

Project Approval

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

Under the Minister for Planning and Infrastructure's delegation of 14 September 2011, I approve the Project application referred to in Schedule 1, subject to the conditions in Schedules 2 to 4.

These conditions are required to:

- prevent and/or minimise 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.

SHaddad

Director-General
Department of Planning and Infrastructure

Sydney 7th January 2013 *SH*

SCHEDULE 1

Application Number: 09_0145

Proponent: Rail Corporation NSW (RailCorp)

Approval Authority: Minister for Planning and Infrastructure

Land:
Macdonaldtown site:
Part Lot 50 in Deposited Plan 1001467 in Burren Street, Erskineville
Chullora site:
Part Lot 1 in Deposited Plan 883526 in Worth Street, Chullora

Project: Macdonaldtown Gasworks Remediation Project

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DEFINITIONS

BCA	Building Code of Australia
Chullora site	Part Lot 1 in Deposited Plan 883526 in Worth Street, Chullora referred to in Schedule 1 and shown in Figure 2 in Appendix A
Construction	Any activity requiring a Construction Certificate, site-establishment, remediation, excavation work, road works, demolition, or any construction related activity as described in the EA
Day	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
OEH	Office of Environment and Heritage
Department	Department of Planning and Infrastructure
Director-General	Director-General of the Department, or his nominee
EA	The Environmental Assessment titled <i>Remediation of Macdonaldtown Gasworks Site</i> , prepared by Ecological Australia Pty Ltd, and dated March 2012; and the Response to Submissions report titled <i>Submissions Report – Remediation of Macdonaldtown Gasworks</i> , prepared by Ecological Australia Pty Ltd, and dated October 2012
ENM	Excavated Natural Material
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPA Immobilisation Approval	An Immobilisation Approval issued by the EPA in accordance with the <i>Protection of the Environment Operations (Waste) Regulation 2005</i>
EPL	Environmental Protection Licence
Evening	The period from 6pm to 10pm
Feasible	Feasible relates to engineering considerations and what is practical to build
Heritage Council	Heritage Branch of the Office of Environment and Heritage
Heritage item	An item as defined under the <i>Heritage Act 1977</i> , and assessed as being of local, State and/ or National heritage significance, and/or an Aboriginal Object or Aboriginal Place as defined under the <i>National Parks and Wildlife Act 1974</i> .
Land	The whole of a lot, or contiguous lots owned by the same landowner, in a current plan registered at the Land Titles Office at the date of this approval
Macdonaldtown site	Part Lot 50 in Deposited Plan 1001467 in Burren Street, Erskineville, referred to in Schedule 1 and shown in Figure 1 in Appendix A
Minister	Minister for Planning and Infrastructure, or delegate
Night	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
NOW	NSW Office of Water within the Department of Primary Industries
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Project	The development as described in the EA
Proponent	Rail Corporation NSW (RailCorp), or its successors in title
RAP	Remedial Action Plan for the <i>Former Macdonaldtown Gasworks – Burren Street, Erskineville, NSW</i> prepared by CH2MHill, dated December 2007
Reasonable	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements.
Remedial Strategy	Remedial Strategy for the <i>Former Macdonaldtown Gasworks Burren Street, Erskineville, NSW</i> prepared by JBS Environmental, dated July 2011
RMS	Roads and Maritime Services
RTS	The Response to Submissions report titled <i>Submissions Report – Remediation of Macdonaldtown Gasworks</i> , prepared by Ecological Australia Pty Ltd, and dated October 2012
Site Auditor	A site auditor accredited by the EPA under the <i>Contaminated Land Management Act 1997</i>
Site Audit Report	As defined in the <i>Contaminated Land Management Act 1997</i>
Site Audit Statement	As defined in the <i>Contaminated Land Management Act 1997</i>
Statement of Commitments	The Proponent's commitments for the project in Appendix B
VENM	Virgin Excavated Natural Material
WorkCover	WorkCover NSW

SCHEDULE 2 ADMINISTRATIVE CONDITIONS

Obligation to Minimise Harm to the Environment

1. The Proponent shall implement all reasonable and feasible measures to prevent and/or minimise any material harm to the environment that may result from the construction, operation or decommissioning of the project.

