



# Environment Protection Licence

Licence - 12208

Licence Details	
Number:	12208
Anniversary Date:	01-July

Licensee
SYDNEY TRAINS
36-46 GEORGE ST
BURWOOD NSW 2134

Premises
SYDNEY TRAINS
HAYMARKET NSW 1238

Scheduled Activity
Railway activites - rolling stock operations
Railway activities - railway infrastructure operations

Fee Based Activity	Scale
Railway infrastructure operations	Any annual capacity
Rolling stock operations	Any annual capacity

Region
Metropolitan North - Sydney
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150
Phone: (02) 9995 5000
Fax: (02) 9995 6901
Locked Bag 5022
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:

SYDNEY TRAINS
36-46 GEORGE ST
BURWOOD NSW 2134

subject to the conditions which follow.



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## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Railway activities - railway infrastructure operations	Railway infrastructure operations	Any annual capacity
Railway activities - rolling stock operations	Rolling stock operations	Any annual capacity

### Objectives of this licence

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

### A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
SYDNEY TRAINS
HAYMARKET
NSW 1238

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THE PREMISES TO WHICH THIS LICENCE APPLIES COMPRISES:

(A) IN RESPECT OF RAILWAY INFRASTRUCTURE OPERATIONS, THE SYDNEY TRAINS NETWORK THAT IS DEFINED BY THE FOLLOWING RAIL NETWORK DIAGRAM(S) (THE SYDNEY TRAINS NETWORK):

I) RAIL NETWORK DIAGRAM VERSION 1.16 ISSUED 03 OCTOBER 2019;

AND

II) INCLUDES THE LAND ON THE ROAD RESERVE AT PATRICK STREET MOUNT VICTORIA, ADJACENT TO THE MOUNT VICTORIA SIDINGS AS SHOWN ON SKETCH DATED 9 AUGUST 2019 AND SYDNEY TRAINS DRAWING 001, REV A, BOUNDARY SURVEY, MT VICTORIA 126.63KM 126.91KM;

NOTE: THE RAIL NETWORK DIAGRAM(S) IS CONTAINED IN EPA FILE EF13/5356 AND IS AT THE WEBLINK:  
[HTTPS://TRANSPORTNSW.INFO/SYDNEY-TRAINS-NETWORK-MAP](https://transportnsw.info/sydney-trains-network-map).

(B) IN RESPECT OF ROLLING STOCK OPERATIONS, THE ROLLING STOCK OPERATED ON THE SYDNEY TRAINS NETWORK THAT ARE UNDER THE MANAGEMENT OR CONTROL OF THE LICENSEE, INCLUDING ROLLING STOCK OWNED OR LEASED BY THE LICENSEE; AND

(C) IN THIS LICENCE, PREMISES MEANS BOTH (A) AND (B) TAKEN TOGETHER.

## A3 Information supplied to the EPA

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

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

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

## 2 Limit Conditions

### L1 Pollution of waters

- L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

## 3 Operating Conditions

### O1 Activities must be carried out in a competent manner

- O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the

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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 Wayside Monitoring System(s) – noise from locomotives

O3.1 The licensee must operate and maintain the permanent Wayside Monitoring System (Noise) installed on the Sydney Trains Network at Beecroft:

a) to continuously monitor wayside noise from locomotives that operate on the Sydney Trains Network, and

b) to record the LAF<sub>max,dB</sub> and LZ<sub>Fmax,dB</sub> sound pressure level at or normalised to 15m from the locomotives as they pass the Wayside Monitoring System (Noise) and identify the locomotive corresponding to that LAF<sub>max,dB</sub> and LZ<sub>Fmax,dB</sub>.

