaken on the premises or scheduled to be undertaken on the premises prior to the next reporting period. The notification will include details of:
- 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
 - d) the type of plant and equipment to be used; and
 - e) details of any environmental measures employed at the construction location in accordance with the conditions in this EPL and the Act.
- R4.2 The report referred to in Condition R4.1 must be provided on the first business day of each month.

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

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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.

7 Pollution Studies and Reduction Programs

U1 PRP 3.1 Audit of the Noise Performance of Locomotives on the ARTC Network

U1.1 Almost a third of all rail noise complaints received by the Environment Protection Authority (EPA) between 2007 and 2011 were generated by pass by noise from locomotives. For this reason the EPA considers the ongoing monitoring and management of locomotive noise to be a critical component of environmental regulation of the NSW rail network.

The purpose of PRP 3.1 is for the licensee to:

1. obtain accurate measurements of the noise performance of locomotives operating on the NSW rail network by conducting wayside noise monitoring and to provide that data to relevant locomotive operators and the EPA; and
2. obtain accurate information on the actions of locomotive operators to rectify locomotives identified by the wayside monitoring as poorly performing in order to determine whether locomotive operators are implementing all reasonable and feasible noise mitigation measures.

The licensee is required to comply with PRP3.1 outlined in U1.2 below by completing each described action in the program within the set timeframe.

U1.2 Action 3.1A

The licensee will implement and maintain a monitoring program which will:

- Monitor noise emissions from locomotives and rolling stock accessing ARTC's network and passing the Metford wayside measurement location; and
- Record and store data from wayside noise monitoring.

The noise monitoring program must be consistent with the *Australian Rail track Corporation Wayside Noise Monitoring Program Work Plan* submitted to the EPA by ARTC on 17 April 2009 and with the previous noise ARTC Wayside Noise Pilot Monitoring Program conducted between January – July 2010.

Timeframe – Commencement of the program will be within 16 weeks of inclusion of the PRP on the licence. The program will be conducted for a period of 12 months.

Action 3.1B

The licensee will submit to the EPA for approval a comprehensive reporting procedure that, as a minimum, includes:

1. providing quarterly reports to relevant locomotive operators on noise data collected which identify those locomotives with noise levels in the top 5% of locomotives measured in that quarter;
2. obtaining quarterly reports from locomotive operators on actions taken to reduce noise levels from identified locomotives; and
3. providing the EPA with quarterly reports which include:

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- noise monitoring data showing all noise monitoring results, and
- the information received (from the preceding quarter) from locomotive operators on measures taken to reduce noise levels from identified locomotives.

Timeframe – Within 12 weeks of inclusion of the PRP on the licence.

Action 3.1C

The licensee will implement the EPA approved reporting procedure from Action 3.1B.

Timeframe – Within three weeks of the EPA approving the procedure.

U2 PRP 4 Particulate Emissions from Coal Trains

- U2.1 The licensee is required to comply with PRP 4.2 outlined in U2.4 below by completing each described action in the program within the set timeframe.

The transport of coal to the Port of Newcastle has the potential to contribute to ambient particulate levels in urban areas. Through a variety of forums, communities in the Lower Hunter and along the rail corridor express concern that coal trains are a significant source of fine particulates.

The coal industry intends to substantially increase the quantity of coal transported by rail to the port of Newcastle by 2015-2020. The increase in coal transport may cause an increase in ambient particulate levels.

Currently there is limited reliable data to indicate whether coal trains and rail transport increase ambient particle levels in urban areas in the lower Hunter. Ongoing monitoring is required to assess the extent to which coal trains and rail freight transport contribute or increase ambient particulate levels in the lower Hunter.

PRP 4.2 requires the licensee to continue the monitoring program commenced in PRP 4.1 (as outlined in U2.2-U2.3) to determine whether coal trains and rail transport generally are contributing to ambient particulate levels in the lower Hunter Valley.

U2.2 Action 4.1A

The licensee will implement a monitoring program to determine whether:

- Loaded coal trains operating on the Hunter Valley rail network are a source of particulate matter emission; and
- Loaded coal trains operating on the Hunter Valley rail network are a larger cause or source of particulate matter emissions than unloaded coal trains or other trains on the network (and by inference contributing to ambient particulate levels).