Terms of Approval

2. The Proponent shall carry out the project generally in accordance with the:
 - a) EA;
 - b) project plans (see Appendix A);
 - c) statement of commitments (see Appendix B);
 - d) conditions of this approval.
3. If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.
4. The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of:
 - a) any audits, reports, plans, programs, strategies, studies or correspondence that are submitted in accordance with this approval; and
 - b) the implementation of any actions or measures contained in these audits, reports, plans, programs, strategies, studies or correspondence submitted by the Proponent.

Limits of Approval

5. The Proponent shall ensure that no hazardous liquid waste, as defined by the Department of Environment and Climate Change's *Waste Classification Guidelines* is transported to Chullora for treatment.
6. Once the project has physically commenced, the project shall be undertaken over a maximum period of two years from the date of commencement of the works, unless otherwise agreed with the Director-General. The Proponent shall notify the Director-General in writing upon commencement of construction and site establishment.

Note: Ongoing groundwater monitoring can be undertaken outside of the two year time period.

Statutory Requirements

7. The Proponent must ensure that all necessary licences, permits and approvals are obtained and kept up-to-date as required throughout the life of the project. No condition of this approval removes the obligation for the Proponent to obtain, renew or comply with such licences, permits or approvals.

Structural Adequacy

8. The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, on the site are constructed in accordance with the relevant requirements of the BCA.

Notes:

- *Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works.*
- *Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.*

Dilapidation Surveys

9. Prior to the commencement of construction at the Macdonaldtown site, the Proponent shall commission a suitably qualified, experienced and independent person to:
 - a) establish the baseline condition of the following buildings and structures;
 - Southern gasholder;
 - noise wall along the southern boundary of the site;
 - rail tracks and buildings within the Stabling Yard including pavement and services;
 - services on the western embankment;

- overhead wiring structure along the Illawarra rail line; and
- b) identify measures that should be implemented to minimise the potential vibration impacts of the project on these buildings and/or structures.

Property Inspections

10. Prior to the commencement of construction, the Proponent shall undertake property inspections of the residential properties on Burren Street that adjoin the site. The Proponent shall:
 - a) commission a suitably qualified, experienced and independent person to:
 - establish the baseline condition of any buildings and other structures on the land; and
 - identify measures that should be implemented to minimise the potential vibration impacts of the project on these buildings and/or structures; and
 - b) give the landowner a copy of the property inspection report.
11. Within 1 month of the completion of the Project at the Macdonadltown site, the Proponent shall re- inspect the residential properties on Burren Street that adjoin the site. The Proponent shall:
 - a) commission a suitably qualified, experienced and independent person, to establish the condition of any buildings and other structures on the land; and
 - b) give the landowner a copy of the property inspection report.

If this independent property inspection confirms that the project has caused damage to a residential property, and both parties agree with these findings, then the Proponent shall repair the damage to the satisfaction of the Director-General.

Protection of Public Infrastructure

12. Prior to the commencement of construction at the Chullora site, the Proponent shall commission a suitably qualified, experienced and independent person to complete a dilapidation report for Worth Street. A dilapidation report shall also be prepared following completion of the works. Copies of reports are to be submitted to Bankstown Council within 1 month of completing the reports.
13. The Proponent shall:
 - a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by the project;
 - b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the project; and
 - c) protect or pay the full costs or protecting any public infrastructure that is impacted upon by the project.

Demolition

14. The Proponent shall ensure that all demolition work is carried out in accordance with *Australian Standard AS: 2601:2001 The Demolition of Structures*, or its latest version.

Operation of Plant and Equipment

15. The Proponent shall ensure that all plant and equipment used for the project is:
 - a) maintained in a proper and efficient condition; and
 - b) operated in a proper and efficient manner.

Staged Submission of Management Plans/Monitoring Programs

16. With the approval of the Director-General, the Proponent may submit any management plan or monitoring program required by this approval on a progressive basis.

Pre-Construction Compliance

17. Prior to the commencement of construction, or within such period as otherwise agreed by the Director-General, the Proponent shall certify in writing, to the satisfaction of the Director-General, that it has complied with all conditions of this approval applicable prior to the commencement of construction.