O3.2 The permanent Wayside Monitoring System(s) (Noise) installed on the Sydney Trains Network at Beecroft must:

a) allow for all locomotives that are operated on the Sydney Trains Network to be identified, and

b) record the following information for each pass-by event:

i) the unique identification number of the locomotive (or whether the locomotive was not identified by the Wayside Monitoring System (Noise) (e.g. due to missing, faulty or non-working identification tag);

ii) the measured LAF<sub>max,dB</sub> and LZ<sub>Fmax,dB</sub> sound pressure level at or normalised to 15m for the locomotive and corresponding time and date; and

iii) a copy of the audio recording of the pass-by event.

O3.3 a) The information outlined in Condition O3.2(b) must be provided to or made accessible to Rolling Stock Operators for all locomotives in their management or control.

b) The preceding condition does not apply until 3 months from 5 August 2020.

## O4 Wayside Monitoring System(s) – Angle of attack from freight wagons

O4.1 The licensee must operate and maintain the permanent Wayside Monitoring System (Angle of Attack) installed on the Sydney Trains Network at Beecroft:

a) to continuously monitor Angle of Attack of the wheelsets of freight wagons that operate on the Sydney Trains Network, and

b) to record and identify any freight wagon resulting in an Unacceptable Angle of Attack as it passes the Wayside Monitoring System.

O4.2 The permanent Wayside Monitoring System (Angle of Attack) installed on the Sydney Trains Network at Beecroft must:

a) allow for all freight wagons that operate on the Sydney Trains Network to be identified, and



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b) record the following information:

- i) the time and date of each Unacceptable Angle of Attack pass-by of a freight wagon.
- ii) the unique identification number of the freight wagon with an Unacceptable Angle of Attack (or whether the freight wagon was not identified by the Wayside Monitoring System (Angle of Attack) (e.g. due to missing, faulty or non-working identification tag)); and
- iii) the angle of attack recorded for the wagon and/or bogie involved in the Unacceptable Angle of Attack.

- O4.3 a) The information outlined in Condition O4.2(b) must be provided or made accessible to Rolling Stock Operators for all freight wagons and/or bogies in their management or control that recorded the Unacceptable Angle of Attack.
- b) The preceding condition does not apply until 3 months from 5 August 2020.

## O5 Identification of rolling stock

- O5.1 All rolling stock operated by the licensee on the Sydney Trains Network must be equipped with automatic equipment identification.
- O5.2 Automatic equipment identification must comply with the Assets Standard Authority THR 00880 ST.

## O6 Dust

- O6.1 The premises must be operated and managed to minimise the generation of dust.

## O7 Ongoing track maintenance

- O7.1 The Sydney Trains Network must be maintained to minimise noise impacts on noise sensitive receivers where safe and practicable to do so.

Note: The objectives of this condition is to minimise noise impacts from railway infrastructure operations, recognising that operational safety and other factors constrain when these activities can be carried out on the Sydney Trains Network.

## O8 Idling

- O8.1 The licensee must minimise noise and air emissions and impacts on sensitive receivers from locomotive idling on the Sydney Trains Network.

## O9 Horn use

- O9.1 The licensee must minimise noise impacts on noise sensitive receivers from the use of horns by all Rolling Stock Operators, including the licensee, operating on the Sydney Trains Network.

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## O10 Braking, bunching and stretching

O10.1 The licensee must minimise noise impacts on noise sensitive receivers from the braking, bunching and stretching of freight wagons on the Sydney Trains Network.

## O11 Environmental awareness

O11.1 All staff, including contractors and subcontractors, involved in the carrying out of the activities authorised by this licence must be aware of their environmental responsibilities relating to the activities regulated by this licence.

## O12 Waste management

O12.1 The licensee must assess, classify and manage any waste generated at the Sydney Trains Network in accordance with the Waste Classification Guidelines Part 1: Classifying Waste, November 2014 prior to transporting the waste offsite.

O12.2 The licensee must not cause, permit or allow any waste generated:

(a) outside the Sydney Trains Network to be received at the Sydney Trains Network, except for recycled materials from Sydney Trains' recycling facility (EPL7515) or materials that meet the EPA's Resource Recovery Exemptions for engineered fill purposes.

