Sydney Trains

Environmental Management Specification for Contractors

NSW GOVERNMENT Transport Sydney Trains

Document History

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Number			
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Contents

1 Introduction

1.1 Application

This Environmental Management Specification applies to all contractors who carry out work or provide services to Sydney Trains. Its purpose is to set out the minimum requirements for each contract and to ensure that contracted work or services are carried out with due regard to environmental protection in accordance with legislative and Sydney Trains requirements.

1.2 Responsibilities

It is the responsibility of the Contractor to bring all environmental requirements to the attention of all personnel under their direct or indirect responsibility, as applicable to their work. The sub-contracting of any part of the Contract shall not absolve the Contractor of their responsibilities for ensuring that the requirements of this specification are complied with.

2 Mandatory Environmental Requirements

2.1 Environment and Sustainability Policy

The Contractor shall comply with Sydney Trains' Environment and Sustainability Policy and shall ensure that the policy and its requirements are made known to all relevant personnel. Sydney Trains shall provide the Contractor with the most up-to-date version, as necessary.

Copies of the Contractor's Environmental Policy Statement shall be displayed on the Contractor's site office notice board at the work sites and relevant extracts of the EMP and other relevant environmental information shall be made readily available at the site.

2.2 Legal compliance

The Contractor must comply with, and must ensure that employees comply with, all relevant and applicable laws, codes, standards, guidelines, rules, policies and procedures relating to environmental protection, sustainability and any approval, permit, or licensing conditions.

A non-exhaustive list of contacts and legislation, codes, standards, guidelines, rules, policies and procedures relating to the management of environmental protection and sustainability is contained at Appendix 1.

In the event of any inconsistency between the provisions or requirements of any relevant codes, standards, guidelines, rules, policies and procedures relating to the management of environmental protection, the Contractor must comply with the provision or requirement that produces the higher level of environmental protection.

In the completion of their responsibilities the Contractor is particularly reminded of:

- Approval and compliance requirements under the following Acts:
  1) Environment Planning and Assessment Act 1979
  2) Heritage Act 1977
  3) National Parks and Wildlife Act 1974
  4) Biosecurity Act 2015
  5) Pesticides Act 1999
- The Protection of the Environment Operations Act 1997, particularly in regards to air, land, noise and water pollution. Compliance with this legislation is to be demonstrated in and by the Environment Management Plan (see Section 3 of this document).

2.3 Site specific environmental requirements

It is the responsibility of the Contractor to ensure they have completed a site-specific induction (if appropriate) and that they continually conform to Sydney Trains' site specific environmental management requirements, such as site Operational Environmental Management Plans (OEMPs). Contractors must also follow site specific environmental incident reporting requirements (in general, any significant environmental related concern should be brought to the immediate attention of the responsible Sydney Trains manager/supervisor and/or environmental professional.

2.4 Hazard identification and risk assessment

Before carrying out any work at the site the Contractor must, in consultation and agreement with Sydney Trains:

- identify any foreseeable environmental hazards, aspects and impacts associated with the site and the work to be carried out by the Contractor, and the future operational stage once the works have been completed. An example of a basic risk assessment checklist is presented in Table 2.3.
- establish the criteria to be used to identify the level of environmental significance of the particular aspect, and the risk assessment methodology to be employed.
- undertake a risk assessment to assess the risk of harm to the environment arising from any hazard, aspect or impact identified; and
- eliminate any reasonably foreseeable risk to the environment arising from any hazard identified or, if it is not reasonably practicable to eliminate the risk, develop mitigation measures or procedures to control the risk so far as reasonably practicable. The Contractor shall develop environmental objectives and targets, where necessary, to manage the significant aspects and impacts identified

The hazard and risk assessment process may be undertaken in isolation, or integrated into the Environmental Management Plan.