Dispute Resolution

18. In the event that a dispute arises between the Proponent and Council or a public authority other than the Department, in relation to a specification or requirement applicable under this approval, the matter must be referred by either party to the Director-General, or if not resolved, to the Minister, whose determination of

the dispute shall be final and binding to all parties. For the purpose of this condition, 'public authority' has the same meaning as provided under Section 4 of the Act.

**SCHEDULE 3
SPECIFIC ENVIRONMENTAL CONDITIONS**

CONTAMINATION AND REMEDIATION

Statutory Requirements

1. The Proponent shall carry out the project in accordance with the requirements of the:
 - a) Remedial Strategy;
 - b) RAP; and
 - c) relevant EPA Immobilisation Approval(s).

Macdonaldtown Site

2. The Proponent shall undertake the remediation works in accordance with the Site Auditor approved RAP and Remedial Strategy. Amendments to the approved Remedial Strategy required as a result of further site investigations must be approved by the Site Auditor.
3. Prior to the commencement of construction, the Proponent shall submit to the Director-General, a Remedial Works Validation Plan that has been approved by the Site Auditor.
4. Within 3 months of completion of the reinstatement of the Macdonaldtown site, the Proponent shall prepare and submit a Site Validation Report, to the satisfaction of the Director-General. The report shall be prepared in accordance with the NSW EPA (1997) *Guidelines for Consultants Reporting on Contaminated Sites* and include but not be limited to:
 - a) comments on the extent and nature of the remediation undertaken;
 - b) sampling and analysis plan and sampling methodology;
 - c) results/interpretation and discussion of results;
 - d) results of any validation sampling, compared to relevant guidelines or site auditor approved validation criteria; and
 - e) discussion of the suitability the remediated areas for intended land use.
5. Upon completion of the project, the Proponent shall demonstrate to the satisfaction of the Director-General that the Site Auditor has prepared an Interim Audit Advice letter in accordance with the requirements of the *NSW EPA Guidelines for the NSW Site Auditor Scheme* endorsing the completion of active remediation works (excluding the on-going groundwater monitoring) as detailed in the Remedial Works Validation Plan required by Condition 3, Schedule 3.

A copy of the Interim Audit Advice letter shall be submitted to the City of Sydney and the EPA within 1 month of completion of the letter.
6. Following completion of the long term groundwater monitoring program, the Proponent shall demonstrate to the satisfaction of the Director-General that the Site Auditor has prepared a Site Audit Statement and Site Audit Report and that the Macdonaldtown site is suitable for its intended use(s).

A copy of the Site Audit Statement and Site Audit Report shall be submitted to the City of Sydney and the EPA within 1 month of completion of the reports.
7. Upon completion of the project, the Proponent shall manage the Macdonaldtown site in accordance with the Long Term Environmental Management Plan required by condition 2 in schedule 4.

Chullora Site

8. Prior to commencement of construction, the Proponent shall undertake a study to establish the baseline condition of the Chullora site. The study shall be undertaken in consultation with Strathfield Council and be submitted for approval to the Director-General prior to commencement of construction.
9. Within 12 weeks of the completion of the project at the Chullora site, the Proponent shall undertake a Post Treatment Study of the Chullora site, to the satisfaction of the Director-General to ensure that the site is restored to its original condition. A copy of the study shall be submitted to Strathfield Council within 1 month of completion of the study.

SOIL

Imported Soil

10. The Proponent shall:
- ensure that only VENM or ENM or other material approved in writing by the EPA or the Site Auditor is used as fill;
 - keep accurate records of the volume and type of fill to be used; and
 - make these records available to the Department upon request.

Erosion and Sediment Control

11. The Proponent shall prepare and implement an Erosion and Sediment Control Plan for the project. The plan must be:
- be prepared in accordance with the latest version of OEH's *Managing Urban Stormwater: Soils and Construction* publication and any other relevant guidelines; and
 - detail the measures that will be employed to prevent erosion of soil and sedimentation of waterways.