Action 4.1B

The licensee will submit a detailed work plan for a pilot monitoring program to the EPA for approval.

The pilot monitoring program must include the following elements:

1. The use of real time particulate monitoring devices, such as a light scattering laser photometer, to determine in real time levels of TSP (total suspended particulates), PM10 and PM2.5.
2. The installation of particulate monitoring devices at a minimum of two locations along the Hunter Valley rail network, including, unless otherwise agreed by EPA one location representative of an urban area between Warrabrook and Islington. The locations will need to be chosen to capture the movements of loaded coal trains and at a minimum, unloaded coal trains, but preferably freight trains, grain trains and passenger trains as well.

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3. The monitoring of the following information in the vicinity of the chosen locations:

- Train type, direction and speed, loaded or unloaded (not for the background monitor) ; and
- Meteorological conditions (including wind speed and wind direction)

4. The particulate monitoring devices will be positioned at an appropriate distance from the track to adequately capture particulate emissions from passing trains.

Timeframe - Within six weeks of inclusion of the PRP on the licence

Action 4.1C

The pilot program, in accordance with the approved monitoring work plan, will be implemented for a period of one month to determine the efficacy of the monitoring program and whether further monitoring is required.

Timeframe - Within four weeks of EPA approving the work plan

U2.3 **Action 4.1D**

The licensee will submit a final report on the pilot monitoring program to the EPA. The report must address the EPA's written formal comments provided on the draft report titled *Pollution Reduction Program (PRP) 4 – Particulate Emissions from Coal Trains* and include a “plain English” Executive Summary at the start of the document. The licensee will also publish the final report in full on its website.

Timeframe – The report will be submitted to the EPA and published on the licensee's website as soon as possible, but by no later than the 28th of September 2012.

U2.4 **Action 4.2A**

The licensee will conduct a monitoring program to determine whether:

- Trains operating on the Hunter Valley rail network are associated with elevated particulate matter concentrations; and
- Loaded coal trains operating on the Hunter Valley rail network have a stronger association with elevated particulate matter concentrations than unloaded coal trains or other trains on the network (and by inference contributing to ambient rail corridor particulate levels).

Timeframe – For a continuous period of at least 30 days between 1 November 2012 and 29 January 2013.

Action 4.2B

A revised work program for the monitoring program must be submitted to the EPA. Monitoring must be consistent with that work program. The revised work program must be based on the previous EPA approved work plan submitted by ARTC in compliance with Action 4.1B above from PRP 4.1, and account for the learnings from and limitations identified with the pilot program. The licensee will also publish the work program on its website.

Timeframe – The licensee must submit the work program to the EPA within four weeks of inclusion of the PRP on the licence. The licensee must publish the work program on its website within four weeks of the EPA providing written comment to the licensee on the draft work program.

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Action 4.2C

On completion of the monitoring program required by 4.2A the licensee will submit to the EPA for comment a report on the results of the monitoring.

Timeframe – On or prior to 15 March 2013.

Action 4.2D

The licensee will submit a final report on the monitoring program required by 4.2A to the EPA. The report must address any comments provided by the EPA and include a “plain English” Executive Summary at the start of the document. The licensee will also publish the final report in full on its website.

Timeframe – The report will be submitted to the EPA and published on the licensee’s website within four weeks of the EPA providing written comment to the licensee on the draft report.

U3 PRP 5.0 Investigation of Coal Loss from Rail Wagons on the ARTC Network

U3.1 During transportation of coal on the rail network, coal is being deposited on the rail formation; this is most noticeable on departure roads (empty coal roads) from unloading facilities. Communities in the Lower Hunter and along the rail corridor have expressed concerns in relation to the deposition of coal within the rail corridor.

The purpose of PRP 5.0, which the licensee has contributed to the development of, is for the licensee to undertake an initial program of investigative works into coal deposition on departure roads and to assess the effectiveness of removing coal deposition with vacuum equipment.

Complementary to this, the EPA is in discussion with rolling stock operators, licenced coal loading premises and coal terminals regarding their existing management of coal transport including controls and measures in place to prevent loss of coal from wagons to the rail formation.

