

Environment Protection Licence

Licence - 21247

Licence Details

| | |
|-------------------|----------|
| Number: | 21247 |
| Anniversary Date: | 26-April |

Licensee

METRO TRAINS SYDNEY PTY LTD

47 TALLAWONG ROAD

ROUSE HILL NSW 2155

Premises

SYDNEY METRO

ROUSE HILL NSW 2155

Scheduled Activity

Railway activities - 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:

| |
|------------------------------------|
| METRO TRAINS SYDNEY PTY LTD |
| 47 TALLAWONG ROAD |
| ROUSE HILL NSW 2155 |

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 |

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

| Premises Details |
|--|
| SYDNEY METRO |
| ROUSE HILL |
| NSW 2155 |
| <p>THE PREMISES TO WHICH THIS LICENCE APPLIES COMPRISES:</p> <p>(A) IN RESPECT OF RAILWAY INFRASTRUCTURE OPERATIONS, THE SYDNEY METRO RAIL NETWORK THAT IS DEFINED BY THE FOLLOWING RAIL NETWORK PREMISES MAPS (THE SYDNEY METRO RAIL NETWORK):</p> <p>I) NRT_A3_EPL PREMISES MAPS_MTS DATED 24 APRIL 2019;</p> <p>NOTE: THE RAIL NETWORK PREMISES MAPS ARE CONTAINED IN EPA FILE EF13/5356 AND IS AT THE WEBLINK: HTTPS://WWW.SYDNEYMETRO.INFO/MAP/SYDNEY-METRO-INTERACTIVE-TRAIN-MAP.</p> <p>(B) IN RESPECT OF ROLLING STOCK OPERATIONS, THE ROLLING STOCK OPERATED ON THE SYDNEY METRO RAIL NETWORK THAT ARE UNDER THE MANAGEMENT OR CONTROL OF THE LICENSEE, INCLUDING ROLLING STOCK OWNED OR LEASED BY THE LICENSEE; AND</p> <p>(C) IN THIS LICENCE, PREMISES MEANS BOTH (A) AND (B) TAKEN TOGETHER.</p> |

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A3 Information supplied to the EPA

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

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

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

2 Limit Conditions

L1 Pollution of waters

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

3 Operating Conditions

O1 Activities must be carried out in a competent manner

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

O2 Maintenance of plant and equipment

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

O3 Noise trigger levels for railway activities

- O3.1 The operation of rail line components (including rolling stock on track in the corridor) of the Sydney Metro Northwest shall be conducted with the objective of not exceeding air-borne noise, ground-borne noise and vibration trigger levels contained in the Interim Guidelines for the Assessment of Noise from Rail Infrastructure Projects (DECC and DoP, 2007) when assessed for or measured at existing developments including residential and sensitive land uses.

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O4 Dust

O4.1 The premises must be operated and managed to minimise the generation of dust.

O5 Ongoing track maintenance

O5.1 The Sydney Metro Rail Network must be maintained to minimise noise impacts on noise sensitive receivers where safe and practicable to do so.

O6 Horn use

O6.1 The licensee must minimise noise impacts on noise sensitive receivers from rolling stock horn usage on the Sydney Metro Rail Network.

O7 Environmental awareness

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

O8 Waste management

O8.1 The licensee must assess, classify and manage any waste generated at the Sydney Metro Rail Network in accordance with the Waste Classification Guidelines Part 1: Classifying Waste, November 2014 prior to transporting the waste offsite.

O8.2 The licensee must not cause, permit or allow any waste generated:

- a) outside the Sydney Metro Rail Network to be received at the Sydney Metro Rail Network, except as expressly permitted by a condition of this licence or a resource recovery order and resource recovery exemption under the POEO Act.
- b) at the Sydney Metro Rail Network to be disposed of at the Sydney Metro Rail Network, except as expressly permitted by another condition of this licence.

O8.3 Waste that is generated at the Sydney Metro Rail Network (including excavated material) may be:

- a) Lawfully re-used or recovered within the Sydney Metro Rail Network; or
- b) Transported from one part of the Sydney Metro Rail Network to another part by road in accordance with Condition O8.4.

