



Freight Noise Attenuation Program Policy

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1 Freight Noise Attenuation Policy at a glance

1.1 Our aim

The Freight Noise Attenuation Program (FNAP) aims to minimise the impact of freight rail noise on homes and some sensitive use community buildings adjacent to NSW Government managed rail corridors.

1.2 Our plan

Transport for NSW (TfNSW) aims to reduce the impact of freight rail noise by installing noise-reducing treatments in eligible homes and buildings. Treatments that can be installed to eligible homes include:

- installation of new or upgraded windows
- installation of new or upgraded external doors
- enclosing or sealing gaps, vents and openings, where practical
- installing ventilation systems to allow for the circulation of fresh air when windows are closed.

TfNSW will prioritise treatments based on exposure to night time freight noise, and will consider value for money.

The program will be delivered by qualified service providers under contract to TfNSW.

1.3 The scope

The program is currently focused on the NSW Government managed freight rail corridor in an area from Newcastle in the North, Lithgow in the West, and Nowra in the South. To be eligible for the program, homes must meet criteria related to:

- the rail noise level at the residence
- the building structure and its date of construction.

Other information about the eligibility process is outlined in this document.

2 The FNAP process

When an applicant submits a FNAP application form, TfNSW:

- assesses the applicant's FNAP application against the eligibility criteria, including noise level and type of building
- prioritises work focusing on the most noise affected homes first
- groups properties into catchment areas which will be treated in order of noise level
- engages a Building Services Provider to deliver treatment work across the catchment area.

2.1 Resolving disputes

TfNSW will resolve complaints in line with the *Transport Customer Complaints and Feedback Policy*.

3 The FNAP application process

Homeowners can apply to have their home included in the program by sending in a completed application form by email or post to TfNSW.

The application form is available from the program website freight.transport.nsw.gov.au/FNAP.

TfNSW will process the application by registering the details into the FNAP database and will respond with a FNAP identification number within 20 business days of receiving the application.

3.1 Determining eligibility

To be eligible for the program, the dwelling must be:

- exposed to external rail noise levels above 70dBA during the day (LAeq(15hour) 7am to 10pm) or 65dBA during the night LAeq(9hour) 10pm to 7am). TfNSW determines these levels by measuring rail noise across the network. If the dwelling is not near any previous noise monitoring locations or within a designated catchment area then further noise monitoring may be carried out
- classified as an occupied residence or other noise sensitive land use according to accepted definitions across government
- not part of a building that is more than three habitable levels above the ground, as these buildings are not eligible under the program
- not part of a development that was approved after 1 January 2009 because these homes should have been built to meet internal noise limits in line with the State Environmental Planning Policy (Infrastructure).

3.2 Cost sharing

Treatment is free provided the applicant has owned the dwelling for seven years or longer at the time of offer. If the dwelling has been owned for less than seven years, TfNSW will offer building treatments on a cost-sharing basis as outlined below:

Ownership length (at the time of the treatment offer)	Owner contribution
0-2 years	85 per cent
2-3 years	70 per cent
3-4 years	55 per cent
4-5 years	35 per cent
5-6 years	20 per cent
6-7 years	10 per cent

If the dwelling is sold after the applicant applies for building treatments, TfNSW will calculate the owner contribution as if the ownership has not changed provided the initial application was not withdrawn.

3.3 Maximum cost of treatment

The cost of building treatments will not exceed a cap of \$31,750 per dwelling (2021 dollars) including all labour and materials. This cost is indexed to Consumer Price Index from the FNAP inception in 2015.

4 Prioritising the work

4.1 Noise level

Treatment is offered to all the eligible homes in a particular catchment area. TfNSW gives priority to catchments with the highest night time LAeq noise levels.

4.2 Geography

The geographical extent of a catchment area may be limited by:

- changes to how the land is used (such as residential to commercial)
- an elevation change compared to adjacent properties (including where the rail line goes into a cutting or behind a noise barrier)
- a major road dividing the neighbourhood
- a railway station
- a council boundary
- natural features such as creeks or reserves.

4.3 Program budget

The program has an annual budget of up to \$6 million which allows up to 200 homes to be treated. All applications are prioritised, and as a consequence some eligible homes are not treated for a period of time.

4.4 Work scheduling

TfNSW organises properties into catchment areas and treats properties in order of noise level.

It is unlikely that the program will revisit an area it has already prioritised again for some time, even if an application is received. This is to minimise mobilisation costs and ensure the program is delivering value for money.

5 Carrying out the work

The treatments offered under FNAP have been proven to substantially reduce freight rail noise impacts within the dwelling. Treatments are restricted to habitable rooms. To receive treatment, the dwelling must be in a reasonable condition, and the owner is responsible for fixing any issues before treatment can commence.

5.1 Process for carrying out the work

- Building Service Provider contacts the homeowner to arrange site visit
- Building Service Provider visits each eligible dwelling and scopes the proposed treatment, explains cost sharing arrangements, if applicable and captures the agreed scope in a Dwelling Report
- Homeowner signs each page of the Dwelling Report in acceptance of the agreed scope of works
- Building Service Provider presents the homeowner with a Your Works Deed which outlines the proposed building treatments agreed on the Dwelling Report
- Homeowner reads and signs the Your Works Deed
- Building Service Provider confirms treatment start date with the homeowner as per the Your Works Deed
- Building Service Provider delivers the works
- Building Service Provider and homeowner perform a joint inspection of the works and sign Acceptance Certificate. The homeowner is under no obligation to sign the Acceptance Certificate until the agreed works have been delivered.
- TfNSW will engage (if required) a Technical Advisor to oversee the delivery of the acoustic treatments. The Building Service Provider will liaise with the homeowner and accompany the Technical Advisor and/or TfNSW representative to any site visit.