(b) at the Sydney Trains Network to be disposed of at the Sydney Trains Network, except as permitted by another condition of this licence.

O12.3 Excavated material suitable for lawful re-use within the Sydney Trains Network, may be transported to the Sydney Trains Network from another part of the Sydney Trains Network or from the Sydney Trains recycling facility (EPL7515) by road in accordance with Condition O12.4.

O12.4 The licensee must ensure that:

(a) the body of any vehicle or trailer, used to transport waste or excavated material from the Sydney Trains Network, is covered before leaving the Sydney Trains Network to minimise any spill or escape of any dust, waste, or spoil from the vehicle or trailer; and

(b) mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the Sydney Trains Network, is removed to the greatest extent practicable before the vehicle, trailer or motorised plant leaves the Sydney Trains Network; and

(c) the surfaces of access roads connecting the Sydney Trains Network to public roads are effectively cleaned of any tracked material.

## O13 Other operating conditions

### Railway maintenance activities

Note: The objectives of these conditions are to minimise noise impacts from railway maintenance activities, recognising that operational safety and other factors constrain when these activities can be carried out on the Sydney Trains Network. These factors include avoiding disruptions during peak periods for passenger

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services and ensuring that programmed track closures facilitate the efficient completion of maintenance activities. Night-time and weekend work will be required for some activities.

## Standard railway maintenance hours

O13.1 Maintenance activities must be undertaken:

- a) between the hours of 7:00am and 6:00pm Monday to Friday
  - b) between the hours of 8:00am and 1:00pm Saturday; and
  - c) not on Sunday or public holidays,
- unless an exception in condition O13.2 or condition O13.3 applies.

## Exception to standard railway maintenance hours

O13.2 The licensee may undertake maintenance activities outside of the hours specified in Condition O13.1:

- a) to provide safe and reliable train services or a safe working environment; or
- b) for emergency works; or
- c) for the delivery of oversized plant or structures that require special arrangements or authorisation to be lawfully transported along public roads.

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

O13.3 (a) The licensee may undertake maintenance activities outside of the hours specified in Condition O13.1, if the activities do not exceed:

- i. 5dBA (LAeq, 15min) above the relevant rating background levels at day, evening and night, as determined at the nearest noise sensitive receiver as assessed by acoustic investigation, and
  - ii. 15dBA (LA1, 1min or LAm<sub>ax</sub>) above the relevant rating background level at night, as determined at the nearest noise sensitive receiver as assessed by acoustic investigation.
- b) The results of any acoustic investigation undertaken in relation to Conditions O13.3(a)(i) and O13.3(a)(ii) must be provided by the licensee when requested by an authorised officer of the EPA.
- c) An acoustic investigation referred to in Conditions O13.3(a)(i) and O13.3(a)(ii) is not required if there are no noise sensitive receivers impacted by the activities.

## Management of noise impacts from railway maintenance

O13.4 Where maintenance activities are undertaken, including outside of the hours specified in Condition O13.1, noise impacts must be managed in accordance with the recommendations in the Interim Construction Noise Guideline (DECCW, 2009), as updated from time to time. The licensee is required to:

- a) identify noise sensitive receivers that may be affected;
- b) identify hours of work 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; and
- e) notify the identified noise sensitive receivers at least 5 days prior to the commencement of maintenance activities undertaken outside of the hours specified in Condition O13.1, except where the licensee first becomes aware of the need to undertake those maintenance activities less than 5 days prior to the proposed commencement date, in which case the notification must be provided as soon as practicable after becoming aware of the need to undertake the maintenance activities.

O13.5 When requested by an authorised officer of the EPA, the licensee must provide the following information regarding any proposed maintenance activities on the Sydney Trains Network:

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- 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 the hours specified in Condition O13.1.

O13.6 When requested by an authorised officer of the EPA, the licensee must provide written reasons that demonstrate that maintenance activities undertaken outside of the hours specified in Condition O13.1 comply with the licence.

