

Environment Protection Licence

Licence - 12971

**Licence Details**

Number:	12971
Anniversary Date:	26-November
Review Due Date:	26-Nov-2013

Licensee

AUSTRALIAN RAIL TRACK CORPORATION LIMITED
 Gouger Street PO BOX 10343
 ADELAIDE SA 5000

Licence Type

Premises

Premises

Southern Sydney Freight Line
 Cooper Road, Birrong to Miller Road, Chester Hill
 BIRRONG NSW 2143

Scheduled Activity

Railway systems activities

Fee Based Activity

Railway systems activities

Scale

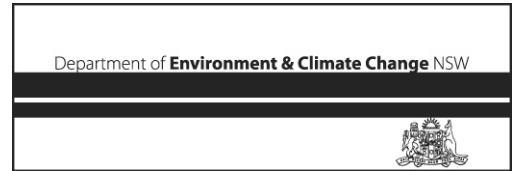
0 - All

Region

Metropolitan
 Level 3, NSW Govt Offices, 84 Crown Street
 WOLLONGONG NSW 2500
 Phone: 02 4224 4100
 Fax: 02 4224 4110
 PO Box 513 WOLLONGONG EAST
 NSW 2520

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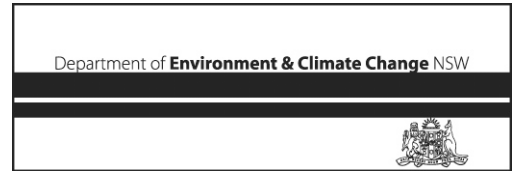
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Information about this licence

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); and
- 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

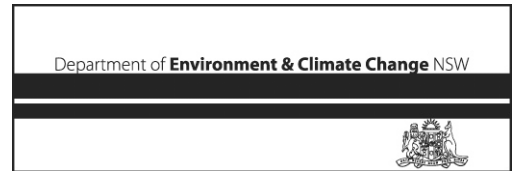
For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees.

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The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

This licence is issued to:

AUSTRALIAN RAIL TRACK CORPORATION LIMITED
Gouger Street PO BOX 10343
ADELAIDE SA 5000

subject to the conditions which follow.

1 Administrative conditions

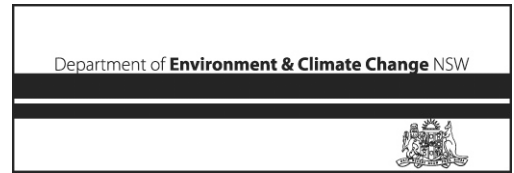
A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2.
Construction of Railway Infrastructure

A1.2 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-

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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
Railway systems activities

Fee Based Activity	Scale
Railway systems activities	0 - All

A1.3 The licensee must not carry on any scheduled activities until the scheduled development works are completed, except as elsewhere provided in this licence.

A1.4 The licensee must not carry on the operation of rolling stock on track until all rail construction works are completed, except as elsewhere provided in this licence.

Note: The intention of the EPA is that the licensee completes all rail construction works before surrendering the licence to the EPA and carrying on the operation of rolling stock on track.

A2 Premises to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
Southern Sydney Freight Line
Cooper Road, Birrong to Miller Road, Chester Hill
BIRRONG
NSW
2143
See Condition A2.2 for the full description of the licenced premises

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A2.2 The premises is defined on the following plans:

- (a) the area outlined in green on the drawing number PC-008 Rev. 14/11/2008;
- (b) the area outlined in green on the drawing number PC-009 Rev. 14/11/2008;
- (c) the area outlined in green on the drawing number PC-010 Rev. 14/11/2008;
- (d) the area outlined in green on the drawing number PC-011 Rev. 14/11/2008;
- (e) the area outlined in green on the drawing number PC-012 Rev. 14/11/2008;
- (f) the area outlined in green on the drawing number PC-013 Rev. 14/11/2008;
- (g) the area outlined in green on the drawing number PC-014 Rev. 14/11/2008;
- (h) the area outlined in green on the drawing number PC-015 Rev. 14/11/2008;
- (i) the area outlined in green on the drawing number PC-016 Rev. 14/11/2008; and
- (j) the area outlined in green on the drawing number PC-017 Rev. 14/11/2008.

