

# Project Approval

## Section 75J of the *Environmental Planning and Assessment Act 1979*

I, the Minister for Planning, approve the project referred to in Schedule 1, subject to the conditions in Schedule 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.



The Hon Kristina Keneally MP  
Minister for Planning

Sydney

9 April

2009

File No: S07/01938

### SCHEDULE 1

|                            |                                                                                                                                                                              |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application No:</b>     | 08_0136                                                                                                                                                                      |
| <b>Proponent:</b>          | NSW Roads and Traffic Authority                                                                                                                                              |
| <b>Approval Authority:</b> | Minister for Planning                                                                                                                                                        |
| <b>Land:</b>               | Land generally located within the existing road corridor between Westbourne Street, Drummoyne and The Crescent, Rozelle and ancillary facility locations.                    |
| <b>Project:</b>            | An upgrade of Victoria Road over a distance of approximately 3.5 kilometres to provide bus lanes, including a new bridge over Iron Cove, to the west of the existing bridge. |
| <b>Part 3A Project:</b>    | The proposal is a project to which Part 3A of the Act applies by virtue of an Order made by the Minister for Planning and gazetted on 21 December 2007.                      |

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## SCHEDULE 2

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|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Act, the</b>                    | <i>Environmental Planning and Assessment Act 1979</i>                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Ancillary Facility</b>          | Temporary facility for construction, including for example an office and amenities compound, construction compound, materials storage, compound maintenance workshop, concrete washout, or material stockpile areas.                                                                                                                                                                                                                                                                       |
| <b>Construction</b>                | Includes all work in respect of the project <b>other than</b> survey, establishing ancillary facilities, acquisitions, fencing, investigative drilling or excavation, building/road dilapidation surveys, installation of environmental impact mitigation measures (such as acoustic treatments or compensatory car parking), utility adjustments/relocations, minor clearing, and establishing site compounds.                                                                            |
| <b>DECC</b>                        | NSW Department of Environment and Climate Change                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Department, the</b>             | NSW Department of Planning                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Director-General, the</b>       | Director-General of the NSW Department of Planning (or delegate)                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Director-General's Approval</b> | A written approval from the Director-General (or delegate). Where the Director-General's Approval is required under a condition, the Director-General will endeavour to provide a response within one month of receiving an approval request. The Director-General may require additional information if the approval request is considered incomplete. When further information is required the time taken for the Proponent to respond in writing will be added to the one month period. |
| <b>Iron Cove users</b>             | Rowing and sailing clubs and other recreational and commercial water users of Iron Cove.                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Minister, the</b>               | Minister for Planning                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Operation</b>                   | Means the operation of the project, but <b>does not</b> include commissioning trials of equipment or temporary use of parts of the project during construction.                                                                                                                                                                                                                                                                                                                            |
| <b>Project</b>                     | The project the subject of Major Projects Application 08_0136.                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Proponent</b>                   | NSW Roads and Traffic Authority                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Publicly Available</b>          | Available for inspection in hard copy and/or electronic format by a member of the general public (for example available on the project website).                                                                                                                                                                                                                                                                                                                                           |
| <b>Reasonable and feasible</b>     | Consideration of best practice taking into account the benefit of proposed measures and their technological and associated operational application in the NSW and Australian context. <b>Feasible</b> relates to engineering considerations and what is practical to build. <b>Reasonable</b> relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided.                                    |
| <b>Relevant Council(s)</b>         | Canada Bay City Council, Leichhardt Municipal Council, City of Sydney and/or Hunters Hill Municipal Council as applicable                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Sensitive Receiver</b>          | Residence, education institution (e.g. school, TAFE college), health care facility (e.g. nursing home, hospital) and religious facility (e.g. church).                                                                                                                                                                                                                                                                                                                                     |
| <b>Stages</b>                      | Stages refer to the division of a project into multiple contract packages for construction purposes, and/or the construction or operation of the overall project in discrete sections.                                                                                                                                                                                                                                                                                                     |