## Erosion and sediment control

O13.7 The licensee must, before and during maintenance activities, implement all feasible and reasonable erosion and sediment controls to minimise sediment leaving the Sydney Trains Network.

O13.8 Erosion and sediment controls must be designed, constructed, operated and maintained in accordance with "Managing Urban Stormwater: Soils and Construction, Volume 1, 4th Edition" (Landcom, 2004) to be read and used in conjunction with the relevant DECC Managing Urban Stormwater – Soils and Construction volume.

## 4 Monitoring and Recording Conditions

### M1 Monitoring records

M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.

M1.2 All records required to be kept by this licence must be:

- 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

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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 3 months after: the date of the issue of this licence.

## M4 Other avenues for complaints

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

## M5 Other monitoring and recording conditions

### Register of rolling stock

M5.1 The licensee must maintain a list of the rolling stock it operates on the Sydney Trains Network, including the unique identification number of each item of rolling stock.

M5.2 The Wayside Monitoring System (Noise) at Beecroft must comprise:

- a) noise monitoring equipment conforming to AS IEC 61672.1-2013 (Class 1 or 2 sound level meter) that allows direct measurement or extrapolation, and recording, of the LAFmax dB(A) sound pressure level of

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- rolling stock at 15 meters from track centre line;
- b) systems, such as automatic equipment identification tag readers, that allow instantaneous LAFmax dB(A) level to be correlated with items of rolling stock;
- c) equipment that allows audio recordings using audio files or equivalent to be recorded for each pass-by event; and
- d) equipment that is calibrated by a National Association of Testing Authorities accredited facility at intervals not exceeding two (2) years to confirm its performance against AS IEC 61672.1-2013; and
- e) a charge injection calibration (CIC) system, or equivalent, to confirm and record daily (24hr) acceptable performance of the sound measurement instrument against the manufacturers CIC Reference Ratio or equivalent calibration reference.

## 5 Reporting Conditions

### R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
1. a Statement of Compliance,
  2. a Monitoring and Complaints Summary,
  3. a Statement of Compliance - Licence Conditions,
  4. a Statement of Compliance - Load based Fee,
  5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
  6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
  7. a Statement of Compliance - Environmental Management Systems and Practices.

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

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

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

- 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

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given; or

b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

a) the licence holder; or

b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

## **R2 Notification of environmental harm**

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

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.

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;



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- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

## R4 Other reporting conditions

### Identification of rolling stock on the premises in response to complaints

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

### Complaints register reporting

- R4.2 a) Within 10 business days of the end of each calendar month, the licensee must submit a report to the EPA, in a form nominated by the EPA, that provides details of all pollution complaints, including noise and vibration complaints, received on the telephone complaints line (Condition M3) or through other avenues (Condition M4) or otherwise referred to the licensee in regards to the activities authorised or controlled by this licence.
- The report must include:
- i) a unique identifier number for each complaint;
  - ii) the details required by Condition M2.2
  - iii) the unique identification number of the rolling stock which is the subject of the complaint, if known;
  - iv) the Rolling Stock Operator which is the subject of the complaint, where relevant; and
  - v) the date and time that the complaint was reported to any identified Rolling Stock Operator which is the subject of the complaint.
- b) The licensee is not required to submit a report for any calendar month during which no complaints were received by or referred to the licensee.
- c) The preceding conditions do not apply until 3 months from 5 August 2020.



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## 6 General Conditions

### G1 Copy of licence kept at the premises or plant

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

### G2 Contact number for incidents and responsible employees

- G2.1 The licensee must provide the EPA with up to date contact details to enable the EPA:
  - a) to contact either the licensee or a representative of the licensee who can respond at all times to incidents relating to the premises, and
  - b) to contact the licensee's senior employees or agents authorised at all times to:
    - i) speak on behalf of the licensee, and
    - ii) provide any information or document required under the licence.
- G2.2 The contact details required by Condition G2.1 above must include:
  - a) the full name and title of the authorised representatives and the scope of their respective authorisations; and
  - b) the direct telephone number, mobile number, email address and postal address for contacting each authorised representative.