Table 2.3 Example of a General Risk Assessment Checklist

Example Hazards	Example Causes	Example Consequences	Example Control
Applicable regulations? ☐ Licensed discharge points ☐ Incident reporting ☐ Activity approvals ☐ Permits ***Any discharges?*** ☐ Trade waste and sewage ☐ Stormwater ☐ Vents, stacks + exhausts ☐ Dust ☐ Odour ☐ Periodic (e.g. flooding) ***Any Dangerous Goods?*** ☐ Permanent or temporary Dangerous Goods stores ☐ Refuelling ☐ LPG and other gases ***Any wastes generated?*** ☐ Demolition wastes ☐ Construction wastes ☐ Routine wastes ☐ Illegal dumping ☐ Stockpiling ***Any noise or vibration?*** ☐ Sirens and alarms ☐ Traffic ☐ Excavation ☐ Machinery ***Changes to environment?*** ☐ Temporary stockpiling ☐ Land clearing ☐ Dredging ☐ Excavation and erosion ☐ Drainage ☐ Temp works (e.g. roads) ***Features of environment?*** ☐ Bushfire hazards ☐ Watercourses ☐ Soil (e.g. acid sulphate) ☐ Protected species ☐ Wetlands ☐ Neighbouring land ☐ Existing plants ☐ Previous contamination ***Particular activities?*** ☐ High voltage ☐ Third party activities ☐ Cleaning (chemicals) ☐ Weed control ☐ Light spillage ☐ Out of hours	☐ Administrative control failure ☐ Accidental release ☐ Blasting ☐ Collisions ☐ Control failure (faulty instruments, old control systems) ☐ Customer or third party behaviour ☐ Excavation ☐ Failure of primary and /or secondary containment (e.g. bunding) ☐ Fire ☐ Hot work ☐ Incorrect tool usage ☐ Mechanical failure (including corrosion) ☐ Plant failure ☐ Physical impact ☐ Poor communication (awareness, training, understanding of expectations, signage or leadership) ☐ Poor design/fit for purpose (insufficient capacity, inadequate design standards, initially designed for different duty) ☐ Poor site control ☐ Poorly maintained equipment ☐ Start-Up and Shutdown conditions ☐ Undermining or material instability ☐ Spraying	☐ Air quality (release of air pollutants including exhaust emissions and dust.) ☐ Biodiversity loss (impacts on plants and/or animals) ☐ Community impact (traffic, fallout or noise) ☐ Compliance (prosecutions, fines, third party damage liabilities, contractual obligations and class actions.) ☐ Contamination (soil and/or groundwater pollution) ☐ Energy (poor energy efficiency or excessive energy use) ☐ Erosion and sedimentation (impacts from unsealed land) ☐ Heritage (damage to Indigenous and/or non-indigenous heritage) ☐ Landscape and Visual (including graffiti and light spill) ☐ Natural Resources (depletion of water and/or other natural resources) ☐ Noise and vibration ☐ Reputation (press and general media reports, community outrage and parliamentary impacts) ☐ Waste Disposal (including reuse, recycling and landfilling of hazardous and/or non-hazardous waste) ☐ Water Quality (surface water pollution)	☐ Administrative controls (procedures, manuals, forms) ☐ Checklists ☐ Communication (awareness, understanding of expectations, signage and induction) ☐ Competency and training ☐ Compliance testing ☐ Crash barriers/bollards ☐ Engineering standards ☐ Equipment maintenance ☐ Emergency response ☐ Inspection ☐ Insurance ☐ Personal protection equipment ☐ Pollution abatement equipment (e.g. wastewater treatment plants) ☐ Process control ☐ Process alarms ☐ Security and access control ☐ Spill kits ☐ Testing and calibration ☐ Work permit system

2.5 Review of risk assessments and control measures

The Contractor must review the risk assessment, and any measures adopted to control the risk, whenever:

- there is evidence that the risk assessment is no longer valid; or
- environmental damage results from exposure to a Hazard to which the risk assessment relates; or
- a significant change is proposed in the place of work, the scope of work or in work practices or procedures to which the risk assessment relates.

2.6 Competence of Employees

The Contractor must ensure that each Employee:

- is fully briefed and aware of the Work to be carried out;
- has the necessary technical skills, knowledge, training, and experience to carry out the Work and appropriately manage any associated environmental risks;
- has the necessary qualifications, certification and competencies required to satisfy applicable environmental legislative requirements and appropriately manage any associated environmental risks
- has appropriate verbal language and literacy skills.