## 1. ADMINISTRATIVE CONDITIONS

### Terms of Approval

- 1.1 The Proponent shall carry out the project in accordance with the:
  - a) Major Project Application 08\_0136;
  - b) *Victoria Road Upgrade – Environmental Assessment* (four volumes), prepared by the Roads and Traffic Authority and dated October 2008;
  - c) *Victoria Road Upgrade – Submissions Report*, prepared by the Roads and Traffic Authority and dated February 2009; and
  - d) the conditions of this approval.
- 1.2 In the event of an inconsistency between:
  - a) the conditions of this approval and any document listed from condition 1.1a) to 1.1c) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
  - b) any of the documents listed from condition 1.1a) to 1.1c) inclusive, the most recent document shall prevail to the extent of the inconsistency.
- 1.3 The Proponent shall comply with the reasonable requirements of the Director-General arising from the Department's assessment of:
  - a) any reports, plans or correspondence that are submitted in accordance with this approval; and
  - b) the implementation of any actions or measures contained in these reports, plans or correspondence.
- 1.4 The Proponent may construct and/ or operate the project in stages with commensurate staging of compliance with the conditions of this approval. Where the project is to be staged, the Proponent shall submit details of the staging to the Director-General, including details of how compliance with the conditions of this approval will be ensured across and between the stages of the project.

### Limits of Approval

- 1.5 This approval shall lapse ten years after the date on which it is granted, unless the works the subject of any related project approval are physically commenced on or before that date.

### Statutory Requirements

- 1.6 The Proponent shall ensure that all licences, permits and approvals are obtained as required by law and maintained as required with respect to the project. No condition of this approval removes the obligation for the Proponent to obtain, renew or comply with such licences, permits or approvals.

## 2. SPECIFIC ENVIRONMENTAL CONDITIONS

### Traffic, Transport and Access Arrangements

- 2.1 The Proponent shall provide appropriate car parking and shall manage construction traffic and construction personnel to discourage and minimise construction vehicles from parking or queuing on public roads.
- 2.2 Road dilapidation reports shall be prepared prior to commencement of construction for all local roads likely to be used by construction traffic. A copy of the relevant report shall be provided to the relevant Councils. Any damage resulting from the construction of the project, aside from that resulting from normal wear and tear, shall be repaired at the cost of the Proponent.
- 2.3 The Proponent shall develop individual **Parking Strategies**, in consultation with City of Canada Bay Council and Leichhardt Municipal Council to minimise and manage the loss of car parking as a result of the construction and operation of the project. The Parking Strategies shall be developed prior to the commencement of construction and operation in the area where parking is to be affected, and shall include, but not necessarily be limited to:

- a) a goal of minimising the impact of parking losses to businesses, recreational users and the wider community;
- b) identification of measures to minimise and manage impacts on economic and social amenity that changes in car parking arrangements may have;
- c) a quantification of parking impacts;
- d) assessment of user requirements including loading zones; and
- e) details of the implementation of compensatory car parking to mitigate the loss of parking during construction and operation.

A copy of the individual Parking Strategies shall be provided to the Director-General prior to their implementation.

- 2.4 The Proponent shall maintain safe pedestrian and cyclist access through or around the worksite during construction. In circumstances where pedestrian and cyclist access is restricted due to construction activities, the Proponent shall ensure that a satisfactory alternate route is provided and signposted.
- 2.5 The Proponent shall apply relevant design standards, including the *NSW Bicycle Guidelines* and *Guide to Traffic Engineering Practice, Part 14 - Bicycles*, (Austroads, 1999) in the design and implementation of all new temporary and permanent cyclist facilities.