## 7 Pollution Studies and Reduction Programs

### U1 Pollution Study –Sydney Trains Network Operation Report – Idling

- U1.1 The licensee must prepare a report which:
  - (a) describes the actions and practices undertaken by the licensee to prevent or minimise noise and air emissions, and impacts on sensitive receivers, from locomotives idling on the Sydney Trains Network; and
  - (b) examines matters related to network operation and control affecting rolling stock operating on the Sydney Trains Network.

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

- U1.2 In the report, the licensee must:

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

U1.3 The licensee must provide the EPA with the report by 5 August 2021.

## **U2 Pollution Study - Sydney Trains Network and Rolling Stock Operation Report - Horn use**

- U2.1 The licensee must prepare a report which:
- (a) describes the actions and practices undertaken by the licensee to prevent or minimise noise impacts on noise sensitive receivers from horn use by Rolling Stock Operators, including the licensee's, on the Sydney Trains Network; and
  - (b) examines matters related to network operation and control affecting rolling stock operating on the Sydney Trains Network; and
  - (c) examines the operation of rolling stock that is in the management or control of the licensee.

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

- U2.2 In the report, the licensee must:
- a) include relevant information regarding horn use, including but not limited to:
    - i) a review of the complaints it has received regarding horn use;
    - ii) categorisation of the complaints by cause and location and identification of the number of complaints for each category; and
    - iii) details of all actions and practices that were identified and/or implemented by the licensee to address the complaints; and
  - b) details of any actions, practices or possible improvements that the licensee could undertake to minimise impacts on noise sensitive receivers from horn use on the Sydney Trains Network.

U2.3 The licensee must provide the EPA with the report by 5 August 2021.

## **U3 Pollution Study - Sydney Trains Network Operation Report - Braking, bunching and stretching**

- U3.1 The licensee must prepare a report which:
- (a) describes the actions and practices undertaken by the licensee to prevent or minimise noise impacts on noise sensitive receivers from braking, bunching and stretching of freight wagons on the Sydney Trains Network; and
  - (b) examines matters related to network operation and control affecting rolling stock operating on the

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Sydney Trains Network.

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

**U3.2** In the report, the licensee must

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

b) details of any actions, practices or possible improvements that the licensee could undertake to minimise noise impacts on noise sensitive receivers from braking, bunching and stretching of freight wagons on the Sydney Trains Network.

**U3.3** The licensee must provide the EPA with the report by 5 August 2021.

## **U4 Trial installation and assessment of rail dampers as a form of curve noise mitigation measures in Waverton & Wollstonecraft**

**U4.1** The objective of PRP U4 is for the licensee to implement and assess the performance of rail dampers as form of curve noise mitigation measures following the results of trials and studies carried out under PRP U2 and U3 (Note: PRP U2 and U3 referred to in Conditions U4.1 and U4.2(b) are previously completed PRPs that are no longer in this licence and are contained in Licence Variation Notice No. 1589397 dated 13 December 2019 on the EPA's Public Register).

**U4.1 (a) Action**

The licensee will undertake, or engage an appropriately qualified contractor to implement the following noise mitigation works in the Waverton and Wollstonecraft area:

a. Install rail dampers on sections of the down track in the Waverton and Wollstonecraft area on the up and down tracks of a representative curve.

I. The trial rail dampers will be installed by 6 August 2019

**U4.2 (b) Action**

The licensee will undertake, or engage an appropriately qualified contractor to undertake, a monitoring program to assess the effectiveness of rail dampers listed in PRP U4.1 (a). The program must continue for the duration of the trial and must utilise data from the PRP U2 and U3 studies as the comparative baseline to assess the effectiveness of rail dampers as an effective noise mitigation measure being trialled.

i. The licensee will provide a detailed proposal of the monitoring and assessment program to the EPA for approval by 19 April 2019.

ii. The licensee will commence the monitoring program within one month of approval being received by the EPA

iii. The licensee will provide the EPA with a performance assessment of the mitigation measures, listed by 30 June 2020.