A3 Other activities

A3.1 Not applicable.

A4 Information supplied to the EPA

A4.1 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.

A4.2 Information supplied to the EPA in the nature of an Environmental Management System and Management Plans do not form part of the licence application or any application to vary the licence.

2 Discharges to air and water and applications to land

P1 Location of monitoring/discharge points and areas

P1.1 Not applicable.

P1.2 Not applicable.

P1.3 Not applicable.



3 Limit conditions

L1 Pollution of waters

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

L2 Load limits

L2.1 Not applicable.

L2.2 Not applicable.

L3 Concentration limits

L3.1 Not applicable.

L3.2 Not applicable.

L3.3 Not applicable.

L4 Volume and mass limits

L4.1 Not applicable.

L5 Waste

L5.1 No applicable.

L6 Noise Limits

L6.1 Not applicable.

4 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 Hours of Operation

O3.1 Normal Construction Hours

All works (including transport of spoil, recyclable and waste materials) must:

- (a) be undertaken only between the hours of 7.00 am and 6.00 pm Monday to Friday;
- (b) be undertaken only between the hours of 8.00 am and 1.00 pm Saturday; and
- (c) not be undertaken on any Sunday or Public Holiday.

Except as expressly permitted by other conditions of this licence.

O3.2 The following construction work may be undertaken out of hours:

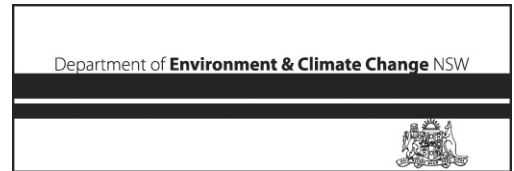
- (a) construction work that causes noise emissions that are not audible at any noise sensitive receiver;
- (b) the delivery of plant, equipment and materials which is required to be delivered outside of the hours permitted by Condition O3.1 by Police and/or the Roads and Traffic Authority for safety reasons; or
- (c) emergency construction activities or work needed to be undertaken urgently to avoid:
 - loss of life,
 - damage to property, or
 - environmental harm.

The licensee must:

- (i) on becoming aware of the need to undertake emergency construction work, notify the

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Department of Environment and Climate Change Environment Line on 131 555 of the need for those activities or work, and

(ii) within 24 hours of becoming aware of the need to undertake emergency construction work, submit a detailed report to the EPA's Head Metropolitan Infrastructure Level 7, 79 George Street, Parramatta about:

- the circumstances leading to the emergency,
- the nature and scope of any construction work undertaken to alleviate the emergency, and
- the practicable measures adopted by the licensee to prevent any similar incident.

O3.3 Work Generating High Noise Impact

Grinding, jack hammering, line drilling, pile driving, rock breaking, rock hammering, saw cutting, sheet piling, vibratory rolling and any construction work that generates impulsive, intermittent, low frequency or tonal noise must only be undertaken over a continuous period not exceeding 3 hours and between the hours of:

- (a) be undertaken only between 9:00am and 12:00pm Monday to Saturday;
- (b) be undertaken only between 2:00pm and 5:00pm Monday to Friday; and
- (c) not be undertaken on any Sunday or Public Holiday.

For the purposes of this condition 'continuous' includes any period during which there is less than a 60 minute respite between ceasing and recommencing any of the activities to which this condition applies.

Except as expressly permitted by other conditions of this licence.

O3.4 Additional Hours during local possessions

(1) Construction work may be undertaken outside of the hours outlined in Condition O3.1 during the following local possessions:

(a) Sefton Dive

(i) from 2 am Saturday 29 November 2008 to 2 am Monday 1 December 2008 provided that:

(a) no bore piling works are undertaken after midnight.

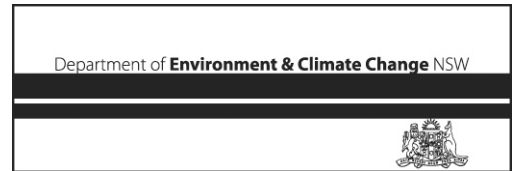
O4 Noise and Vibration Control

O4.1 All construction work must be undertaken in a manner that will minimise the emission of noise and vibration from the premises.