### ***Marine Safety and Access***

- 2.6 Any reduction in horizontal clearances as a result of the new bridge as described in the documents referred to under condition 1.1 of this approval, compared to existing clearances shall be minimised. This includes minimising any potential impact of piers on the Iron Cove rowing and sailing courses and general navigation.
- 2.7 The Proponent shall ensure that the operation of the new bridge component of the project does not prevent the operation of a rowing course beneath it with eight rowing lanes (each 13.5 metres in width) and with a minimum total width of 135 metres (ie 13.5 metres + (8 x 13.5 metres) + 13.5 metres).
- 2.8 Navigation lights and signage shall be erected on the bridge (typically on the pylons) showing the clearances under each span, if required by and in consultation with NSW Maritime.
- 2.9 The Proponent shall identify and implement measures, in consultation with NSW Maritime, to ensure on-going maritime safety and navigational requirements in Iron Cove for the duration of water-based construction works associated with the project.
- 2.10 In undertaking water-based construction works associated with the project, the Proponent shall consult with NSW Maritime to identify licensed, scheduled events and consult with event organisers to identify and address, where reasonable and feasible, potential conflicts between construction works and the use of the waterway for licensed, scheduled events.

### **Noise and Vibration Impacts**

#### ***Construction Noise and Vibration***

- 2.11 The Proponent is permitted to undertake construction works associated with the project at any time (24 hours per day). All construction activities to be undertaken before 07:00 or after 18:00 on any day, or on a weekend or public holiday at any time, shall be subject to detailed noise mitigation, monitoring and management measures specified in an approved Construction Noise Management Plan (refer to condition 6.4b)).
- 2.12 In scheduling construction works, the Proponent shall aim to:
  - a) minimise disruptions to traffic along Victoria Road;
  - b) achieve the construction noise goal for the project (ie not exceeding the background noise level by more than 5 dB(A));

- c) undertake the most noise intensive, tonal or impulsive construction activities during week days (07:00 to 18:00), and on Saturdays (8:00 to 13:00); and
- d) provide periods of respite for affected residential receivers.

2.13 The Proponent shall conduct vibration testing and monitoring to identify minimum working distances to residential dwellings with the objective of meeting the preferred values for vibration (for low probability of adverse comment) presented in *Assessing Vibration: A Technical Guideline* (DECC, February 2006). In the event that the vibration testing and monitoring shows that the preferred values for vibration at any affected residential dwelling are likely to be exceeded the Proponent shall review the construction methodology and, if necessary, implement additional mitigation measures.

### **Operational Noise**

- 2.14 Prior to commencement of construction of the project, the Proponent shall undertake noise monitoring to identify residential premises in the following areas that, at the time of monitoring, experience road traffic noise in excess of 65 dB(A) (as  $L_{Aeq(15-hour)}$ ) during the day (07:00 to 22:00) or 60 dB(A) (as  $L_{Aeq(9-hour)}$ ) during the night (22:00 to 07:00):
- a) between Clubb Street and Byrnes Street, fronting Victoria Road;
  - b) between Victoria Road and Manning Street, fronting Byrnes Road; and
  - c) the area bounded by Victoria Road, Park Avenue, Formosa Street and Henley Marine Drive.

For the purpose of this condition, noise shall be monitored in accordance with *Environmental Criteria for Road Traffic Noise* (EPA, 1999).

- 2.15 The Proponent shall write to each landowner referred to under condition 2.14 whose property is identified by the Proponent as experiencing traffic noise above either of the levels specified under that condition, and shall offer to provide and fund reasonable and feasible acoustic treatments to reduce the impact of traffic noise at the residential premises on that property. The Proponent's offer shall remain open for acceptance by the affected landowner for 12 months from the date of the notification required under this condition.

Acoustic treatments agreed between the parties shall be implemented as soon as practicable after reaching such an agreement. Should the parties not be able to reach agreement on the scope and timing of acoustic treatments, then either party may refer the matter to the Director-General for resolution. The Director-General's decision on such a referral shall be final and binding on the parties.