NOISE AND VIBRATION

Construction Noise Criteria

12. The Proponent shall ensure that construction noise generated by the project does not exceed the criteria in Table 1.

Table 1: Construction noise criteria dB(A)

Receptor Area location	Equipment/Activity	Day dBA $L_{Aeq}(15\text{ minute})$
1 – Burren Street, Macdonaldtown	20 T excavator with bucket when operating up to 75 dB	75
	20 T excavator with bucket when operating over 75 dB	To be managed in accordance with the measures outlined in the Noise Management Plan required by Condition 15, Schedule 3
	Demolition of the northern gasholder using hydraulic hammers	
	Installation of bored piles	
	All other remediation works	75
2 – Marlene Crescent, Chullora	All remediation works	56

Notes:

- To identify the receptor areas refer to Appendix C of this approval.
- Noise generated by the project is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy.

Construction Vibration Criteria

13. The Proponent shall ensure that construction vibration generated by the project does not exceed the criteria in Table 2.

Table 2: Construction vibration criteria

Receptor Area	Human Comfort m/s ^{1.75}	Building Damage Peak particle velocity(mm/s)
Any residential dwelling	0.4	5
Heritage structures	-	3
Rail track	-	20

Hours of Work

14. The Proponent shall only carry out the project during the hours specified in Table 3, unless otherwise agreed to in writing by the Director-General.

Table 3: Hours of Work

Activity	Day	Hours
Construction	Monday – Friday	7 am – 6 pm
	Saturday	8 am – 1 pm
	Sunday & Public Holidays	Nil

Management Conditions

15. The Proponent shall, to the satisfaction of the Director-General:
- implement all reasonable and feasible noise and vibration management measures to minimise noise and vibration generated by the project; and
 - regularly assess noise and vibration monitoring data and relocate, modify, mitigate and/or stop works to ensure compliance with the relevant criteria.

Noise and Vibration Management Plan

16. The Proponent shall prepare and implement a Noise and Vibration Management Plan for the project to the satisfaction of the Director-General. This plan must:
- be approved by the Director-General prior to commencement of construction;
 - be prepared by a suitably qualified expert approved by the Director-General;
 - be prepared in consultation with the City of Sydney and in accordance with EPA guidelines;
 - describe the measures that would be implemented to ensure:
 - best management practice is being employed;
 - compliance with the relevant conditions of this approval;
 - describe the proposed noise and vibration management measures in detail;
 - include strategies that have been developed with the community for managing high noise generating works;
 - describe the community consultation undertaken to develop the strategies in f) above;
 - detail procedures for ensuring compliance with WorkCover's *Code of Practice for Managing Noise and Preventing Hearing Loss at Work* on site and at the residences in Burren Street;
 - include a monitoring program that:
 - includes a protocol for determining exceedances of the relevant conditions in this approval; and
 - evaluates and reports on the effectiveness of the noise and vibration management measures.
 - include a complaints management system that would be implemented for the duration of the project.

AIR QUALITY

Odour

17. The Proponent shall not cause the emission of offensive odours from the site, as defined under Section 129 of the POEO Act.

Air Quality Criteria

18. The Proponent shall ensure that dust generated by the project does not cause additional exceedances of the criteria listed in Tables 4, 5 and 6.

Table 4: Long term impact assessment criteria for particulate matter

Pollutant	Averaging period	Criterion
Total suspended particulate (TSP) matter	Annual	90 µg/m ³
Particulate matter < 10 µm (PM ₁₀)	Annual	30 µg/m ³

Table 5: Short term impact assessment criteria for particulate matter

Pollutant	Averaging period	Criterion
Particulate matter < 10 µm (PM ₁₀)	24 hour	50 µg/m ³

Table 6: Long term impact assessment criteria for deposited dust

Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level
Deposited dust	Annual	2 g/m ² /month	4 g/m ² /month

Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS/NZS 3580.10.1-2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.

19. The Proponent shall ensure that emissions generated by the project do not exceed the criteria listed in Table 7.

Table 7: Impact assessment criteria

Pollutant	Averaging period	Criterion
Benzo(a)pyrene	1 hour	0.4 µg/m ³

Management Conditions

20. The Proponent shall:
- implement best practice air quality management including all reasonable and feasible measures to minimise odour, fume and dust emissions generated by the project;
 - minimise any visible air pollution generated by the project;
 - limit the surface area of uncovered and untreated soil at the Chullora site to less than 150m²;
 - limit the size of excavations outside enclosures at the Macdonaldtown site to less than 400m²;
 - limit the size of stockpiles; and
 - cover all stockpiles at the Chullora site with high-density polyethylene or a similar material.

to the satisfaction of the Director-General.