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The licensee will make the above reports and proposals, including all monitoring data, publicly available upon request.

## 8 Special Conditions

### E1 Special Dictionary

#### Sydney Trains Railway Activities Licence Dictionary

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

Term	Definition
angle of attack (AoA)	the rolling stock wheelset alignment relative to the rail and is measured in milliradians.
acceptable angle of attack	is defined as being less than a value given by the following equation: $ AoA  = 2.5 \times Bwb/R$ Where AoA = angle of attack (radians) Bwb = bogie wheel base (m) R = radius of track curvature (m)    is the absolute value operator Note: The Acceptable Angle of Attack at Beecroft Wayside Monitoring System (AoA) is equivalent to 15 milliradians.
AS IEC 61672.1-2013	refers to the AS IEC 61672.1-2013 Electroacoustics – Sound level meters - Part 1: Specifications
Assets Standard Authority THR 00880 ST	Transport for NSW, (T HR RS 00880 ST) – Standard – RSU Appendix H – Automatic Equipment Identification, Version 1.0. Issue Date: 19/12/2014. Reconfirmed: 9/7/2019.
Beecroft	Refers to the location of the Beecroft Wayside Monitoring System that monitors noise from rolling stock and angle of attack from freight wagons. [Google map/GIS coordinates 33.751801, 151.066577, 19z]
bogie	a structure incorporating suspension elements and fitted with wheels and axles, used to support rail vehicles at or near the ends and capable of rotation in the horizontal plane. It may have one, two or more wheel sets, and may be the common support of adjacent units of an articulated vehicle.
day	the period from 0700 to 1800 h (Monday to Saturday) and 0800 to 1800 h (Sundays and Public Holidays).
emergency works	means unforeseen works: (a) to avoid harm to persons (loss of life and personal injury) or damage to property or to prevent environmental harm; or (b) to restore safe and reliable railway passenger and freight services or to prevent imminent interruptions to those services.

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evening	the period from 1800 to 2200 h.
freight wagon	a railway vehicle that is used or intended to be used to transport freight for reward, but does not include a locomotive.
LAFMax	means A-weighted maximum noise level, fast weighting.
locomotive	a vehicle powered by an internal combustion engine that is primarily intended for hauling freight and/or passenger rolling stock.
LZFMax	means Z-weighted maximum noise level, fast weighting.
maintenance activities	means repair, servicing, upgrading or alteration of rolling stock.
night	the period from 2200 to 0700 h (Monday to Saturday) and 2200 to 0800 h (Sundays and Public Holidays).
noise sensitive receivers	receiver types and land-uses identified in Table 1, 2 and 3 of the Rail Infrastructure Noise Guideline (EPA, 2013).
pass-by	the passing of an item of rolling stock by a fixed point on the rail network.
railway infrastructure operations	means the scheduled activity in clause 33A of Schedule 1 to the Act.
railway infrastructure operator	means a person authorised by an environment protection licence to carry out the scheduled activity of Railway Infrastructure Operations under clause 33A of Schedule 1 to the Act.
rating background level (RBL)	is the overall single-figure background noise level measured in each relevant assessment period. Determination of the rating background level is by the method described in the NSW Noise Policy for Industry (EPA, 2017) and relates to maintenance and construction noise assessment.
rolling stock	has the same meaning as in Clause 33B of Schedule 1 of the Act.
rolling stock operations	means the scheduled activity in Clause 33B of Schedule 1 to the Act.
rolling stock operator	means a person authorised by an environment protection licence to carry out the scheduled activity of Rolling Stock Operations under Clause 33B of Schedule 1 to the Act.
sensitive receiver	a location where people are likely to work or reside; this includes residential dwellings, schools, hospitals, offices or public recreational areas.
unacceptable angle of attack	an angle of attack exceeding the acceptable angle of attack.
Wayside Monitoring System (Angle of Attack)	means the systems installed, operated and maintained by the Railway Infrastructure Operators to measure the angle of attack of wheelsets of freight wagons.
Wayside Monitoring System(Noise)	means the systems installed, operated and maintained by the Railway Infrastructure Operators to detect pass-by noise levels of rolling stock.