6 Resolving disputes

If an individual raises an issue or dispute relating to the program, we will address it in a fair, objective and unbiased manner, in line with the *Transport Customer Complaints and Feedback Policy*, and the NSW Ombudsmen and Customer Service Commissioner's commitments implemented by all the major agencies within the NSW Government. The commitments are:

- we are responsive and treat our customers with courtesy and respect
- we make it easy for our customers to give us feedback so we can make improvements
- we keep our customers informed about the status of their complaint or feedback
- we are trained and skilled to manage customer complaints and one person, or our team, will manage the complaint
- we do our best to deal with customer complaints as soon as possible. Our customers know our timeframes for finalising their complaint
- we record and analyse information on our complaint handling processes to help improve our services.

6.1 Complaint management process

- **Complaint resolution:** provided to the customer, either on first contact or following investigation of the issue
- **Internal escalation:** when a customer is unsatisfied with the response provided, the complaint will be escalated within TfNSW
- **External review:** When a customer indicates they are unsatisfied with the outcome of an internal review they shall be provided with formation regarding their options for external review (eg. NSW Ombudsmen).

7 Policy context

The NSW freight rail network plays a vital role in supporting our economy and reducing congestion on our roads. To address impacts from freight rail noise on our community, particularly at night, TfNSW is implementing three different streams:

- working with freight operators to reduce noise at source such as wheel squeal
- working with planning authorities to ensure rail noise is addressed at the planning stage of new developments and infrastructure
- delivering the Freight Noise Attenuation Program to reduce the impacts from existing freight rail noise on NSW Government managed freight rail corridors.

7.1 Relevant policies

When developing the FNAP, TfNSW considered:

- guidelines for noise attenuation developed by the EPA with Sydney Trains and the Australian Rail Track Corporation
- the Roads and Maritime Service Noise Abatement Program for properties next to major roads
- different noise attenuation methods and their cost effectiveness
- studies of noise levels next to rail lines and the types of noise generated by freight trains
- complaints from the community about rail noise
- results of trials and testing of procedures, systems and treatments.

In the broader policy context, TfNSW also considered:

- Rail Infrastructure Noise Guideline, EPA 2013, which specifies noise triggers for heavy rail projects
- development Near Rail Corridors and Busy Roads–Interim Guideline, Department of Planning, 2008, which provides guidance on how to achieve specified internal noise levels in the State Environmental Planning Policy (Infrastructure) 2007.

7.2 Privacy statement

TfNSW will also comply with the privacy principles set out in the Privacy and Personal Information Protection Act 1998 (NSW). TfNSW will hold any personal information at 27 Argyle Street, Parramatta NSW 2150. People generally have the right to access and correct their personal information - please contact privacy@transport.nsw.gov.au

7.3 Breaches of this policy

Breaches of this policy are taken seriously and TfNSW will follow all internal procedures to ensure that is followed appropriately.

8 Policy definitions

Term	Policy definitions
Acceptance Certificate	Part of the Your Works Deed that is signed by both the homeowner and the Building Services Provider once the treatment works have been completed.
Applicant	A person who lodges an Application Form under the FNAP process.
Building Services Provider	A service provider who is contracted to carry out building treatments in accordance with the Dwelling Report.
Catchment area	A defined area containing residences or other sensitive land uses that have been identified as potentially eligible for the FNAP.
Dwelling	An occupied residence or other sensitive land use. The policy excludes short-term rental accommodation and holiday homes.
Dwelling Report	The building treatments proposed for an individual eligible dwelling.
FNAP database	This database contains property details for applications received as part of the FNAP process and their current status.
Habitable room	A bedroom, living room, family room or study. Non-habitable rooms include kitchens, bathrooms, laundries and garages, and these are not covered under the policy, unless the non-habitable room opens directly onto an eligible habitable room.
LAeq	The Equivalent Continuous Noise Level. This may be likened to an 'average noise exposure' over a defined period.
Noise exposed	The external side of a habitable room that faces the rail corridor.
Homeowner	The person of an eligible dwelling authorised to make decisions about entering into contracts for treatment works the dwelling, including representing the building's Owner Corporation if applicable.
Participant	The authorised person representing an eligible dwelling that is participating in the program. Participants must own the residence or sensitive land use, or have authority to approve the noise-attenuating treatments, such as a person representing the building's Owners.
Program manager	The person who provides overall management of the program.

Term	Policy definitions
Technical Advisor	The contracted service provider, engaged by TfNSW (if required) to oversee the delivery of the acoustic treatments.
Your Works Deed	The contract between the Participant, the Building Services Provider and TfNSW that enables the treatment to be undertaken. All parties must sign the document before the work can start.

9 Authority and document control

9.1 Roles and responsibilities

Role	Accountability
TfNSW	<ul style="list-style-type: none">• overseeing the overall delivery of FNAP• Policy owner• reviewing and monitoring KPIs• reporting on progress• providing subject matter expert advice to different groups/stakeholders• handling disputes• paying service providers• maintaining records• updating the FNAP database• processing FNAP applications.
Building Services Provider	<ul style="list-style-type: none">• contacting the homeowner• liaising and corresponding with participants• developing Dwelling Reports• delivering the treatment works• reporting progress to TfNSW• completing treatments in line with the dwelling report• ordering materials as provided.
Participant	<ul style="list-style-type: none">• submitting application• liaising with the Building Services Provider• providing timely access to the dwelling• financially contributing to works if required• approving and accepting treatment works.

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