Air Quality Management Plans

21. The Proponent shall implement the Air Quality Management Plans included in the EA, to the satisfaction of the Director-General.

Air Quality Monitoring

22. The Proponent shall implement the monitoring program described in the Air Quality Management Plans included in the EA, to the satisfaction of the Director-General.
23. The Proponent shall conduct daily monitoring of benzo(a)pyrene emissions:
- at the water treatment plant whilst in use;
 - at excavations external to the tented enclosure where groundwater is to remain ponded overnight; and
 - to demonstrate compliance with the criteria in condition 19.

to the satisfaction of the Director-General.

24. The Proponent shall design and implement an asbestos monitoring program for the project, to the satisfaction of the Director-General. The program shall:
- be prepared in consultation with WorkCover NSW;
 - be approved by the Director-General prior to commencement of construction;
 - detail the monitoring to be undertaken during excavation in areas known or suspected to contain asbestos;
 - describe the measures to be implemented to ensure compliance with Safe Work Australia Code of Practice for the Safe Removal of Asbestos, 2nd Edition [NOHSC: 2002(2005)], Guidance Note on the Membrane Filter Method for Estimating Airborne Asbestos Fibres [NOHSC: 3003(2005)]; and Exposure standards for atmospheric contaminants in the atmospheric environment 3rd Edition [NOHSC (1995)] or their latest versions.
25. Where monitoring indicates an exceedance of the criteria in this approval, the Proponent shall:
- review operations on site to determine the cause of the exceedance;
 - relocate, modify, mitigate and/or stop works on-site to ensure compliance with the relevant criteria; and

- c) amend the air quality management measures to avoid further exceedance of the criteria.

WATER

Water Licences

- 26. The Proponent is required to obtain the necessary water licences for the project under the *Water Act 1912* and/or the *Water Management Act 2000*.

Note: Licences are required for groundwater bores, excavations that may intercept groundwater, dewatering activities and extraction or interception of surface water.

- 27. The Proponent must secure a trade waste agreement with the Sydney Water Corporation prior to the discharge of any water to sewer.

Bunding and Storage of Liquids

- 28. The Proponent shall store all chemicals, fuels and oils used on site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, and/or the EPA's *Environmental Protection Manual: Technical Bulletin Bunding and Spill Management*.

Groundwater Management Plan

- 29. The Proponent shall prepare and implement a Groundwater Management Plan for the Macdonaldtown site to the satisfaction of the Director-General. The plan shall:
 - a) be prepared and implemented by a suitably qualified and experienced person;
 - b) be prepared in consultation with NOW;
 - c) be approved by the Site Auditor prior to commencement of construction; and
 - d) include a groundwater monitoring program consistent with the strategies of monitored natural attenuation outlined in the RAP and Remedial Strategy.

Water Treatment System

- 30. The Proponent shall design and construct a Water Treatment System for the Macdonaldtown site to the satisfaction of the Director-General. The system shall:
 - a) be designed and constructed by suitably qualified and experienced persons;
 - b) be approved by the Site Auditor prior to commencement of construction;
 - c) maximise opportunities for water reuse;
 - d) ensure any discharges comply with the relevant provisions of the POEO Act;
 - e) meet the requirements of the City of Sydney for discharge to stormwater; and
 - f) meet the requirements of Sydney Water for discharge to sewer.

HERITAGE

Southern Gasholder

- 31. The Proponent shall protect the southern gasholder throughout the project, to the satisfaction of the Director-General.

Burren Estate Heritage Conservation Area

- 32. The Proponent shall prepare and implement a Heritage Mitigation Plan, to the satisfaction of the Director-General. The plan shall:
 - a) be prepared in consultation with the City of Sydney;
 - b) be approved by the Director-General prior to commencement of construction; and
 - c) detail the measures to protect the houses on the eastern side of Burren Street located within the Burren Estate Heritage Conservation Area.