The licensee is required to comply with PRP 5.0 outlined in U5.1 below by completing each described action in the program within the set timeframe.

U3.2 Action 5.0A

The licensee will undertake the following investigations into the presence of coal on empty coal roads:

- (a) An assessment of the rate of coal deposition on empty coal roads through field observations, photographic surveys and where possible quantitative measurements; and
- (b) An assessment of the effectiveness of removing coal deposition from the ballast through vacuuming.

U3.3 Timeframe

The licensee must provide a report summarising the findings of the assessments required under Action 5.0A (a) and (b) to the EPA by 1 March 2016.

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8 Special Conditions

E1 Special Dictionary

E1.1 Railway System Licence Dictionary

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

Term	Definition
Ancillary works	Has the same meaning as in Clause 33 of Schedule 1 of the Act.
Construction Activities	Means erection or installation of new track and ancillary works
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.
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: 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	Means repair, upgrading or alteration of existing track and ancillary works or corridor management activities (such as vegetation, fencing and signal maintenance) on the Licensed premises.
Metropolitan Area	Has the same meaning as defined in Clause 50 of Schedule 1 of the Act.
Noise sensitive receivers	Means buildings used as residence, hospital, school, child care centre, places of public worship and nursing homes.
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: 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; but does not include the routine maintenance of the locomotive.

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Work generating high noise impact

Mean:

(a) rail regulating and tamping, jack hammering, grinding, line drilling, pile driving, vibratory rolling driving, rock hammering, rock breaking, saw cutting, sheet piling,
 (b) any other activities where those activities in either (a) or (b) 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.

ARTC Network Deeds

A full description of the licensed premises is as follows and is known as the ARTC Network Deeds

- E1.2 The land and infrastructure defined, from time to time, as "Land", "Additional Land", "Infrastructure" and "ARTC Infrastructure" respectively in the Deed of Lease between ARTC, the State Rail Authority of New South Wales ("SRA") and the Rail Infrastructure Corporation ("RIC"), executed on 4 June 2004, as that document is amended or varied from time to time ("Lease"), to the extent that such land and infrastructure is owned, leased or licensed by, or otherwise vested in SRA or RIC and is the subject of a lease or licence to ARTC by virtue of the Lease, or is otherwise owned by or vested in ARTC, and is under the management or control of ARTC.
- E1.3 The land, and the infrastructure comprising the "Infrastructure" and the "ARTC Infrastructure", in the "Freight Corridor" and in the "MFN Side" of the "Shared Corridor", as those terms are defined respectively from time to time in the Metropolitan Freight Network Deed of Lease and Licence ("MFN Lease") between Rail Corporation New South Wales ("RailCorp") and Australian Rail Track Corporation Ltd ("ARTC") (including the land marked "Additional Land" in the plan titled, "Revised Plan- Enfield South" dated 29 July 2013), as well as the land and infrastructure comprising "Licensed Area" and "Rail Infrastructure" as those terms are defined respectively from time to time in the Deed of Licence between Sydney Ports Corporation and ARTC ("Sydney Ports Licence") as those documents are amended or varied from time to time, to the extent that all such land and infrastructure is owned, leased or licensed by or otherwise vested in RailCorp or Sydney Ports Corporation and is the subject of a lease or licence to ARTC by virtue of the MFN Lease or the Sydney Ports Licence, or is otherwise owned by or vested in ARTC, and is under the management or control of ARTC.
Note: The "Revised Plan- Enfield South", dated 29th July 2013, is held on EPA file EF13/2579, sub folder SF13/3504.
- E1.4 After 12:01 AM on 23 December 2012 - the land, and the infrastructure comprising the "Infrastructure" and the "ARTC Infrastructure", in "Leightonfield Yard" and in the "SSFL Side" of the "Shared Corridor", as those terms are defined respectively from time to time in the Southern Sydney Freight Line Deed of Lease and Licence ("SSFL Lease") between Rail Corporation New South Wales ("RailCorp") and Australian Rail Track Corporation Ltd ("ARTC"), as amended or varied from time to time, to the extent that all such land and infrastructure is owned, leased or licensed by or otherwise vested in RailCorp and is the subject of a lease or licence to ARTC by virtue of the SSFL Lease or is otherwise owned by or vested in ARTC, and is under the management or control of ARTC.
- E1.5 The land and infrastructure comprising "Licensed Area" (including the areas marked "ARTC exclusive licence" and "ARTC non-exclusive licence" on the map referenced below) and "Rail Infrastructure" in the Sydney Ports Licence is referenced in the map named 'SPC Deed of Licence Plan - Port Botany' dated March 2013 and numbered 'BNPP222D'.