O4.2 The licensee must ensure that all practicable and reasonable noise and vibration mitigation and management measures are used during construction work authorised by this licence, including the

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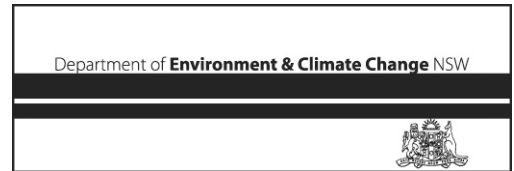


following measures-

- (i) identifying and using least noise construction methods, vehicles, plant and equipment available for the type of work being undertaken,
- (ii) positioning plant and equipment that generates high noise levels, impulsive noise, intermittent noise, low-frequency noise or tonal noise, so as to minimise noise and vibration impacts on surrounding noise sensitive receivers,
- (iii) avoiding the simultaneous operation of more than one item of noisy plant or equipment close together and near noise sensitive receivers,
- (iv) minimising consecutive nights of work that would be likely to affect the same noise sensitive receivers,
- (v) as far as practicable, scheduling the noisiest work during each period of out of hours work to move progressively away from noise sensitive receivers, especially throughout any single night of work and the overall program of night work undertaken during any single week,
- (vi) planning the work site and work processes and taking all such practicable measures necessary to minimise movements that would activate audible reversing and movements alarms, especially during out of hours work,
- (vii) orienting noise generating plant and equipment away from noise sensitive receivers,
- (viii) undertaking any loading or unloading operations away from noise sensitive receivers,
- (ix) selecting and locating access points and roads to the premises as far away as practicable from noise sensitive receivers, particularly in respect of work undertaken at night,
- (x) scheduling the noisiest work to be undertaken during the hours specified in condition O3.1 (a) and (b) or where this is not practicable during those hours that would be least sensitive in the particular circumstances of the case,
- (xi) scheduling respite periods if the work to be undertaken would be likely to generate noise and vibration emissions from the premises and would be conducted over extended periods in the same locality,
- (xii) using structures and topography to shield noise sensitive receivers from noise impacts,
- (xiii) noise shielding all lighting generators to minimise noise impacts on noise sensitive receivers,
- (xiv) not cleaning or clearing piling augers by means of hammering or any other means likely to generate impulsive or intermittent noise audible at any noise sensitive receiver,
- (xv) avoiding dropping or dragging temporary road plates when placing or removing them from unclosed excavations, and
- (xvi) installing measures to effectively dampen noise from vehicles crossing temporary road plates and where road plates are to be used in the same location for more than 2 nights, recessing those plates to finish flush with the surrounding road surface.

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O4.3 The licensee must, as soon as practicable, install any walls, barriers and other physical measures which are proposed as part of the activity to minimise noise impacts from the operation of rolling stock.

O5 Dust Control

O5.1 Requirements to Control Dust Emissions

All licensed activities must be carried out in a manner that will minimise the emission of dust from the premises.

Explanatory Notes:

- (1) Condition M8.1 sets out dust monitoring requirements; and
- (2) Condition R7.1 sets out requirements to provide dust monitoring reports when directed by an authorised officer of the EPA.

O6 Waste Management

O6.1 The licensee must not cause, permit or allow any waste generated:

- a) outside the premises to be received at the premises; and
 - b) at the premises to be disposed of at the premises,
- except as permitted in Condition O6.2.

O6.2 Excavated material suitable for re-use within the premises, may be transported from one part of the premises to another by road in accordance with Condition O6.6.

O6.3 Requirements for Waste Management

The licensee must assess, classify and manage any waste generated at the premises in accordance with the Department of Environment and Climate Change's *Waste Classification Guidelines Part 1: Classifying Waste, April 2008*.

O6.4 If waste is transported from the premises, the licensee must ensure that the waste is transported:

- (a) by a waste transporter authorised to transport such waste; and
- (b) to a place that can lawfully accept that waste.

