

# **Sydney Trains**

Level 6, 477 Pitt Street  
NSW 2000

## **ENVIRONMENTAL MANAGEMENT SPECIFICATION FOR CONTRACTORS**

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## Version control

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# ENVIRONMENTAL MANAGEMENT SPECIFICATION FOR CONTRACTORS

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## 1 GENERAL

### 1.1 Application

This Environmental Management Specification applies to all contractors who carry out work or provide services to Sydney Trains. Its main purpose is to ensure that such work or services are carried out with due regard to environmental protection in accordance with legislative and Sydney Trains requirements.

### 1.2 Definitions

In this Environmental Management Specification:

**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.

**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:

- (a) affects or has the potential to affect the well being of the environment; or
- (b) breaches the conditions of Sydney Trains' Environment Protection Licences (EPLs) including Sydney Trains' primary EPL 12208 (copies of all Sydney Trains' Environment Protection Licences are available on the EPA website: Sydney Trains EPL Licences).

**Material Harm** means any Incident to the environment that results in actual or potential harm to the health and safety of human beings or to ecosystems that is not trivial or results in actual or potential loss or property damage of an amount exceeding \$10,000 (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 Incident** refers to pollution incidents where material harm to the environment is caused or threatened (as defined under the Protection of the Environment Operations Act 1997).

**Sydney Trains** means Sydney Trains as 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.

### 1.3 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 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 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.

## **2 WORKING AT THE SITE**

### **2.1 Hazard identification and risk assessment**

Before carrying out any Work at the Site the Contractor must, in consultation with Sydney Trains:

- (a) undertake a risk assessment to identify any foreseeable Hazards associated with the Site and the Work to be carried out by the Contractor, that has the potential to harm the environment;
- (b) assess the risk of harm to the environment arising from any Hazard identified; and
- (c) 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 measures or procedures to effectively control the risk.

### **2.2 Review of risk assessments and control measures**

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

- (a) there is evidence that the risk assessment is no longer valid; or
- (b) environmental damage results from exposure to a Hazard to which the risk assessment relates; or
- (c) 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.

### **2.3 Competence of Employees**

The Contractor must ensure that each Employee:

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

### **2.4 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.

The Contractor must not permit any Employee, without appropriate environmental training, to carry out work at the Site.

### **2.5 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.

## **2.6 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.

## **2.7 Pollution control equipment**

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

- (a) is provided with all necessary and appropriate pollution control equipment including, but not limited to, if required:
  - (i) spill control equipment; and
  - (ii) sediment control devices;
- (b) is informed of any limitations of the equipment; and
- (c) 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.

## **2.8 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.

## **2.9 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.

## **2.10 Contractor's Plant**

The Contractor must:

- (a) ensure that all Plant is fit for purpose;
- (b) 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;
- (c) ensure that all Plant is properly inspected, maintained and repaired in accordance with the requirements of the manufacturers' procedures, specifications or instructions; and
- (d) ensure that each Employee who will be operating the Plant:
  - (i) holds any licence or certificate necessary to operate the Plant,
  - (ii) has been provided with adequate information and training in the inspection, use, operation, maintenance and care of the Plant, and
  - (iii) is adequately supervised.

## **2.11 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.

# **3 ENVIRONMENTAL MANAGEMENT PLAN (EMP)**

## **3.1 Development and implementation of an EMP**

Where there is potential for damage to the environment or it is required under the Contract, the Contractor must develop and implement a Site-specific EMP to control the aspects of the Work that can impact on the environment. The EMP must be submitted to the Sydney Trains Representative prior to commencing the Work.

### **3.2 Content of the EMP**

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.

### **3.3 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.

## **4 NOTIFICATIONS AND REPORTS**

### **4.1 Pollution Incident notification**

The Contractor must:

- (a) promptly notify Sydney Trains of the occurrence of:
  - (i) an Incident (whether or not the occurrence of the Incident is required to be notified to the EPA); or
  - (ii) a Pollution Incident; and
- (b) 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
- (c) 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
- (d) promptly give to Sydney Trains a copy of any notice received from or any penalty imposed by the EPA.