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wheelset

means an assembly consisting of axle, wheels, bearings and, where applicable associated components including but not limited to brake discs, traction gears, traction motor support bearings and gearbox.

## E2 Completed pollution studies and reduction programs

E2.1 The following pollution studies and reduction programs have been completed by the licensee

PRP/Pollution Study Title	Description	Completion Date
1. PRP U1.1 Noise management on the five priority lines priority lines	Help mitigate noise level on five priority lines: <ul style="list-style-type: none"> <li>• Inner West (Lidcombe Junction to Redfern)</li> <li>• North Strathfield to Hornsby</li> <li>• Auburn and Merrylands to Penrith</li> <li>• Erskineville Junction to Waterfall</li> <li>• North Shore</li> </ul>	March 2002
2. PRP U1.2 Monitoring and reporting for noise management on the five priority lines	To report to EPA the progress of the implementation of PRP No.1 above.	July 2006
3. PRP U1.3 Whole of network strategies	To review the noise mitigation measures undertaken in PRP No.1 above and develop network wide strategies.	December 2003
4. PRP U1.1 Mitigation of impacts of wheel squeal: Angle of attack monitoring	Help manage locomotive noise from the NSW rail network by undertaking angle of attack monitoring to identify locomotives or wagons having the potential to cause wheel squeal. Monitoring data was made available to freight operators so that locomotives having anomalies with the potential to cause wheel squeal were able to be identified and appropriately actioned.	20 May 2010
5. PRP U1.2 Mitigation of impacts of wheel squeal: Top of rail friction modifier applicators	To refine top of rail friction modifier applicator technology and implement refinements at specified locations.	21 February 2012
6. PRP U2.1 Audit of the noise performance of locomotives	Help manage locomotive noise from the NSW rail network by monitoring the noise performance of locomotives on the metropolitan rail network and providing noise monitoring data to locomotive operators and the EPA.	21 May 2010
7. PRP U2.2 Audit of the air performance of locomotives	Help manage exhaust emissions from the NSW rail network by monitoring the exhaust emission performance of XPT passenger locomotives and investigating options for undertaking exhaust emission monitoring on the remainder of RailCorp's passenger locomotive fleet.	7 September 2010

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8. PRP U3 Review of safety related procedures that cause a noise nuisance	Help manage noise associated with safety related practices, including horn testing and sounding horns coming in and out of tunnels and road crossings. As a result of this PRP RailCorp removed the requirement to sound a train horn when leaving a station.	19 October 2010
9. PRP U1 - Mitigation of wheel squeal: Angle of attack monitoring and reporting program	Implement and maintain a program to monitor and record the angle of attack of rolling stock on the RailCorp network at the Beecroft monitoring station. This included the development and implementation of a reporting procedure to advise rolling stock operators of the results and the EPA of the results of the angle of attack monitoring and any remedial actions taken by the operators in response to data.	26 April 2020
10. PRP U2 - Investigation of the Causes of Wheel Squeal in the Waverton and Wollstonecraft Area	Undertake a program of investigative works to identify the occurrence and cause of curve noise from wheel-rail interaction in the Waverton and Wollstonecraft area to allow the application of appropriate mitigation measures.	29 August 2016
11. PRP U3 - Implementation and Assessment of Curve Noise Mitigation Measures in the Waverton and Wollstonecraft Area	Implement and assess the performance of a range of the potential mitigation measures identified in PRP U2 – Investigation of the Causes of Wheel Squeal in the Waverton and Wollstonecraft area.	22 December 2017