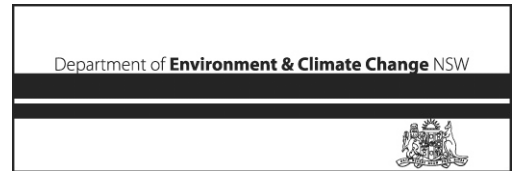
O6.5 The licensee must ensure that waste is not incinerated at the premises.

O6.6 The licensee must ensure that:

- a) the body of any vehicle or trailer, used to transport waste or excavation spoil from the premises, is covered before leaving the premises to prevent any spill or escape of any dust, waste, or spoil from the vehicle or trailer; and

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b) mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the premises, is removed before the vehicle, trailer or motorised plant leaves the premises.

O6.7 The licensee must ensure that concrete rinse water is collected and managed onsite in accordance with *Environmental Best Management Practice Guideline for Concreting Contractors*, 2004 or disposed of to a facility licensed to receive and treat concrete rinse water.

O7 Erosion and Sediment Controls

O7.1 Requirements of Erosion and Sediment Controls

Prior to undertaking any construction work, including any earthmoving or vegetation removal works, the licensee must implement erosion and sediment control measures to prevent pollution of waters.

O7.2 The licensee must check the operation of soil and water management works each day and initiate repair and maintenance as required.

Soil and water management works include all measures to control erosion and sediment such as sediment filters, drains, ponds, basins, stormwater run on and runoff controls, site stabilisation works, temporary water crossings and vehicular access controls.

Explanatory Notes:

- (1) See Condition L1.1; and
- (2) See Condition O2.1.

O8 Acid Sulfate Soil Management

O8.1 The licensee must assess and manage any acid sulfate soil (ASS) and potential acid sulfate soil (PASS) in accordance with the 1998 *Acid Sulfate Soils Manual* published by the NSW Acid Sulfate Soil Management Advisory Committee (ASSMAC).

5 Monitoring and recording conditions

M1 Monitoring records

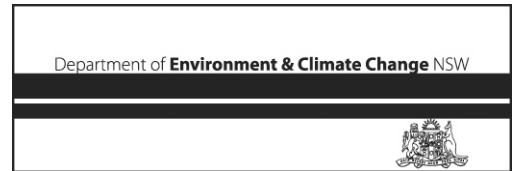
M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.

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.

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- 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 Requirement to monitor concentration of pollutants discharged

M2.1 Not applicable.

M3 Testing methods - concentration limits

M3.1 Not applicable.

M3.2 Not applicable.

M4 Recording of pollution complaints

M4.1 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.

M4.2 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.

M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

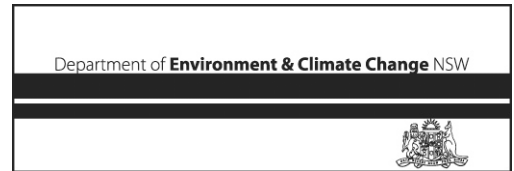
M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M5 Telephone complaints line

M5.1 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.

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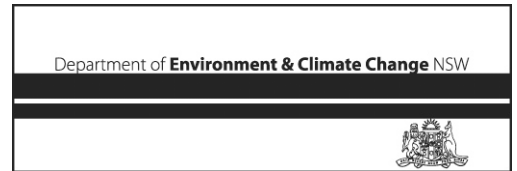
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- M5.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M5.3 Conditions M5.1 and M5.2 do not apply until
- (a) the date of the issue of this licence or
 - (b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.
- M5.4 The licensee must ensure that the community notification required by condition M5.2 is undertaken:
- (a) on not less than two occasions at least seven days apart;
 - (b) not less than 7 days and not more than 30 days before initial construction work commences at the premises;
 - (c) by general advertisements and public notices in newspapers that are regularly circulated within the communities likely to be affected by noise or other construction impacts;
 - (d) by public notices in Sydney metropolitan daily newspapers; and
 - (e) by public notices in community language newspapers circulating at least weekly in Sydney; and
 - (f) by including on the home page of the licensee's project web site a specific menu tab for making complaints and which tab provides ready access to succinct information about-
 - (i) how members of the public can make a complaint on the telephone complaints line, and
 - (ii) how complaints made by members of the public will be processed.
- M5.5 The licensee must investigate noise and vibration complaints from the occupants of dwellings or the management of noise sensitive receivers other than dwellings:
- (i) within two hours of receiving any such complaint, or
 - ii) in accordance with any prior complaint management agreement the licensee may have made with the complainant.
- The licensee must ensure that any investigation referred to in this condition includes an express offer to the complainant to undertake attended noise or vibration monitoring at their premises. If the occupant of the dwelling or the management of a noise sensitive receiver other than a dwelling accepts the offer of attended noise or vibration monitoring the licensee must undertake that attended monitoring:
- (i) as soon as practicable, or