### **Heritage Impacts**

- 2.16 The Proponent shall ensure that the physical fabric of Iron Cove Bridge, including its piers, abutments and approaches, is not permanently impacted in constructing the project, except at the point of merger of the two bridges where permanent impact is unavoidable, where safety enhancements are deemed necessary or as described in the documents referred to under condition 1.1.
- 2.17 All endeavours shall be made by the Proponent to prevent avoidable impacts on the 1882 sandstone abutments, particularly the sandstone masonry, during the carrying out of construction works. If construction equipment is located on the abutments, the heritage fabric should be protected.
- 2.18 Safe public access to the 1882 sandstone abutments shall be reinstated once the project is complete, allowing the continuance of their current use as a look-out, unless otherwise agreed by the Director-General for public safety or security reasons.
- 2.19 Sandstone blocks from the sea walls in vicinity of the Iron Cove Bridge, when dismantled, shall be safely stored for reinstatement before completion of construction works. New blocks and their jointing/coursing shall match the original.

- 2.20 Where reasonable and feasible, potential archaeological heritage within the study area shall be retained and preserved *in situ*.
- 2.21 Intrusive development works (localised excavations) shall, if reasonable and feasible, avoid areas of potential archaeological remains, especially those associated with historically significant occupation such as the Inn, Post Office, Bank, School, and c1880 Bridge Hotel.
- 2.22 Should construction works unearth items of historical archaeological potential, works in that vicinity shall only continue in accordance with the archaeological management strategy included as part of the Heritage Management Plan. In addition, the Department of Planning (Heritage Branch) shall be contacted for further advice on required actions or approvals.
- 2.23 If any new Aboriginal sites are identified during the construction of the project, they shall be registered with DECC in accordance with s91 of the *National Parks and Wildlife Act 1974*. Impact to these sites should be avoided. If this is not reasonable and feasible, mitigation for impact shall occur in consultation with DECC.

### **Visual Amenity and Urban Design**

- 2.24 The Proponent shall design and construct the project in a manner that minimises the visual and heritage setting impact of infrastructure and hard landscaping elements, including overhead structures, fencing, signage, new bus shelters and the like.

### **Ancillary Facilities**

- 2.25 Prior to establishing each of the construction site compounds identified in the documents listed under condition 1.1 of this approval, the Proponent shall develop and submit for the approval of the Director-General an Compound Environmental Management Plan for the relevant compound site. The Plan shall address the matters required for a Construction Environmental Management Plan under condition 6.3. Once approved, the Plan shall be implemented for the duration of the construction site compound.
- 2.26 Prior to the establishment of any construction site compound not otherwise identified in the documents referred to under condition 1.1 of this approval, the Proponent shall obtain the Director-General's approval for the establishment and management of the construction site compound(s). In obtaining this approval, the Proponent shall submit an assessment of the compound(s) which provides:
- a) a description of the compound, its components and the surrounding environment;
  - b) details of the activities to be carried out at each compound, including the hours of use and the storage of dangerous and hazardous goods;
  - c) an assessment of the environmental impacts on the site and the surrounding environment, including noise impacts from construction vehicles;
  - d) details of the mitigation, monitoring and management procedures specific to the compound(s) that would be implemented to minimise environmental impacts; and
  - e) identification of the timing for the completion of activities at compound(s) and how sites will be decommissioned (including any necessary rehabilitation).

### **Property Impacts**

- 2.27 The Proponent shall construct the project in a manner that minimises impacts to properties along the project corridor. In the event that construction of the project results in direct or indirect damage to any such property, the Proponent shall arrange and fund repair of the damage to a standard comparable to that in existence prior to the damage.
- 2.28 Prior to the commencement of construction of the project, or each part of the project that may impact on surrounding properties (including heritage items), the Proponent shall:
- a) arrange for a risk assessment by appropriately qualified and experienced geotechnical and construction engineering experts, at risk from damage, and undertake inspections

of these properties prior to construction in accordance with AS 4349.1 'Inspection of Buildings';

- b) contact the owners of all properties on which property inspections are to be conducted at least two weeks before the inspection, or as otherwise agreed by the affected property owner, and advise of the scope and methodology for the inspection, and of the process for making a property damage claim;
- c) provide a copy of the property inspection report to the owner of each property inspected at least one week prior to construction that could affect the property; and
- d) maintain a register of all properties inspected by the Proponent, indicating whether the owner accepted or refused the property inspection offer, and provide a copy of the register to the Director-General upon request.