2.7 Environmental training and awareness

Prior to commencing any Work at the Site, the Contractor must ensure that all of the Employees are provided with environmental training to achieve the level of awareness and competence appropriate to their assigned activities. This includes any training required to comply with any relevant Environmental Management Plan required under the contract (refer to Section 4).The Contractor must not permit any Employee, without appropriate environmental training, to carry out work at the Site. Contractor Environmental Declarations for all Employees must be completed and supplied to a Sydney Trains Representative prior to commencing works at a site.

2.8 Environmental briefings by Sydney Trains

Where Sydney Trains identifies specific environmental issues associated with the Work and it decides to conduct an environmental briefing, the Contractor must ensure that each Employee carrying out Work at the Site attends any environmental briefing if directed to do so by Sydney Trains. Evidence of all Employees must be recorded and supplied to a Sydney Trains Representative on request.

2.9 Supervision of Employees

The Contractor must ensure that all Employees are adequately supervised by a competent person while carrying out the Work at the Site.

2.10 Pollution control and incident management

The Contractor must ensure that each Employee carrying out Work at the Site:

- is provided with all necessary and appropriate pollution control equipment including, but not limited to, if required:
  1) spill control equipment
  2) sediment control devices
- is informed of any limitations of the equipment

- is provided with the instruction and training necessary to ensure that the Employee is able to use the pollution control equipment to control the risk for which it is provided and conduct incident management including notification.
- is provided with specific information on identifying a notifiable incident, and how this type of incident is required to be reported

2.11 Certification of Employees

The Contractor must ensure that each Employee who will be carrying out the Work holds a recognised qualification or a certificate of competency where required, to complete the Work.

2.12 Contractor's environmental licences and permits

Before carrying out any licensed Work at the Site, where applicable, the Contractor must provide to Sydney Trains satisfactory evidence of the Contractor's current licence and permits to carry out that Work.

2.13 Contractor's Plant

The Contractor must:

- ensure that all Plant is fit for purpose;
- ensure that all environmental Hazards arising from the installation, commissioning, erection and use of the Plant, and the systems of work associated with the Plant, are identified and the consequent risks assessed and eliminated or controlled to as low as reasonably practicable;
- ensure that all Plant is properly inspected, maintained and repaired in accordance with the requirements of the manufacturers' procedures, specifications or instructions; and
- ensure that each Employee who will be operating the Plant:
  1) holds any licence or certificate necessary to operate the Plant,
  2) has been provided with adequate information and training in the inspection, use, operation, maintenance and care of the Plant
  3) is adequately supervised.

2.14 Subcontractors

The environmental requirements outlined in this Specification are also applicable to any subcontractors engaged by the Contractor. It is the Contractor's responsibility to ensure that its subcontractors are aware of these requirements and comply in all respects. It is also the responsibility of the Contractor to supply documented evidence of Contractor Environmental Declarations and evidence of Environmental Awareness and Incident Training as required prior to subcontractors commencing works at the site.

3 Environmental Management System (EMS) for Contractors

Contractors seeking to work on major projects (all projects of $10 million or more and projects under $10 million if they are environmentally sensitive) will need to have an acceptable corporate Environment Management System (EMS).

3.1 Acceptable Environmental Management Systems

Corporate Environmental Management Systems must comply with the documentation requirements of AS/NZS 14001:2004 Environmental management systems, and the latest version of the *Environmental Management System Guidelines* (the Guidelines), or as otherwise directed under the Contract.

This system documentation requirement does not require formal JAS-ANZ certification of the system as a whole, but such certification will be accepted as evidence of compliance with the system documentation requirements.

Corporate Environmental Management Systems must contain procedures which will ensure compliance with environmental legislation and other relevant legislation.

Corporate Environmental Management Systems accredited in accordance with the NSW Government Environmental Management Systems Guidelines Edition 3 will be deemed to be acceptable for three years after the date of accreditation.

Contractors which have been subject to any environmental prosecutions or penalties in the preceding three years will, in addition, be required to demonstrate, by means of audit, management review or submission of corrective action and system change information, that any shortcomings in their system have been effectively remedied.