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(ii) at a time agreed with the complainant.

M5.6 The licensee must, in respect of each complaint made to the telephone complaints line required by condition M5.1, advise each complainant of the results of its investigation of their complaint and any proposed remedial action

M5.7 The licensee must ensure that two duly authorised representatives of the licensee are available for contact by the EPA at all times.

(1) The licensee must provide the EPA with up to date details of natural persons authorised to represent the licensee in respect of –

(a) answering general enquiries made by the EPA or its authorised officers,

(b) speaking on behalf of the licensee,

(c) signing on behalf of the licensee, and

(d) acting as the licensee's 'out of hours' contact with authority to direct the licensee's employees, agents and contractors to undertake such action as may be necessary to ensure that construction work complies with this licence.

(2) The details required by condition M5.7 (1) must include –

(a) the full name of each authorised representative and the scope of their authority to represent the licensee,

(b) that status and title of each authorised representative within the licensee organisation, and

(c) the direct landline telephone number, mobile telephone number, pager number, fax number, email address and postal address of each authorised representative.

M6 Requirement to monitor volume or mass

M6.1 Not applicable.

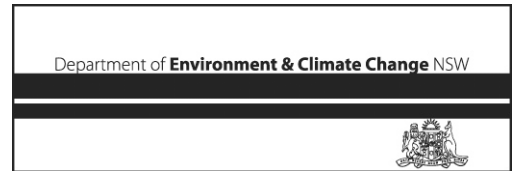
M7 Monitoring Noise and Vibration

M7.1 The licensee must monitor noise and vibration from construction work and especially during work undertaken outside of the hours specified in Condition O3.1.

All noise monitoring must be undertaken in accordance with AS 2659 and the compliance monitoring guidance provided in the INP, and

All vibration monitoring must be undertaken in accordance with vibration monitoring guidance provided in the ENMAV technical guideline.

M7.2 The licensee must undertake noise and vibration monitoring as directed by an authorised officer of



the EPA.

M7.3 The licensee must provide Construction Noise Vibration Impact Assessments to the EPA prior to commencement of each new stage of the construction works.

M8 Monitoring Dust

M8.1 The licensee must at all times monitor –

- (a) the level of dust generated by construction work at the premises or due to wind action on stockpiles and exposed areas at the premises; and
- (b) wind direction and velocity at the premises.

6 Reporting conditions

R1 Annual return documents

What documents must an Annual Return contain?

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
(a) a Statement of Compliance; and
(b) a Monitoring and Complaints Summary.
A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

Period covered by Annual Return

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

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

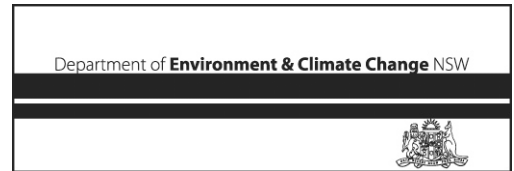
R1.3 Where this licence is transferred from the licensee to a new licensee:
(a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted;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

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

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

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- (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.

Deadline for Annual Return

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

Notification where actual load can not be calculated

R1.6 Not applicable.

Licensee must retain copy of Annual Return

R1.7 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

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

R1.8 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

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

R1.9 A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.

R2 Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R2.1 Notifications must be made by telephoning the EPA's Pollution 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.