O8.4 The licensee must ensure that:

- (a) the body of any vehicle or trailer, used to transport waste or excavated material from the Sydney Metro Rail Network, is covered before leaving the Sydney Metro Rail Network to minimise any spill or escape of

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- 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 Metro Rail Network, is removed to the greatest extent practicable before the vehicle, trailer or motorised plant leaves the Sydney Metro Rail Network; and
- (c) the surfaces of access roads connecting the Sydney Metro Rail Network to public roads are effectively cleaned of any tracked material.

O9 Other operating conditions

Railway maintenance and construction activities

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

Railway maintenance activities

Standard railway maintenance hours

- O9.1 Maintenance activities must be undertaken:
- a) between the hours of 7:00am and 6:00pm 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 O9.2 or condition O9.3 applies.

Exception to standard railway maintenance hours

- O9.2 The licensee may undertake maintenance activities outside of the hours specified in Condition O9.1:
- a) to provide safe and reliable 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

- O9.3 (a) The licensee may undertake maintenance activities outside of the hours specified in Condition O9.1, if the activities do not exceed:
- i. 5dBA (LAeq, 15min) above the relevant rating background levels at day, evening and night, as determined at the nearest noise sensitive receiver as assessed by acoustic investigation, and
 - ii. 15dBA (LA1, 1min or LAm_{ax}) above the relevant rating background level at night, as determined at the nearest noise sensitive receiver as assessed by acoustic investigation.
- b) The results of any acoustic investigation undertaken in relation to Conditions O9.3(a)(i) and O9.3(a)(ii) must be provided by the licensee when requested by an authorised officer of the EPA.

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c) An acoustic investigation referred to in Conditions O9.3(a)(i) and O9.3(a)(ii) is not required if there are no noise sensitive receivers impacted by the activities.

Management of noise impacts from railway maintenance

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

Railway construction activities

Standard railway construction hours

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

unless an exception in condition O9.8, O9.9 or O9.10 applies.

Exception to standard railway construction hours

- O9.8 a) The licensee may undertake construction activities outside of the hours specified in Condition O9.7:
- to provide safe and reliable services or a safe working environment; or

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- ii) for emergency works; or
- ii) for the delivery of oversized plant or structures that require special arrangements or authorisation to be lawfully transported along public roads.
- b) If emergency works outside of the hours specified in Condition O9.7 are to be undertaken in proximity to noise sensitive receivers the licensee must, on becoming aware of the need to undertake the emergency works, notify the EPA's Environment Line as soon as practicable and submit a report to the EPA by 2pm on the next business day after the emergency works commenced that describes:
 - i) the cause, time and duration of the emergency;
 - ii) action taken by or on behalf of the licensee in relation to the emergency; and
 - iii) details of any measures taken or proposed to be taken by the licensee to prevent or mitigate against a recurrence of the emergency.
- c) For emergency works undertaken under this condition, the licensee is not required to comply with Condition O9.13.

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

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

Other exceptions to standard railway construction hours

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

Hours for high noise impact generating works

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

Management of noise impacts from railway construction

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

- 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 noise sensitive receivers in accordance with Condition O9.13.

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

- a) The notification must be:
 - i) by letterbox drop or other targeted and equivalent method; and
 - ii) published on the project website where one exists,
- b) The notification must:
 - i) clearly outline the reason that the work is required to be undertaken outside the hours specified in Condition O9.7;
 - 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) detail any mitigation measures to be implemented to minimise noise and/or vibration impacts;
 - vii) clearly state how complaints may be made and additional information obtained; and
 - viii) include the number of the telephone complaints line required by this licence, an afterhours contact phone number specific to the works and activities, and the project website address where applicable.

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

- a) dates and times of the proposed construction activity;
- b) location of the proposed construction activity;
- c) type(s) of work to be performed in conducting the proposed 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 the hours specified in Condition O9.7.

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

Blasting

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

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Erosion and sediment control

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

4 Monitoring and Recording Conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- 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.

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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 5 days 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 Metro Rail Network.

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.