2.29 The Proponent shall ensure that access to all properties is maintained during construction and operation unless agreed with the property owner in advance and that any access physically affected by the Project is reinstated to at least an equivalent standard.

2.30 The Proponent shall consult with Leichhardt Municipal Council regarding the use of, and minimising impacts to, King George Park during construction, including the relocation of the children's playground, impacts to pedestrian and cyclist access and retention of vegetation.

2.31 The Proponent shall negotiate with the owner and lessee to make appropriate arrangements for the conduct of the following modifications to The Cove at Drummoyne café, subject to planning approval for the works being secured under the Environmental Planning Assessment Act 1979:

- a) construction of a new covered deck on the southern (rear) side of the building and attached to the existing deck;
- b) enclosure of exterior areas with doors and windows; and
- c) installation of air-conditioning to newly enclosed areas.

The Proponent shall bear the reasonable expenses associated with obtaining development consent for the above works. The Proponent shall negotiate with the owner and lessee to reach agreement on the appropriate timeframe for which development consent must be secured. In the event that development consent is not secured for the works within the agreed timeframe the Proponent's obligations to fund the above works shall expire

### **Water Quality Impacts**

2.32 The Proponent shall comply with section 120 of the *Protection of the Environment Operations Act 1997* which prohibits the pollution of waters.

2.33 The Proponent shall manage all actual and potential acid sulfate soils that may be disturbed during construction of the project in accordance with *Acid Sulfate Soil Manual* (Acid Sulfate Soil Management Advisory Committee, 1998)

2.34 Where available and of appropriate chemical and biological quality for its proposed purpose, the Proponent shall use stormwater, recycled water or other water sources in preference to potable water for construction, including concrete mixing and dust control.

2.35 The Proponent shall install and maintain for the duration of construction works associated with the project, erosion and sedimentation control measures consistent with *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004).

2.36 The Proponent shall undertake all water-based construction activities in a manner that minimises the potential for the re-suspension and dispersal of sediments and associated biota.

2.37 Prior to the commencement of water-based construction activities that have the potential to disturb sediments, the Proponent shall install a sediment boom and silt curtain around the



relevant works. Where sediment booms and silt curtains have been installed, they shall remain in place until the turbidity of the water within the sediment booms and silt curtains returns to background levels of turbidity in waters immediately outside the booms and curtains.

### **Management of Waste and Contaminated Soils**

- 2.38 The Proponent shall not reuse as part of the project any excavated soils or sediments that contain contaminants above the adopted criteria specified in Table 6-2 and Table 6-3 of the document referred to under condition 1.1b), unless the subject of a Site Audit Statement prepared by an accredited Site Auditor under the *Contaminated Land Management Act 1997* that specifies the material is suitable for the intended final land use.
- 2.39 All waste and fill materials, whether imported or generated on site, shall be assessed, classified, managed and disposed of in accordance with the *Waste Classification Guidelines* (DECC, 2008).

### **Air Quality Impacts**

- 2.40 The Proponent shall construct the project in a manner that minimises dust impacts generated by construction works, including wind-blown and traffic-generated dust.

### **Ecological Impacts**

- 2.41 The Proponent shall seek the advice of a qualified arborist regarding actual and potential impacts on the Moreton Bay fig tree at the Drummoyne Swim Centre during construction activities at that location. The arborist shall be retained to periodically inspect and advise on the health of the tree for 12 months after the conclusion of construction.