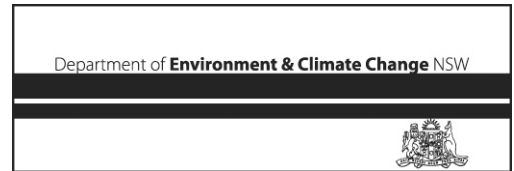
R3 Written report

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

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(b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- (a) the cause, time and duration of the event;
- (b) the type, volume and concentration of every pollutant discharged as a result of the event;
- (c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- (d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- (e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- (f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- (g) any other relevant matters.

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

R4 Monthly Reports

R4.1 The licensee must provide the EPA with a monthly monitoring report on or before the twentieth day of each month and that report must:

(a) detail all monitoring undertaken during the previous month to satisfy the requirements of this licence;

(b) provide a cogent analysis and interpretation of the monitoring and analytical results reported against relevant limits, goals and objectives, and must include -

(i) the nature, scope and duration of any non-compliance with relevant limits, goals and objectives,

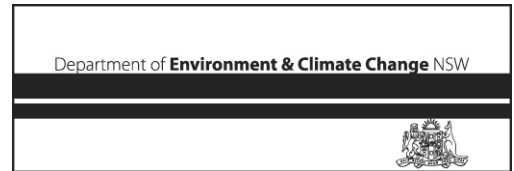
(ii) details of the measures taken or proposed to be taken-

- to remedy any non-compliance referred to in (i), and
- to prevent a recurrence of any such non-compliance;

(c) provide graphical representations of monitoring and analytical results, obtained over the preceding 11 months as well as those obtained for the month the subject of the report, that clearly shows licensee performance against relevant limits, goals and objectives;

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(d) be published on the project web site on or before the twenty-eighth day of each month.

R4.2 The licensee must provide the EPA with a monthly complaints statistics report on or before the twentieth day of each month and that report must :

(a) include a graphical representation of the number of complaints received over the preceding 11 months as well as during the month the subject of the report;

(b) provide a break down of the complaints into the following categories-

(i) noise,

(ii) vibration,

(iii) dust,

(iv) water pollution,

(v) non-environmental, and

(vi) not project related; and

(c) be published on the project web site on or before the twenty-eighth day of each month.

R5 Daily Reports

R5.1 The licensee must submit, by 2.00 pm each day, a report to the EPA that provides details of all complaints received on the telephone complaints line required by condition M5.1.

The report must-

(i) be submitted to the email address nominated from time to time by the EPA,

(ii) include a unique identifier number for each complaint together with the details required by condition M4.2,

(iii) include the date and time, as reported by the complainant, of the event the subject of the complaint, and

(iii) include the complaints received between 12.00 pm on that day and 12.00pm on the previous day.

The licensee is not required to submit a report for any reporting period during which no complaints have been received

R6 Noise and Vibration Reports

R6.1 The licensee must submit the following reports to the EPA in respect of any noise or vibration monitoring undertaken in accordance with the requirements of condition M5.5 or a direction made pursuant to condition M7.2:



(1) by 2.00 pm of the afternoon following any noise or vibration monitoring – a Preliminary Investigation Report that -

(a) includes numerical and graphical representation of the noise and vibration monitoring results, and

(b) highlights any detected exceedance of noise goals or limits specified in this licence or predicted noise levels, in respect of the construction work the subject of the monitoring.

In the event of any exceedance of the noise goals, noise limits or predicted noise levels, referred to in this condition, the licensee must modify work practices and methods and implement all practicable and reasonable measures to prevent a recurrence of the exceedance; and

(2) within 5 days of any noise or vibration monitoring having been undertaken (unless otherwise approved by the EPA having regard to the circumstances of the case) - a Follow-up Investigation Report that includes-

(a) explicit confirmation of whether noise monitoring has been undertaken in accordance with AS2659 and the compliance monitoring guidance provided in the INP,

(b) explicit confirmation of whether vibration monitoring has been undertaken in accordance with the guidance provided in the ENMAV technical guideline,

(c) explicit confirmation of the prevailing meteorological conditions during the period when any noise monitoring was undertaken,

(d) a map of each noise and vibration monitoring location in relation to the noise source, including relevant distances,

(e) numerical and graphical representation of the noise and vibration monitoring results,

(f) a cogent interpretative analysis of the noise and vibration monitoring results,

(g) details of any remedial action taken, and

(h) in cases not the subject of remedial action, explicit reasons for the decision not to take remedial action.