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## Dictionary

### General Dictionary

<b>3DGM [in relation to a concentration limit]</b>	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
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>AM</b>	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> .
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	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.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>BOD</b>	Means biochemical oxygen demand
<b>CEM</b>	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> .
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	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.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
<b>general solid waste (non-putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997



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<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>general solid waste (putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>grab sample</b>	Means a single sample taken at a point at a single time
<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	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.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	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.
<b>restricted solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>special waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TM</b>	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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<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids
<b>Type 1 substance</b>	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
<b>Type 2 substance</b>	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
<b>utilisation area</b>	Means any area shown as a utilisation area on a map submitted with the application for this licence
<b>waste</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>waste type</b>	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste

Mr David Featherston

Environment Protection Authority

(By Delegation)

Date of this edition: 17-December-2004

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## End Notes

- 1 Licence fee period changed by notice 1043177 on 17-Dec-2004.
- 2 Licence varied by notice 1044735, issued on 21-Apr-2005, which came into effect on 22-Apr-2005.
- 3 Licence varied by notice 1048848, issued on 27-Jun-2005, which came into effect on 27-Jun-2005.
- 4 Licence varied by notice 1058748, issued on 28-Aug-2006, which came into effect on 28-Aug-2006.
- 5 Licence varied by notice 1077085, issued on 22-Aug-2007, which came into effect on 22-Aug-2007.
- 6 Licence varied by notice 1082393, issued on 12-Feb-2008, which came into effect on 12-Feb-2008.
- 7 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 8 Licence varied by notice 1507145 issued on 06-Jul-2012
- 9 Licence varied by notice 1510586 issued on 21-Mar-2013
- 10 Licence varied by notice 1514864 issued on 13-Jun-2013
- 11 Licence fee period changed by notice 1515160 on 24-Jun-2013
- 12 Licence transferred through application 1515298 approved on 30-Jun-2013 , which came into effect on 01-Jul-2013
- 13 Licence varied by notice 1517239 issued on 29-Oct-2013
- 14 Licence varied by notice 1519322 issued on 10-Jan-2014
- 15 Licence varied by notice 1519943 issued on 10-Feb-2014
- 16 Licence format updated on 26-Feb-2014
- 17 Licence varied by notice 1522517 issued on 04-Jun-2014
- 18 Licence varied by notice 1524149 issued on 15-Aug-2014
- 19 Licence varied by notice 1525455 issued on 08-Oct-2014
- 20 Licence varied by notice 1526648 issued on 26-Nov-2014
- 21 Licence varied by notice 1528187 issued on 11-Feb-2015
- 22 Licence varied by notice 1529616 issued on 02-Apr-2015
- 23 Licence varied by notice 1530626 issued on 21-May-2015



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24	Licence varied by notice	1535588 issued on 13-Nov-2015
25	Licence varied by notice	1540967 issued on 27-May-2016
26	Licence varied by notice	1548840 issued on 27-Jan-2017
27	Licence varied by notice	1556804 issued on 15-Sep-2017
28	Licence varied by notice	1558082 issued on 27-Oct-2017
29	Licence varied by notice	1559550 issued on 08-Dec-2017
30	Licence varied by notice	1560607 issued on 12-Jan-2018
31	Licence varied by notice	1569595 issued on 26-Oct-2018
32	Licence varied by notice	1574492 issued on 10-Jan-2019
33	Licence varied by notice	1577644 issued on 11-Apr-2019
34	Licence varied by notice	1580010 issued on 06-Jun-2019
35	Licence varied by notice	1585800 issued on 02-Oct-2019
36	Licence varied by notice	1589397 issued on 13-Dec-2019
37	Licence varied by notice	1597773 issued on 05-Aug-2020