## **3. ENVIRONMENTAL MONITORING AND AUDITING**

### **Operational Performance Audit**

- 3.1 Within twelve months of the completion of construction of the project, and then again at five years, or as otherwise agreed or required by the Director-General, the Proponent shall commission an independent, qualified person or team to undertake an Operational Performance Audit of the project. The independent person or team shall be approved by the Director-General prior to the commencement of the Audit. An **Operational Performance Audit Report** shall be submitted to the Director-General within one month of the completion of the Audit, unless otherwise agreed by the Director-General. The Audit shall:
- assess compliance with the requirements of this approval, and other licences and approvals that apply to the project;
  - assess the operational performance of the project against the aims and objectives for the project specified in the documents referred to under condition 1.1 of this approval
  - assess the environmental performance of the project against the predictions made and conclusions drawn in the documents referred to under condition 1.1 of this approval; and
  - review the effectiveness of the environmental management of the project, including any environmental impact mitigation works.

## **4. COMPLIANCE MONITORING AND TRACKING**

### **Compliance Tracking Program**

- 4.1 The Proponent shall develop and implement a Compliance Tracking Program to track compliance with the requirements of this approval. A copy of the Program shall be submitted to the Director-General prior to the commencement of construction. The Program shall include:
- provisions for periodic review of the compliance status of the project against the requirements of this approval, including at the commencement of construction and operation of the project, and at least at six monthly intervals;
  - provisions for the notification of the Director-General prior to the commencement of construction and prior to the commencement of operation of the project;

- c) provisions for periodic reporting of compliance status to the Director-General during construction;
- d) a program for independent environmental auditing in accordance with *ISO 19011:2003 - Guidelines for Quality and/ or Environmental Management Systems Auditing*;
- e) mechanisms for recording incidents during construction and actions taken in response to those incidents;
- f) provisions for reporting environmental incidents to the Director-General during construction; and
- g) mechanisms for rectifying any non-compliance identified during environmental auditing or review of compliance.

## 5. COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

### Community Communication

5.1 The Proponent shall prepare and implement a **Community Communication Strategy** to provide mechanisms to facilitate communication between the Proponent (and its contractors), the Environmental Representative and the community stakeholders (particularly adjoining landowners) on construction progress and management. The Strategy shall include, but not be limited to:

- a) identification of stakeholders to be targeted as part of the Strategy;
- b) procedures and mechanisms for the regular dissemination of information to the community stakeholders, Iron Cove users and road users on construction progress and matters associated with environmental management;
- c) procedures and mechanisms through which the community stakeholders can discuss or provide feedback to the Proponent and/or Environmental Representative in relation to the environmental management and delivery of the project;
- d) procedures and mechanisms through which the Proponent can respond to any enquires or feedback from the community stakeholders in relation to the environmental management and delivery of the project;
- e) procedures and mechanisms to be implemented to respond to any issues/disputes that arise between parties on the matters relating to environmental management and the project delivery.

Issues that shall be addressed with the community include (but are not necessarily be limited to): traffic management (including access, construction vehicle management and parking); landscaping/urban design matters; air quality; and noise and vibration mitigation and management.

The Proponent shall maintain and implement the Strategy throughout construction. The Strategy shall be submitted to the Director-General prior to the commencement of construction of the project.

### Complaints and Enquiries

5.2 Prior to the commencement of construction of the project, the Proponent shall ensure that the following are available for community enquiries and complaints for the duration of construction:

- a) a 24 hour telephone number on which complaints and enquiries about the project may be registered;
- b) a postal address to which written complaints and enquires may be sent; and
- c) an email address to which electronic complaints and enquiries may be transmitted.

The telephone number, the postal address and the email address shall be published in a newspaper circulating in the local area prior to the commencement of construction. This information shall also be provided on the Proponent's website.

## **Provision of Electronic Information**

- 5.3 Prior to the commencement of construction, the Proponent shall dedicate pages within its project website, for the provision of electronic information associated with the project, for the duration of construction and for up to 12 months following completion of the project. The Proponent shall publish and maintain up-to-date information on these dedicated pages, including:
- a) a copy of the documents referred to under condition 1.1 of this approval, and any documentation supporting modifications to this approval that may be granted;
  - b) a copy of this approval and each relevant environmental approval, licence or permit required and obtained in relation to the project;
  - c) subject to confidentiality requirements, a copy of each strategy, plan and program required under this approval; and
  - d) the outcomes of compliance tracking in accordance with condition 4.1 of this approval.