Northern Gasholder and Brick Annulus

- 33. During excavation works in the vicinity of the northern gasholder, the Proponent shall:
 - a) complete an assessment of the bricks within the upper portion of the annulus annulus of the northern gasholder to facilitate possible re-use in heritage interpretation measures at project completion; and
 - b) conduct archival recording around the northern gasholder, in accordance with Heritage Council guidelines.

34. The Proponent shall conduct archaeological monitoring during excavation around the brick annulus of the northern gasholder in accordance with Heritage Council guidelines.
35. The Proponent shall submit copies of archaeological monitoring reports and archival recording to the Heritage Council and City of Sydney within two months of finalising the reports.

Heritage Management

36. The Proponent must prepare:
 - a) heritage training and induction processes for construction personnel (including procedures for keeping records of inductions) including site identification, protection and conservation of Aboriginal and historic heritage; and
 - b) procedures for dealing with heritage items including human remains, including cessation of works in the vicinity and notification of the Department, NSW Police Force (in the case of human remains), OEH and registered Aboriginal stakeholders and not recommencing any works in the area unless authorised by the NSW Police Force and/ or the Department.

Heritage Interpretation Signage

37. Within 6 months of completion of the project, the Proponent shall install interpretive signage to document the heritage significance of the Macdonaldtown site in at least five locations surrounding the site in consultation with the Council of the City of Sydney and to the satisfaction of the Director-General.

WASTE

Waste Classification

38. The Proponent shall classify all waste in accordance with the Department of Environment, Climate Change and Water's *NSW Waste Classification Guidelines* and the relevant EPA *Immobilisation Approvals*.

Asbestos Handling and Disposal

39. The Proponent shall ensure that any asbestos encountered during construction is handled and disposed of by appropriately qualified and licensed contractors in accordance with the:
 - a) *National Occupational Health and Safety Commission (2005): Code of Practice for the Safe Removal of Asbestos (2nd Ed)(NOHSC:2002(2005))*;
 - b) *Work Health and Safety Regulation 2011*; and
 - c) *City of Sydney Asbestos Policy*.
40. Prior to commencement of any asbestos removal works, the Proponent shall notify adjoining properties in accordance with the requirements of the City of Sydney.

Waste Transport

41. The Proponent shall ensure that all waste removed from the site is transported in accordance with the POEO Act and the *Work Health and Safety Act 2011* and the Transport Code of Conduct required by Condition 40, Schedule 3.

Waste Disposal

42. The Proponent shall ensure that waste is disposed of at a facility that may lawfully accept that waste.

Waste Management Plan

43. The Proponent shall prepare and implement a Waste Management Plan for the project to the satisfaction of the Director-General. This plan must:
 - a) be approved by the Director-General prior to commencement of the project;
 - b) identify the waste streams of the project;
 - c) detail licensing requirements;
 - d) identify opportunities to minimise waste;
 - e) detail procedures to ensure that the waste generated by the project is appropriately stored, handled and disposed of;
 - f) describe waste tracking procedures to monitor the volumes of waste being generated by the project; and
 - g) include incident response procedures.

TRAFFIC AND ROADS

Traffic and Pedestrian Management Plan

44. The Proponent shall implement the Traffic and Pedestrian Management Plan included in the EA, to the satisfaction of the Director-General. Prior to the commencement of construction the plan shall be updated to include:
- a) outcomes of consultation with City of Sydney Council, Strathfield Council and RMS;
 - b) a Transport Code of Conduct and training ensuring:
 - that noisy practices are not unnecessarily undertaken on site or near sensitive receivers; and
 - that the transportation of the waste material would be managed appropriately; and
 - c) details of construction vehicle routes, number of trucks, hours of operation, access arrangements, how loads would be secured and traffic controls.

Any amendments to the plan must be submitted to the Director-General for approval, prior to implementation.