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- E1.6 The land defined as “Property Acquisition / Lease Area” in Figures 1 to 9 dated 24 June 2009 submitted with the licence variation application received by the EPA on 29 June 2009 for the construction of the Minimbah Bank Rail Project as described in Project Approval 08_0060 issued by the Minister for Planning on 22 May 2009.
- E1.7 The land denoted “Variation Boundary” and defined by a red dotted line on the map named “Kiacatoo Licence Variation” Document no. AET900.205-C-GIS-001 prepared by Kellogg, Brown & Root P/L dated 8 February 2010 (held on EPA File LIC07/1555-08).
- E1.8 Land owned by ARTC comprising the whole of the land described in the Certificates of Titles Auto Consol 11132-54 dated 20 April 1999 and auto Consol 12074-195 dated 20 April 1999.
- E1.9 On and from 30 April 2013 the land owned by ARTC, comprising the whole of the land described in the Certificates of Title (Folio Identifiers) 15/1097330 and 16/1097330

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	12 August 2009
93	EPA C43aci & 44aci Type approved	12 August 2009
6000	EPA C43aci & 44aci Type approved	12 August 2009
XRN	EPA C43aci & 44aci Type approved	12 August 2009
GWU	EPA C43aci & 44aci Type approved	12 August 2009
CEY	EPA C43aci & 44aci Type approved	12 August 2009
CF	EPA C43aci & 44aci Type approved	12 August 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

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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 process	Not applicable
22	Introduced prior to approval process	Not applicable
31	Introduced prior to approval process	Not applicable
35	Introduced prior to approval process	Not applicable
42	Introduced prior to approval process	Not applicable
421	Introduced prior to approval process	Not applicable
423/1502	Introduced prior to approval process	Not applicable
43	Introduced prior to approval process	Not applicable
44	Introduced prior to approval process	Not applicable
44s	Introduced prior to approval process	Not applicable
442	Introduced prior to approval process	Not applicable
442s	Introduced prior to approval process	Not applicable
45	Introduced prior to approval process	Not applicable
45s	Introduced prior to approval process	Not applicable
47	Introduced prior to approval process	Not applicable
48	Introduced prior to approval process	Not applicable
48s	Introduced prior to approval process	Not applicable
422	Introduced prior to approval process	Not applicable
49	Introduced prior to approval process	Not applicable
73	Introduced prior to approval process	Not applicable
80	Introduced prior to approval process	Not applicable
80s	Introduced prior to approval process	Not applicable
600	Introduced prior to approval process	Not applicable
830	Introduced prior to approval process	Not applicable
900	Introduced prior to approval process	Not applicable
930	Introduced prior to approval process	Not applicable
ALF	Introduced prior to approval process	Not applicable
AN	Introduced prior to approval process	Not applicable

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B	Introduced prior to approval process	Not applicable
C	Introduced prior to approval process	Not applicable
CLF	Introduced prior to approval process	Not applicable
CLP	Introduced prior to approval process	Not applicable
D	Introduced prior to approval process	Not applicable
DC	Introduced prior to approval process	Not applicable
DL	Introduced prior to approval process	Not applicable
EL	Introduced prior to approval process	Not applicable
FL	Introduced prior to approval process	Not applicable
GL	Introduced prior to approval process	Not applicable
GM(1-11)	Introduced prior to approval process	Not applicable
GM(12-47)	Introduced prior to approval process	Not applicable
HL	Introduced prior to approval process	Not applicable
JL	Introduced prior to approval process	Not applicable
KL	Introduced prior to approval process	Not applicable
MM	Introduced prior to approval process	Not applicable
PL	Introduced prior to approval process	Not applicable
LQ	Introduced prior to approval process	Not applicable
LZ	Introduced prior to approval process	Not applicable
S	Introduced prior to approval process	Not applicable
L	Introduced prior to approval process	Not applicable
K	Introduced prior to approval process	Not applicable
T	Introduced prior to approval process	Not applicable
X	Introduced prior to approval process	Not applicable
XP(XPT)	Introduced prior to approval process	Not applicable
3200	EPA Class Approved	28 June 2013
BRM	EPA Class Approved	12 July 2013
CFCLA CM	EPA Class Approved	22 January 2014
1200	EPA Class Approved	22 May 2014
FIE	C43/44aci	12 August 2009
5000	C43/44aci	20 January 2006
5020	C43/44aci	12 August 2009
6020	C43/44aci	12 August 2009
AC	C43/44aci	12 August 2009
ACA	C43/44aci	12 August 2009
SSR	GT46C-ACE	17 April 2008