3.2 Evidence of Acceptability

Sydney Trains may accept a Corporate Environmental Management System if they are provided with:

- Evidence that the Corporate Environmental Management System was accredited in accordance with the NSW Government Environmental Management Systems Guidelines Edition 3 within the preceding three year period; or
- An audit report by an Authorised Assessor attesting that the Corporate Environmental Management System:
    1) complies with the documentation requirements of AS/NZS 14001:2004 Environmental management systems
    2) appropriately comprehends all current Environmental Legislation and other Environmental requirements
    3) includes requirements for audit, by an Approved Assessor independent of the Contractor, of compliance, currency and effective implementation at intervals of not less than three years.

Approved Assessor means a person certified by a JAS-ANZ personnel certifier such as RABQSA or equivalent, as a Principal, Lead or Business Improvement Auditor, or, an employee of an Agency approved by the Agency as having the requisite competencies which may include:

- Successful completion of training, similar in duration and content to the management system audit course conducted by RABQSA or equivalent
- TAFE or similar formal attainment

An agency may, at its discretion, accept an assessment of an Authorised Assessor who is not certified by a JAS-ANZ personnel certifier, such as RABQSA or equivalent, but who has been approved by another agency.

The Contractor must provide:

- a statement confirming the Contractor is not in default of any fine issued for a breach of environmental laws
- details of all environmental prosecutions/fines imposed on the Contractor in Australia and a description of the actions taken in response to each prosecution/fine, or a statement that the Contractor has not incurred prosecutions/fines.

4 Environmental Management Plan (EMP)

4.1 Development and implementation of an EMP

Where there is potential for damage to the environment or it is required under the Contract or as part of the Contractors EMS, the Contractor must develop and implement a Site-specific EMP to control the aspects of the Work that can impact on the environment, within 28 days of award of Contract. The EMP must be approved by the Sydney Trains Representative prior to commencing the Work and must refer to existing approvals and relevant content within existing EMPs in place. This may include details derived from the Sydney Trains Hazardous Site Management System (HSMS).

The Contractor must retain the Sydney Trains approved EMP on-site and implement it such that they, and any sub-contractors, abide by and maintain its identified activities, processes and control measures throughout the life of the project.

All necessary approvals, licenses and notifications identified in the contract or the EMP must be obtained and implemented prior to the corresponding works commencing at the site.

4.2 Content of the EMP

The EMP will manage and control all of the risks and impacts that were identified in the project's environmental impact assessment (e.g. REF) and manage compliance with all applicable environmental legislation.

The level of detail in the content of the EMP will be commensurate with the scale and level of environmental risk associated with the Work. The EMP must comply with the latest version of the Environmental Management System Guidelines (the Guidelines), or as otherwise directed under the Contract. As a guide, the EMP shall generally evaluate and provide management measures for the following environmental issues:-

- noise and vibration
- dust
- air quality
- water quality and drainage
- heritage (indigenous and non-indigenous)
- ecology
- landscape and visual impacts

If required, the Contractor shall prepare a Noise and Vibration Management Plan identifying:

- those activities likely to generate noise and vibration
- the levels of noise and vibration likely to be generated
- any sensitive receptors close enough to the Works to receive noise and vibration
- the mitigation measures to be adopted.

The Contractor shall control and limit noise and vibration levels, so far as is reasonably practicable, so that residential properties and all other sensitive receptors are protected from excessive noise and vibration levels arising from the construction activities. Working hours shall be identified on a site-specific basis and, where appropriate, discussed with the relevant local authority.

Occupiers of nearby residential properties shall be informed in advance of the works taking place and their duration. In the case of work required in response to an emergency, the local authority and local residents shall be advised as soon as is reasonably practicable that emergency work is taking place and its likely duration. The Noise and Vibration Management Plan shall also set out the monitoring regime to be adopted during the works for the acceptance of Sydney Trains prior to the commencement of the works.