## **6. ENVIRONMENTAL MANAGEMENT**

### **Environmental Representative**

- 6.1 Prior to the commencement of construction of the project, or as otherwise agreed by the Director-General, the Proponent shall nominate for the approval of the Director-General, a suitably qualified and experienced Environmental Representative(s) independent of the project design and construction personnel. The Proponent shall employ the Environmental Representative(s) for the duration of construction, or as otherwise agreed by the Director-General. The Environmental Representative(s) shall:
- a) be the principal point of advice in relation to all questions and complaints concerning the environmental performance of the project;
  - b) endorse the preparation of and monitor the implementation of all environmental management plans and monitoring programs required by the conditions of this approval;
  - c) monitor the outcome of all environmental management plans and advise the Proponent upon the achievement of all project environmental outcomes;
  - d) ensure that environmental auditing is undertaken in accordance with all relevant project Environmental Management Systems;
  - e) have responsibility for considering and advising the Proponent on matters specified in the conditions of this approval, and all other licences and approvals related to the environmental performance and impacts of the project; and
  - f) be given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur.

### **Urban Design and Landscaping Plan**

- 6.2 The Proponent shall prepare and implement an Urban Design and Landscape Plan for the operation of the project. The Plan shall be prepared in consultation with relevant Council(s) and shall present an integrated urban design for the project. The Plan shall include, but not necessarily be limited to:
- a) a principal goal of achieving the five urban design objectives outlined in section 6.4.3 of the document referred to under condition 1.1b);
  - b) strategies to progressively landscape the project;
  - c) location and identification of existing and proposed vegetation including use of indigenous and endemic species where possible, and including relocation plans for the Washington palm trees;
  - d) restoration of sites and rehabilitation measures, including the removal of the material used for reclamation post construction phase;
  - e) consideration of the measures outlined in the Heritage Management Plan, including heritage interpretation, and the identification of opportunities for the reuse of disturbed fabric, such as sandstone kerbing;

- f) design treatments for built elements including retaining walls, bridges and noise barriers;
- g) design treatments for pedestrian and cyclist elements including footpath location, paving types and pedestrian crossings;
- h) design treatments for fixtures such as seating, lighting, fencing and signs;
- i) graphics for key elements such as sections, sketches, perspective views, etc;
- j) standards, procedures and methods to monitor and maintain landscaped or rehabilitated areas; and
- k) remedial measures to maintain landscaping works to the design standard established in the Plan, where necessary.

The Plan shall be submitted for the approval of the Director-General within six months of the commencement of construction of the project, and may be staged to suit the program for construction of the project.

### Construction Environmental Management Plan

6.3 Prior to the commencement of construction of the project, or each relevant part of the project, the Proponent shall prepare and implement a Construction Environmental Management Plan to outline environmental management practices and procedures to be followed during construction of the project, or relevant part of the project. The Plan shall be prepared in accordance with the *Guideline for the Preparation of Environmental Management Plans* (DIPNR, 2004) and include:

- a) a description of all activities to be undertaken during construction of the project including an indication of stages of construction where relevant;
- b) all mitigation measures and controls identified in the documents referred to under condition 1.1;
- c) statutory and other obligations that the Proponent is required to fulfil during construction including all approvals, consultations and agreements required from authorities and other stakeholders, and key legislation and policies;
- d) details of how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
- e) a description of the roles and responsibilities for all relevant employees involved in the construction of the project, and a personnel induction and training program to address the management of expected environmental impacts; and
- f) complaints handling procedures.

The Plan shall be submitted for the approval of the Director-General prior to the commencement of construction, or within such period otherwise agreed by the Director-General. Construction works, or the relevant phase of construction works, shall not commence until written approval has been received from the Director-General.