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N Class	JT22HC-2 - introduced prior to approval process	Not applicable
Cs	GT26C - introduced prior to approval process	Not applicable
CRL	C43/44aci	12 August 2009
CSR	SDA1	14 August 2012
CFCLA CM	MP33C	22 January 2014
Any other MP33C type	MP33C	1 September 2014
PB	2GS16B-AU	7 January 2015
CS	Windhoff DB690	22 August 2002
ACB	EPA C43aci & 44aci Type approved	12 August 2009
MRL	EPA C43aci & 44aci Type approved	12 August 2009
700	EPA class approved	21 January 2016
PHC	C43/44aci	4 March 2016
QBX	SDA-1	14 July 2016

E3 WestConnex Enabling Works

Definition

- E3.1 The WestConnex Enabling works means the extension of Wentworth Avenue at Mascot which will necessitate the construction of a road underpass beneath the current freight line in that location. The work involves
- construction of a temporary rail deviation with the ARTC rail corridor and
 - construction of a temporary embankment primarily within the ARTC rail corridor, the toe of which would occupy a portion of Sydney Airport Corporation Limited (SACL) land.

Additional Construction Activities and High Noise Generating Works Approved by the EPA

- E3.2 (a) Works and activities associated with the construction of a track deviation for the Wentworth Avenue Rail Overpass in Mascot may be undertaken on 16 August 2016, 17 August 2016 and 18 August 2016 subject to the following conditions:
- High noise generating works may be undertaken between the hours 10:00pm and 7:00am on E3.2a);
 - High noise generating works may be undertaken at any time during this period and the respite period required by Condition 04.9 c) does not apply.
- E3.3 (a) Works and activities associated with the construction of a track deviation for the Wentworth Avenue Rail Overpass in Mascot may be undertaken continuously between 26 August 2016 at 1800hrs and 29 August 2016 at 0700hrs subject to the following conditions:
- High noise generating works may be undertaken at any time during this period and the respite period required by Condition 04.9 c) does not apply.

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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> .

Environment Protection Licence



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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 Penny Finlay

Environment Protection Authority

(By Delegation)

Date of this edition: 20-December-2000

Environment Protection Licence



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End Notes

- 1 Licence varied by notice 1007100, issued on 17-Jul-2001, which came into effect on 11-Aug-2001.
- 2 Licence varied by notice 1010600, issued on 15-Aug-2001, which came into effect on 09-Sep-2001.
- 3 Licence varied by notice 1011934, issued on 05-Oct-2001, which came into effect on 05-Oct-2001.
- 4 Licence varied by notice 1012143, issued on 29-Nov-2001, which came into effect on 24-Dec-2001.
- 5 Licence varied by notice 1015602, issued on 01-May-2002, which came into effect on 26-May-2002.
- 6 Licence varied by notice 1018132, issued on 12-Jun-2002, which came into effect on 13-Jun-2002.
- 7 Licence varied by notice 1023724, issued on 19-Dec-2002, which came into effect on 23-Dec-2002.
- 8 Licence varied by notice 1028108, issued on 01-Jul-2003, which came into effect on 16-Jul-2003.
- 9 Licence varied by notice 1029702, issued on 01-Aug-2003, which came into effect on 01-Aug-2003.
- 10 Licence varied by notice 1030573, issued on 31-Oct-2003, which came into effect on 06-Nov-2003.
- 11 Licence varied by notice 1032289, issued on 09-Dec-2003, which came into effect on 30-Dec-2003.
- 12 Licence varied by notice 1033638, issued on 31-Dec-2003, which came into effect on 25-Jan-2004.
- 13 Licence fee period changed by notice 1040177 on 25-Aug-2004.
- 14 Licence transferred through application 142914, approved on 06-Sep-2004, which came into effect on 05-Sep-2004.
- 15 Licence varied by notice 1040462, issued on 06-Sep-2004, which came into effect on 06-Sep-2004.
- 16 Licence varied by change to record due to LGA amalgamation, issued on 03-Nov-2004, which came into effect on 03-Nov-2004.
- 17 Licence varied by notice 1052119, issued on 22-Sep-2005, which came into effect on 17-Oct-2005.
- 18 Licence varied by notice 1092348, issued on 30-Sep-2008, which came into effect on 30-Sep-2008.