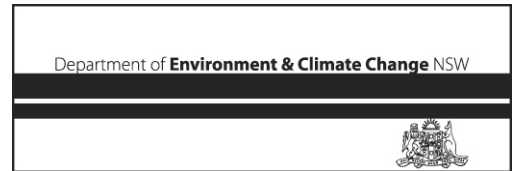
R7 Dust Monitoring Reports

R7.1 The licensee must, when requested by an authorised officer of the EPA, provide a report concerning dust control and management at the premises. The licensee must, for the period specified by the authorised officer, include the following in the report:

(a) the results of monitoring undertaken in accordance with condition M8.1;

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- (b) details of any incident during which dust was emitted from the premises, including any photographs taken of the incident and its aftermath,
- (c) details of any complaint made by a member of the public about dust emissions,
- (d) details of the type and frequency of any dust control measures implemented at the premises,
- (e) daily wind roses clearly showing monitored wind velocity and direction at the premises,
- (f) a graph of hourly wind velocity readings for the premises and a statement of the average and maximum recorded velocities; and
- (g) a graph of the hourly temperature and humidity readings recorded at the nearest representative Australian Bureau of Meteorology weather station or at the premises.

The report must be submitted by facsimile transmission to the Manager Metropolitan Infrastructure, on 9995 6900, by 1.00pm on the second working day after receiving a request referred to in this condition.

R8 Re-use of Suitable Excavated Material within the Premises Report

R8.1 For any suitable excavated material re-used within the site record the licensee must record following details:

- (a) The date, time, location and amount of uncontaminated excavated material removed;
- (b) The date, time, placement and amount of uncontaminated excavated material re-used;
- (c) Details of vehicle, driver and route used in any vehicle movement of any uncontaminated excavated material within the premises; and
- (d) Details of contractor staff supervising removal, transport and re-located material at each phase of the process including date, time, name and signature.

This information must be included in Condition R4.1 requiring Monthly Reports and at any time upon request of an authorised officer of the EPA.

General conditions

G1 Copy of licence kept at the premises

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.

Pollution studies and reduction programs

Special conditions

Dictionary

General Dictionary

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

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 1998
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 1998
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
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.

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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 1998.
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 (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
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 1998
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

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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> .
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

1 Special Dictionary

1.1 **Audible** means able to be aurally perceived by an authorised officer.

AS 2659 means Australian Standard AS 2659.1 – 1988 : Guide to the use of sound measuring equipment – Portable sound level meters.

Construction work includes all construction work and activities, and all construction-related work and activities, undertaken on the premises.

ENMAV means the Environmental Noise Management technical guideline Assessing Vibration published by the Department of Environment and conservation in February 2006.

Impulsive noise has the same meaning as in section 4.2 of the INP.

Intermittent noise has the same meaning as in section 4.2 of the INP.

INP means the New South Wales Industrial Noise Policy published by the EPA in January 2000.

Local possession means a formal authority issued by RailCorp to occupy a closed defined portion of track for a specified period.

Low-frequency noise has the same meaning as in section 4.2 of the INP.

Out of hours means hours outside those prescribed by condition O3.1.

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Practicable and reasonable has the same meaning as 'reasonable and feasible' in the INP.

Noise sensitive receiver means any dwelling, boarding-house, child care centre, educational establishment, hospital, motel, nursing home, or place of public worship.

Soil and water management works include all measures to control erosion and sediment such as sediment filters, drains, ponds, basins, stormwater run on and runoff controls, site stabilisation works, temporary water crossings and vehicular access controls.

Tonal noise has the same meaning as in section 4.2 of the INP.

Ms Jacinta De Jong

Environment Protection Authority

(By Delegation)

26-Nov-2008

End Notes