If necessary, the Contractor will develop and implement a Pollution Incident Response Management Plan (PIRMP) as part of the EMP. The PIRMP shall set out the precautions to be taken to avoid the release of oils, fuels, coolants and other pollutants into the environment and procedures to be followed in the event of a pollution incident. The PIRMP should follow the guidelines outlined in 'Preparation of pollution incident response management plans' (2012) NSW EPA, *http://www.environment.nsw.gov.au/resources/legislation/201200227egpreppirmp.pdf*. The Contractor shall also prepare and provide at award of Contract, a list of current emergency contacts required in the event of an environmental incident for each work site.

The Contractor shall prepare and maintain an appropriately detailed 'method statement and implementation schedule' for the EMP, which shall be submitted to Sydney Trains at the same time as the EMP. Sydney Trains or a nominated Sydney Trains representative shall monitor and review the progress of the Contractor against this schedule, which should include (but is not limited to):-

- a description of the works to be undertaken
- a programme of the works
- identification of the key stages of EMP implementation
- where appropriate, the identification of permissions and consents to be secured or already secured (including those that may be sought by Sydney Trains (or representative) on the Contractor's behalf
- personnel access routes/points and vehicular access routes/points
- methods of site communication
- equipment and plant to be used
- method of delivery/removal of materials and plant
- identification of receptors/resources likely to be affected by the works (with predicted noise levels if available and appropriate);
- on-site monitoring arrangements
- on-site mitigation methods to minimise the impacts
- a list of those notified of the works and the date notified.
- responsibilities assigned to the Contractor's personnel (and any sub-contractors) for meeting the key stages of implementation
- monitoring, review and audit of all aspects of the design, work or services which may affect the environment
- where appropriate, a schedule of the environmental elements of the consultation process
- evaluating progress against this schedule every 28 days or as otherwise agreed with Sydney Trains (or representative).
- an organisation chart of the management structure responsible for implementing the EMP, identifying lines of communication and responsibility for all issues relating to the environment. The manager responsible for the environment shall be responsible for monitoring and auditing the Contractor's performance and reporting progress. This may include regular, documented worksite and site inspections to ensure that all environmental requirements are being complied with. Sydney Trains may also attend the worksite and/or site inspections.

As part of the EMP, the Contractor shall agree with Sydney Trains a program and procedure for future public consultation (if required). The procedure shall clearly demonstrate the manner in which affected residents, land owners, stakeholders and sensitive receptors (i.e. schools, hospitals etc.) will be consulted and informed of the consequences of work activities and how the Contractor is seeking to mitigate the impacts. This shall include (but is not limited to):-

- consultation with relevant Statutory Authorities
- advance notification to those most affected by particular environmental impacts

In the case of work required in response to an emergency, the potentially affected stakeholder(s) will be advised as soon as is practicable that the works are taking place and their likely duration.

The Contractor shall also, in agreement or collaboration with Sydney Trains, describe how environmental complaints that might be received during the course of the contract will be handled. A summary of the complaints received and how they have been dealt with will be provided to Sydney Trains at 28 day intervals or other period as required by Sydney Trains.

For alliance contracts, it may be considered acceptable (with Sydney Trains' approval) for a single EMP to be submitted on behalf of a group or all contractors in the alliance, for individual packages of work. However, unless there is a very limited scope of works, a single EMP, which covers the entire work program, should not be considered acceptable. The decision must be approved and documented by Sydney Trains. Any EMP that covers more than one contractor must detail the responsibilities of each contractor in complying with this Environmental Management Specification.

4.3 Submission and review of the EMP

The Contractor must submit a copy of the EMP to Sydney Trains for its review and address Sydney Trains' comments, if any, before the commencement of the Work.

Except for legally defined 'emergency works', all substantial changes to the EMP must be communicated and agreed by Sydney Trains prior to implementation. Changes due to 'emergency works' are to be communicated to the Sydney Trains Representative as soon as practical.

As discussed above, the EMP should be monitored, audited and reviewed frequently, and reporting to Sydney Trains on progress against the schedule should occur every 28 days.