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|----|--|
| 19 | Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date> |
| 20 | Licence varied by notice 1093829, issued on 14-Nov-2008, which came into effect on 14-Nov-2008. |
| 21 | Licence varied by notice 1103541, issued on 08-Jul-2009, which came into effect on 08-Jul-2009. |
| 22 | Licence varied by notice 1105912, issued on 04-Sep-2009, which came into effect on 04-Sep-2009. |
| 23 | Licence varied by notice 1108138, issued on 28-Oct-2009, which came into effect on 28-Oct-2009. |
| 24 | Licence varied by notice 1110207, issued on 23-Dec-2009, which came into effect on 23-Dec-2009. |
| 25 | Licence varied by notice 1112635, issued on 18-May-2010, which came into effect on 18-May-2010. |
| 26 | Licence varied by notice 1121864, issued on 05-Jan-2011, which came into effect on 05-Jan-2011. |
| 27 | Licence varied by notice 1123526, issued on 07-Jan-2011, which came into effect on 07-Jan-2011. |
| 28 | Licence varied by notice 1123725, issued on 14-Jan-2011, which came into effect on 14-Jan-2011. |
| 29 | Licence varied by notice 1123791, issued on 18-Jan-2011, which came into effect on <date to be advised>. |
| 30 | Licence varied by notice 1123791, issued on 19-Jan-2011, which came into effect on 19-Jan-2011. |
| 31 | Licence varied by notice 1123916, issued on 01-Apr-2011, which came into effect on 01-Apr-2011. |
| 32 | Licence varied by notice 1130376, issued on 11-Jul-2011, which came into effect on 11-Jul-2011. |
| 33 | Licence varied by notice 1501777 issued on 28-Sep-2011 |
| 34 | Licence varied by notice 1503705 issued on 13-Jan-2012 |
| 35 | Licence varied by notice 1506907 issued on 20-Jun-2012 |
| 36 | Licence varied by notice 1507804 issued on 03-Aug-2012 |
| 37 | Licence varied by notice 1508511 issued on 30-Aug-2012 |
| 38 | Licence varied by notice 1509294 issued on 09-Oct-2012 |
| 39 | Licence varied by notice 1509718 issued on 25-Oct-2012 |

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40	Licence varied by notice	1510875 issued on 18-Dec-2012
41	Licence varied by notice	1512282 issued on 04-Apr-2013
42	Licence varied by notice	1513859 issued on 10-May-2013
43	Licence varied by notice	1514367 issued on 28-May-2013
44	Licence varied by notice	1516856 issued on 09-Dec-2013
45	Licence varied by notice	1519381 issued on 20-Jan-2014
46	Licence format updated on	26-Feb-2014
47	Licence varied by notice	1526184 issued on 11-Feb-2015
48	Licence varied by notice	1531018 issued on 11-Jun-2015
49	Licence varied by notice	1534754 issued on 02-Nov-2015
50	Licence varied by notice	1539866 issued on 15-Apr-2016
51	Licence varied by notice	1540874 issued on 03-Aug-2016
52	Licence varied by notice	1553083 issued on 22-Jun-2017
53	Licence varied by notice	1557516 issued on 04-Dec-2017
54	Licence varied by notice	1559512 issued on 08-Dec-2017