6.4 In addition to, or as part of, the Construction Environmental Management Plan(s) for the project required under condition 6.3 of this approval, the Proponent shall prepare and implement the following issue-specific Management Plans:

- a) prior to the commencement of works, or each stage of works, with the potential to impact on items of heritage significance, a **Heritage Management Plan** to detail how construction impacts on non-Aboriginal and Aboriginal heritage will be minimised and managed. The Plan shall be prepared in accordance with Heritage Council of NSW Guidelines as relevant, and include but not necessarily be limited to:
  - i) location and identification of all known heritage items;
  - ii) work method statements for working in the vicinity of identified heritage items to ensure minimal construction impact and to outlines practical methods that reduce, minimise and avoid impacts to heritage items.
  - iii) an Archaeological Management Strategy prepared by a qualified archaeologist consistent with Chapter 7 of the Archaeological Assessment Report, prepared by

Archaeological and Heritage Management Solutions, dated September 2008, including:

- archaeological monitoring for sensitive areas of potential archaeology that will be potentially impacted;
  - an on call archaeologist for areas that do not require monitoring;
  - recording; and
  - the archaeological information generated as the result of the monitoring program shall be collated and form the basis for undertaking a final archaeological report for the project, to be submitted to the Director-General if requested.
- iv) a Heritage Interpretation Strategy, providing appropriate public interpretation and specifying works at identified points. The Heritage Interpretation Strategy shall include actions to facilitate archival recording of impacted heritage items, including the existing Iron Cove Bridge, the abutments of the original (1882) bridge and sandstone kerbing;
- v) a site worker induction program, including training about natural and cultural heritage values and items, likely areas of archaeological potential within the project area and the types of archaeological relics that might be discovered during construction works; and
- vi) procedures to be implemented if previously unidentified Aboriginal objects and / or Non-Indigenous heritage items are discovered during construction.
- b) prior to the commencement of works, or each stage of works, with the potential to generate a noise or vibration impact at the nearest receiver, a **Construction Noise and Vibration Management Plan** to detail how construction noise and vibration impacts would be minimised and managed. The Plan shall include, but not necessarily be limited to:
- i) details of construction activities and a schedule for construction works;
  - ii) identification of construction activities that have the potential to generate noise and/or vibration impacts on surrounding sensitive receivers, particularly residential areas and identified heritage items and an assessment of these;
  - iii) a detailed description of what actions and measures would be implemented to manage noise and vibration;
  - iv) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity, as well as procedures for dealing with and responding to noise complaints;
  - v) a description of how the effectiveness of these actions and measures would be monitored during the proposed works, clearly indicating how often this monitoring would be conducted, how the results of this monitoring would be recorded, and if any non-compliance is detected.
- c) prior to the generation of construction traffic or works, or each stage of works, with the potential to affect traffic flows, a **Traffic Management Plan** to ensure traffic and access controls are implemented to avoid or minimise impacts on traffic and the amenity of the surrounding environment. The Plan shall include, but not necessarily be limited to:
- i) impacts on existing traffic in the Victoria Road corridor (including associated local roads) and the timing of the impacts (including on pedestrians, public transport, vehicles, parking and cyclists);
  - ii) details of construction vehicle movements and parking for each stage of works, including access arrangements for construction sites and site compounds, and ingress and egress routes;
  - iii) details of traffic control measures, and changes to traffic configurations, arrangements and facilities;
  - iv) the retention of and/or provision of alternate vehicular access;
  - v) impacts on bus stops and the provision of safe and convenient access to all bus stops;
  - vi) identification of impacts to pedestrian and cycle access areas, including measures to ensure safe pedestrian and cycle routes and access at all times, and the provision of alternative facilities and locations for pedestrians and cyclists;

- vii) a response plan which sets out the proposed response to any traffic, construction or other incident; and
- viii) appropriate monitoring, review and amendment mechanisms.

6.5 To avoid any doubt, and subject to compliance with the requirements of condition 1.4 of this approval, the Proponent may submit the documents required under conditions 6.3 and 6.4 in a staged, phased or separate manner to reflect the staging of construction and/ or operation of the project, or to reflect discrete packages of works.

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