5 Notification and Reports

5.1 Pollution Incident notification

The Contractor must:

- immediately notify Sydney Trains of the occurrence of:
  1) a Pollution Incident that has been notified to the EPA; or
  2) an Incident (whether or not the occurrence of the Incident is required to be notified to the EPA); and
- no later than 24 hours after the occurrence of an Incident or Pollution Incident, prepare and give to Sydney Trains a written report setting out details of the nature, cause and effect of the Incident or occurrence, and any other details that Sydney Trains may request; and
- if required to give notice of any occurrence to the EPA or any other authority, give to Sydney Trains a copy of that notice at the same time; and
- promptly give to Sydney Trains a copy of any notice received from or any penalty imposed by the EPA.

If an environmental incident occurs, Sydney Trains may decide to initiate a formal investigation. The Contractor may be required to carry out the investigation and in all cases, shall co-operate fully in the investigation process.

5.2 Notification of complaints

The Contractor must keep a record of all complaints made by the public or any other persons in relation to environmental issues, including noise, for Work under the Contract. Within one working day of receiving the complaint, the Contractor must provide a written report to the Sydney Trains Representative detailing the nature of the complaint and all actions taken in response to remedy any problem resulting from the complaint and if no action was taken, why no action was taken.

5.3 Waste and materials management and reporting

In accordance with the OEH Government Resource Efficiency Policy, the Contractor must report to Sydney Trains details on the quantities of material purchased, material purchased with recycled content, of waste generated and recycled by the Contractor and its subcontractors in carrying out the Work. The Contractor must report such quantities by completing the “Waste and Materials Management Report” in Appendix 2 and submit it to the Sydney Trains Representative with its final payment claim at the completion of the Contract (or as otherwise requested by Sydney Trains).

The Contractor shall carry out the works in such a way that, as far as is practicable, the amount of spoil and waste to be disposed of is minimised. The Contractor shall ensure that any surplus material will be managed, so far as is reasonably practicable, to maximise the environmental and development benefits (from the surplus material) and, where they need to be disposed of, to ensure they are handled in accordance with legislation and best practice so as to reduce any adverse environmental effects of disposal.

Where waste materials are to be disposed of off site, the Contractor shall implement a robust monitoring system to control waste disposal and also to ensure that appropriately licensed waste handlers are used and that it is deposited at a site which is licensed to receive wastes of that particular category.

5.4 Energy, Resource and Emissions Reporting

All Contractors may be required (upon request by Sydney Trains on a case-by-case basis) to provide information on their energy and resource consumption, and other greenhouse-gas emitting activities,

whilst undertaking their contracted works. It is the Contractors responsibility to ensure that this information is available (if requested).

5.5 Assurance Reporting

The Contractor must, with its final payment claim at the end of the contract or as otherwise specified by Sydney Trains, report to Sydney Trains details of its compliance with all of the applicable conditions of approval and the key requirements of its EMP. In particular the Contractor's report is to provide information on:

- the completion of any applicable conditions of approval and all significant EMP actions by their due date
- any commitments, risks and conditions of approval that need to return to Sydney Trains at the completion of the work, suitably detailed to facilitate continuity in meeting Sydney Trains' environmental obligations and commitments beyond completion of the Contractor's project/services/works.
- any failures to meet commitments and conditions of approval, including details of any notifications to the appropriate authority, and the resultant corrective and preventative actions
- all pollution incidents and environmental complaints, including any notifications to statutory authorities, and the resultant corrective and preventative actions

6 Failure to comply

If Sydney Trains is of the opinion that the Contractor or any of its Employees has not complied, or is not complying, with any environmental obligation, or failing to show an appropriate level of environmental responsibility, then Sydney Trains may:

- direct the Contractor to immediately comply, or ensure the Employee immediately complies, with the obligation;
- if it is of the opinion there is a risk to the environment because of the non-compliance, direct the Contractor to immediately suspend carrying out all or any part of the Work until such time as the Contractor or the Employee has complied, or is complying, with the obligation and Sydney Trains has given the Contractor written permission to resume carrying out the Work; and
- if it considers the Employee's non-compliance to be a serious non-compliance, direct the Contractor to immediately remove the Employee from the Site and not permit the Employee to return to the Site without Sydney Trains' written permission.

If Sydney Trains directs the Contractor to suspend carrying out all or any part of the Work, the Contractor shall not be entitled to make any claim for payment, and Sydney Trains shall not be liable to make any payment to the Contractor, until such time as the Contractor or the Employee has complied, or is complying, with the obligation and Sydney Trains has given the Contractor written permission to resume carrying out the Work.