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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 given; or

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

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

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

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

a) the licence holder; or

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

R2 Notification of environmental harm

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

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

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R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- where this licence applies to premises, an event has occurred at the premises; or
 - 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:
- the cause, time and duration of the event;
 - the type, volume and concentration of every pollutant discharged as a result of the event;
 - 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;
 - 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;
 - action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
 - 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

Complaints register reporting

- R4.1
- 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:
 - a unique identifier number for each complaint;
 - the details required by Condition M2.2
 - the unique identification number of the rolling stock which is the subject of the complaint, if known;
 - The licensee is not required to submit a report for any calendar month during which no complaints were

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received by or referred to the licensee.

c) The preceding conditions do not apply until 3 months from 5 August 2020.

Notification of railway construction projects

R4.2 Within 10 days of the end of each calendar month, the licensee must provide a monthly report to the EPA listing all construction activities being undertaken on the Sydney Metro Rail Network or scheduled to be undertaken on the Sydney Metro Rail Network prior to the next monthly reporting period. The report must include:

- a) the dates and times of the construction activities;
- b) the location(s) of the construction activities;
- c) a description of the works to be undertaken, including the type of plant and equipment used;
- e) details of any mitigation or management measures implemented at the construction location to meet the conditions of this licence and the requirements of the Act;
- f) The licensee is not required to submit a report for any calendar month during which there were no construction activities undertaken or scheduled to be undertaken by the licensee.

R4.3 Noise and Vibration Compliance Assessment Reports

The Noise and Vibration Compliance Assessment Reports required under SSI approval 5414 (MCoA C22) shall be provided to the EPA within 10 business days of the reports being submitted to the Department of Planning and Environment under the relevant SSI approvals. The report must identify:

- a) all receiver locations where rail systems activities will not satisfy the objectives in condition O5.2; and
- b) the feasible and reasonable mitigation measures applied to achieve the objectives; and the resultant best achievable noise and/or vibration level at each receiver location where the objectives are exceeded.

R4.4 Compliance Assessment Monitoring Plan (CAMP)

Within 30 business days of the reports being furnished in accordance with condition R4.4, the licensee shall submit a Compliance Assessment Monitoring Plan (CAMP) to the EPA that includes, but is not necessarily limited to:

- a) Identification of strategic monitoring locations representative of groups or catchments of receiver locations for air-borne noise, ground-borne noise and vibration (the locations may be intermediate locations where a good signal to noise ratio for the rail systems activities exists); and
- b) Where intermediate locations are selected, the report should present a well-established theoretical and/or empirical relationships between the intermediate location and the receiver locations the monitoring point is representative of;
- c) The noise or vibration level and descriptor at the monitoring location that will demonstrate practical compliance with the objectives in O5.2 or the best achievable levels identified in R4.4 at representative receiver locations;

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d) The meteorological conditions that monitoring should be undertaken under.

Note: The CAMP supplied under condition R4.5 would inform monitoring locations that will be included on this licence by the EPA in consultation with the licensee.

6 General Conditions

G1 Copy of licence kept at the premises or plant

G1.1 A copy of this licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

G1.4 For the purpose of Condition G1.1 the premises is defined as the principal office of the licensee.

G1.5 For the purpose of G1.3 "available for inspection" includes inspection via electronic means.

G2 Contact number for incidents and responsible employees

G2.1 The licensee must provide the EPA with up to date contact details to enable the EPA:

- a) to contact either the licensee or a representative of the licensee who can respond at all times to incidents relating to the premises, and
- b) to contact the licensee's senior employees or agents authorised at all times to:
 - i) speak on behalf of the licensee, and
 - ii) provide any information or document required under the licence.

G2.2 The contact details required by Condition G2.1 above must include:

- 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 Special Conditions

E1 Special Dictionary

Sydney Metro Railway Activities Licence Dictionary

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

| Term | Definition |
|------------------------------------|--|
| construction activities | means construction of railway infrastructure carried out at a scale below the threshold for the scheduled activity of “railway activities—railway infrastructure construction” in clause 33(2) of Schedule 1 to the Protection of the Environment Operations Act 1997. ‘Railway infrastructure’ has the same meaning as in clause 33(4) of Schedule 1 to the Act. |
| day | the period from 0700 to 1800 h (Monday to Saturday) and 0800 to 1800 h (Sundays and Public Holidays). |
| emergency works | means unforeseen works: (a) to avoid harm to persons (loss of life and personal injury) or damage to property or to prevent environmental harm; or (b) To restore safe and reliable railway passenger and freight services or to prevent imminent interruptions to those services. |
| evening | the period from 1800 to 2200 h. |
| feasible and reasonable | has the same meaning as defined in the Rail Infrastructure Noise Guideline (EPA, 2013) for operational rail activities and has the same meaning as defined in the Interim Construction Noise Guideline (DECC, 2009) for construction / maintenance activities. |
| high noise impact generating works | means: (a) rail regulating and tamping, jack hammering, grinding, line drilling, pile driving, vibratory rolling, rock hammering, rock breaking, saw cutting, sheet piling; or (b) any other activities where those activities in (a) above generate offensive noise (as defined in the Dictionary to the Protection of the Operations Act 1997) at noise sensitive receivers, because of their impulsive, intermittent, low frequency or tonal characteristics. |
| maintenance activities | means repair, upgrading or alteration of ‘railway infrastructure’ as defined in clause 33(4) of Schedule 1 to the Act. |
| night | the period from 2200 to 0700 h (Monday to Saturday) and 2200 to 0800 h (Sundays and Public Holidays) |
| noise sensitive receivers | receiver types and land-uses identified in Table 1, 2 and 3 of the Rail Infrastructure Noise Guideline (EPA, 2013). |
| railway infrastructure operations | means the scheduled activity in clause 33A of Schedule 1 to the Act. |
| 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. |

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

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Dictionary

General Dictionary

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| 3DGM [in relation to a concentration limit] | Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples |
| Act | Means the Protection of the Environment Operations Act 1997 |
| activity | Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997 |
| actual load | Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009 |
| AM | Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> . |
| AMG | Australian Map Grid |
| anniversary date | The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act. |
| annual return | Is defined in R1.1 |
| Approved Methods Publication | Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009 |
| assessable pollutants | Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009 |
| BOD | Means biochemical oxygen demand |
| CEM | Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> . |
| COD | Means chemical oxygen demand |
| composite sample | Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume. |
| cond. | Means conductivity |
| environment | Has the same meaning as in the Protection of the Environment Operations Act 1997 |
| environment protection legislation | Has the same meaning as in the Protection of the Environment Administration Act 1991 |
| EPA | Means Environment Protection Authority of New South Wales. |
| fee-based activity classification | Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009. |
| general solid waste (non-putrescible) | Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997 |

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| flow weighted composite sample | Means a sample whose composites are sized in proportion to the flow at each composites time of collection. |
| general solid waste (putrescible) | Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997 |
| grab sample | Means a single sample taken at a point at a single time |
| hazardous waste | Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997 |
| licensee | Means the licence holder described at the front of this licence |
| load calculation protocol | Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009 |
| local authority | Has the same meaning as in the Protection of the Environment Operations Act 1997 |
| material harm | Has the same meaning as in section 147 Protection of the Environment Operations Act 1997 |
| MBAS | Means methylene blue active substances |
| Minister | Means the Minister administering the Protection of the Environment Operations Act 1997 |
| mobile plant | Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997 |
| motor vehicle | Has the same meaning as in the Protection of the Environment Operations Act 1997 |
| O&G | Means oil and grease |
| percentile [in relation to a concentration limit of a sample] | Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence. |
| plant | Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles. |
| pollution of waters [or water pollution] | Has the same meaning as in the Protection of the Environment Operations Act 1997 |
| premises | Means the premises described in condition A2.1 |
| public authority | Has the same meaning as in the Protection of the Environment Operations Act 1997 |
| regional office | Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence |
| reporting period | For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act. |
| restricted solid waste | Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997 |
| scheduled activity | Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997 |
| special waste | Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997 |
| TM | Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> . |

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| TSP | Means total suspended particles |
| TSS | Means total suspended solids |
| Type 1 substance | Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements |
| Type 2 substance | Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements |
| utilisation area | Means any area shown as a utilisation area on a map submitted with the application for this licence |
| waste | Has the same meaning as in the Protection of the Environment Operations Act 1997 |
| waste type | Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste |

Ms Claire Miles

Environment Protection Authority

(By Delegation)

Date of this edition: 26-April-2019

End Notes

2 Licence varied by notice 1597783 issued on 05-Aug-2020