### **4.2 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.

### **4.3 Waste and materials management reporting**

In accordance with the reporting requirements of the [NSW Government Waste Reduction and Purchasing 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).

## **5 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:

- (a) direct the Contractor to immediately comply, or ensure the Employee immediately complies, with the obligation;
- (b) 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

- (c) 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.



## APPENDIX 1 - RELEVANT LEGISLATION AND OTHER PUBLICATIONS

### **The New South Wales Parliamentary Counsel's Office**

Level 23, AMP Centre  
50 Bridge Street  
Sydney NSW 2000  
Telephone: 61 02 9321 3333  
Facsimile: 61 02 9232 4796  
[www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

*Contaminated Land Management Act 1997*  
*Environmental Planning and Assessment Act 1979*  
*Environmentally Hazardous Chemicals Act 1985*  
*National Parks and Wildlife Act 1974*  
*Native Vegetation Act 2003*  
*Noxious Weeds Act 1993*  
*Occupational Health & Safety Act 2000*  
*Pesticides Act 1999*  
*Protection of the Environment Operations Act 1997*  
*Rivers and Foreshores Improvement Act 1948*  
*Road and Rail Transport (Dangerous Goods) Act 1997*  
*Threatened Species Conservation Act 1995*  
*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  
[www.transport.nsw.gov.au/sydneytrains/commercial/contracts](http://www.transport.nsw.gov.au/sydneytrains/commercial/contracts)

*Code of Conduct*  
*Environment and Sustainability Policy*  
*NSW RailSafe Network Rules*  
*NSW RailSafe Network Procedures*  
*RailCorp Network Safeworking Standard*

### **Standards Australia**

1 The Crescent  
Homebush NSW 2140  
Phone: 1300 65 46 46  
Fax: 1300 65 49 49  
[www.standards.com.au](http://www.standards.com.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 Commerce**

McKell Building  
2-24 Rawson Place  
Sydney NSW 2000  
Phone: 02 9372 8877  
Fax: 02 9372 7070  
[www.commerce.nsw.gov.au](http://www.commerce.nsw.gov.au)

*Environmental Management Systems Guidelines*

**Office of Environment and Heritage**

59-61 Goulburn Street

Sydney

Phone: 02 9995 5000

Fax: 02 9995 5999

[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

[www.wrapp.nsw.gov.au](http://www.wrapp.nsw.gov.au)

**Safe Work Australia**

Department of Employment and Workplace Relations

220 Northbourne Avenue

Barton ACT 2612

Phone: 1300 551 832

[www.safeworkaustralia.gov.au/](http://www.safeworkaustralia.gov.au/)

*NSW Government Waste Reduction and Purchasing Policy*

*WRAPP Guidelines 2007*

*Environment Protection Licence 12208*

*Other Sydney Trains Environment Protection Licences: 7515 and 79*

*Hazardous Substances Information System*

## APPENDIX 2 - WASTE AND MATERIALS MANAGEMENT REPORT

<b>Contractor:</b>	<b>Site or Workplace:</b>
<b>Contract No:</b>	<b>Description of Work:</b>

### **A. VEGETATION, CONSTRUCTION AND DEMOLITION MATERIALS**

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

<b>MATERIAL CATEGORY</b>	<b>TOTAL QUANTITY GENERATED (Tonnes)</b>	<b>TOTAL QUANTITY RECYCLED (Tonnes)</b>	<b>COMMENTS (if applicable)</b>
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")

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

<b>Report compiled by:</b>	<b>Position:</b>
<b>Phone number:</b>	<b>Date:</b>

## 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 tiles 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.
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.

MATERIAL	DESCRIPTION
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 <b>not</b> mixed with any other waste and has been excavated from areas that are <b>not</b> contaminated with manufactured chemicals, as the result of industrial, commercial, mining or agricultural activities.