7 Definitions and Acronyms

Conditions of approval means all requirements, actions and commitments that apply to the works that arise from the environmental planning process under the *Environment Planning and Assessment Act 1979*

Contractor means a person, corporation or other legal entity that carries out work for or provides services to Sydney Trains.

Employee means a person employed or engaged by the Contractor to carry out the Work and shall include a subcontractor and a person employed or engaged by a subcontractor.

Environmental Management Plan means a site or project specific plan developed to ensure that environmental requirements are complied with and that all environmental risks are identified and properly managed.

Environmentally Sensitive means an environmental system, region or receptor that is of recognised environmental or natural significance and is potentially vulnerable to impacts from the activity being undertaken.

EPA means the NSW Environmental Protection Authority.

Hazard means a source or a situation with a potential for harm in terms of human injury or ill health, damage to property, damage to the environment, or a combination of these.

Incident means any occurrence that:

- is an actual or potential pollution incident; or
- breaches the conditions of Sydney Trains' Environment Protection Licences (EPLs) including Sydney Trains' primary EPL 12208).

Material Harm is as defined under the *Protection of the Environment Operations Act 1997*.

Plant includes any machinery, equipment or appliance necessary or used to carry out the Work.

Pollution means:

(a) water pollution, or

(b) air pollution, or

(c) noise pollution, or

(d) land pollution.

Pollution Incident is as defined under the *Protection of the Environment Operations Act 1997*).

Sydney Trains means Sydney Trains as a public subsidiary corporation which exercises certain functions of RailCorp which is constituted under *Transport Administration Act 1988* (ABN 38 284 779 682).

Sydney Trains Representative means the Sydney Trains representative nominated in the Contract or such other person that Sydney Trains may nominate from time to time.

Site means the lands and other places to be made available by Sydney Trains to the Contractor for the purpose of carrying out the Work.

Work means the work under the Contract and includes any demolition, building, landscaping, maintenance and engineering activities under the Contract.

Appendix A Relevant legislation and other publications

Table 1.1: Relevant legislation and other publications

Organisation or agency	Key relevant legislation
The New South Wales Parliamentary Counsel's Office 60 Elizabeth Street Sydney NSW 2000 Telephone: 61 02 9321 3333 www.legislation.nsw.gov.au	*Biodiversity Conservation Act 2016* *Biosecurity Act 2015* *Contaminated Land Management Act 1997* *Environmental Planning and Assessment Act 1979* *Environmentally Hazardous Chemicals Act 1985* *Fisheries Management Act 1994* *Heritage Act 1977* *National Parks and Wildlife Act 1974* *Work Health & Safety Act 2011* *Pesticides Act 1999* *Protection of the Environment Operations Act 1997* *Dangerous Good (Road and Rail Transport) Act 2008* *Waste Avoidance and Resource Recovery Act 2001* The regulations associated with the above Acts are also applicable.
Sydney Trains 477 Pitt Street NSW 2000 Phone: 02 8202 2000 https://www.transport.nsw.gov.au/sydneytrains	*Code of Conduct* *Environment and Sustainability Policy* *TfNSW Sustainable Design Guidelines (latest version)*
Standards Australia Level 10, The Exchange Centre 20 Bridge Street Sydney Phone: 1300 035 822 www.standards.org.au	*AS/NZS ISO 14001: Environmental Management Systems – Requirements with guidance for use* *HB:203: Environmental Risk Management: Principles and process* *AS/NZS ISO 31000: Risk Management – Principles and guidelines*
Department of Finance, Services and Innovation McKell Building 2-24 Rawson Place Sydney NSW 2000	*Environmental Management Systems Guidelines*

Phone: 02 9372 8877 www.commerce.nsw.gov.au	
Environment, Science and Energy 59-61 Goulburn Street Sydney Phone: 02 9995 5000 www.environment.nsw.gov.au	*NSW Government Resource Efficiency Policy* *Environment Protection Licence 12208* *Other Sydney Trains Environment Protection Licences: 7515 and 79*
Safe Work Australia Department of Employment and Workplace Relations Phillip Law Street Canberra ACT 2601 Phone: 1300 551 832 www.safeworkaustralia.gov.au/	*Chemicals Information System*

Appendix B Waste and materials management report

Table 1.2: Waste and Materials Management Report

Contractor:	**Site or Workplace:**
Contract No:	**Description of Work:**

A. VEGETATION, CONSTRUCTION AND DEMOLITION MATERIALS

(Complete **all** categories - if none generated or recycled, please mark as 'Nil)

Material category	**Total quantity generated (tonnes)**	**Total quantity recycled (tonnes)**	**Comments (if applicable)**
Vegetation Waste			
Concrete			
Fill/Virgin Excavated Natural Material			
Asphalt			
Timber			
Bricks and roof tiles			
Glass			
Plasterboard			
Steel			
Non-ferrous material			
Mixed waste stream			
Contaminated waste stream (i.e. asbestos)			
Other, please specify:			

B. LANDSCAPING AND CONSTRUCTION MATERIALS

(Complete **all** categories - if none purchased or none purchased *with* recycled content, please mark as "Nil")

MATERIAL CATEGORY	TOTAL QUANTITY PURCHASED (Tonnes)	QUANTITY PURCHASED WITH RECYCLED CONTENT (Tonnes)	COMMENTS (if applicable)
Landscaping Materials			
Concrete			
Fill/Virgin Excavated Natural Material			
Asphalt			
Aggregates			
Timber			
Sand			
Bricks and roof tiles			
Other, please specify:			

Report compiled by:	**Position:**
Phone number:	**Date:**

Definitions of waste, recycling and purchasing materials

The following definitions will assist in filling out the above reports.

Please note that descriptions of vegetation, construction and demolition materials are broad, to encompass the range of activities undertaken by Sydney Trains.

If a material used in the work under the Contract does not exactly fit the description below, either list it under the material category that it best fits and briefly describe it in the comments section of the report, or list it under an '*Other'* category with a brief description.

Material	Description
Aggregates	Rock or other hard materials such as concrete, crushed stone or bricks, between 4.25mm and 100mm particle size. See Australian Standards for detailed specifications.
Asphalt	Any materials containing bituminous hydrocarbons. May contain additives such as concrete. Includes recycled asphalt pavement.
Bricks and roof tiles	Clay bricks and roof tiles which may be mixed together. This can include small amounts of concrete or plaster render. Recycled bricks and roof titles are those that have been reclaimed, reused or recycled.
Concrete	Mixture of cement, sand and aggregates. May include additives or substitutes such as fly ash.
Fill	Excavated material such as clay, gravel, sand, soil and rock that has been mixed with another waste or excavated from areas that are contaminated with manufactured chemicals, as the result of industrial, commercial, mining or agricultural activities.
Glass	Sheet glass used for doors, windows, partitioning etc.
Landscaping materials	Organic products such as mulch, compost, bark, wood chips and soil blends.
Non-ferrous metal	Metal building materials other than steel e.g. aluminium, brass, copper etc.

Material	Description
Sand	Very fine hard aggregate between 0.75mm and 4.25 mm in size. See the relevant Australian Standard for detailed specification.
Steel	Metal building products and materials e.g. reinforcing steel, sheet roofing, structural columns and beams etc.
Timber	Wood materials used for formwork or other construction purposes. Recycled timber is timber that is reclaimed, reused or recycled.
Total quantity generated and purchased	The combination of the amount of waste disposed to landfill and the amount recycled. For example 800 tonnes recycled and 200 tonnes to landfill equals 1,000 tonnes generated. The total quantity purchased is the entire amount purchased, including the amount with recycled content.
Vegetation waste	Vegetation such as leaves, grass clippings, branches and logs. Includes materials that have been processed e.g. sawn, chipped, mulched or composted. Does not include putrescible waste such as food scraps.
Virgin excavated natural material (VENM)	Virgin excavated natural material such as clay, gravel, sand, soil and rock that is **not** mixed with any other waste and has been excavated from areas that are **not** contaminated with manufactured chemicals, as the result of industrial, commercial, mining or agricultural activities.