Management Conditions

45. The Proponent shall ensure that:
- a) trucks do not access the Macdonaldtown site from Burren Street unless otherwise agreed by the Director-General;
 - b) all truck movements, associated with the project, entering and exiting the Macdonaldtown site via Erskineville Road are managed by an RMS accredited traffic controller;
 - c) all trucks associated with the project have their loads covered and do not track dirt onto the public road network;
 - d) public roads used by these trucks are kept clean;
 - e) access is maintained to private properties for the duration of the project;
 - f) where possible, vehicles associated with the project park on land owned by the Proponent; and
 - g) no vehicles associated with the project shall park or queue on private land, except where the Proponent has obtained prior consent from the landowner to do so; and
 - h) vehicles do not queue on public roads.

FLORA AND FAUNA

Vegetation Clearing

46. The Proponent shall minimise vegetation clearing as far as practicable.

Vegetation Rehabilitation

47. Following re-instatement of the site, the Proponent shall:
- a) replace any trees or plants that are disturbed or removed as a result of the project by replanting with similar mature native species in consultation with the City of Sydney and Strathfield Council; and
 - b) plant trees along the western boundary of the Macdonaldtown site, in consultation with the residents on Burren Street.

SCHEDULE 4
ENVIRONMENTAL MANAGEMENT, REPORTING AND COMMUNITY INVOLVEMENT

ENVIRONMENTAL MANAGEMENT

Construction Environmental Management Plan

1. The Proponent shall prepare and implement an Environmental Management Plan for the project to the satisfaction of the Director-General. The Plan must:
 - a) be submitted to the Director-General for approval no later than one (1) month prior to the commencement of construction or demolition or within such period otherwise agreed by the Director-General;
 - b) identify the statutory approvals that apply to the project;
 - c) consolidate and document all relevant management plans and monitoring programs required in the conditions of this approval;
 - d) outline all environmental management practices and procedures to be followed during construction and demolition works associated with the project;
 - e) describe all activities to be undertaken on the site during construction of the project, including a clear indication of construction stages;
 - f) detail how the environmental performance of the construction works will be monitored, and what actions will be taken to address identified adverse environmental impacts;
 - g) describe of the roles and responsibilities for all relevant employees involved in construction and demolition works associated with the project; and
 - h) include arrangements for community consultation and complaints handling procedures during construction and demolition.

Construction of the project shall not commence until written approval of this plan has been received from the Director-General.

Long Term Environmental Management Plan

2. The Proponent shall prepare and implement a Long Term Environmental Management Plan (LTEMP), to the satisfaction of the Site Auditor. The plan shall
 - a) be approved by the Site Auditor;
 - b) submitted to the Director-General within 6 months from the reinstatement of the Macdonaldtown site, unless otherwise agreed by the Director-General;
 - c) include a description of the nature and location of any contamination remaining on site;
 - d) include provisions to manage and monitor any remaining contamination;
 - e) include a groundwater monitoring program consistent with the strategies of monitored natural attenuation outlined in the RAP;
 - f) include mechanisms to report results to relevant agencies;
 - g) identify triggers that would indicate groundwater remediation is required; and
 - h) include details of any contingency measures that the Proponent would carry out to address any ongoing groundwater contamination.

Management Plan Requirements

3. The Proponent must ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:
 - a) detailed baseline data;
 - b) a description of:
 - the relevant statutory requirements (including any relevant approval, licence or lease conditions);
 - any relevant limits or performance measures/criteria; and
 - the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the Project or any management measures;
 - c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;
 - d) a program to monitor and report on the:
 - impacts and environmental performance of the Project; and
 - effectiveness of any management measures (see c) above);
 - e) a contingency plan to manage any unpredicted impacts and their consequences;
 - f) a program to investigate and implement ways to improve the environmental performance of the Project over time;
 - g) a protocol for managing and reporting any:
 - incidents;
 - complaints;

- non-compliances with statutory requirements; and
 - exceedances of the relevant limits and/or performance measures / criteria; and
- h) a protocol for periodic review of the plan.

REPORTING

Incident Reporting

4. The Proponent shall notify the Director-General and any other relevant agencies of any incident or potential incident with actual or potential significant off-site impacts on people or the biophysical environment associated with the Project as soon as practicable after the Proponent becomes aware of the incident.
5. Within 6 days of notifying the incident, the Proponent must provide a written report to the Department, EPA and NPC that:
 - a) describes the date, time, and nature of the incident;
 - b) identifies the cause, or likely cause, of the incident; and
 - c) describes what action has been taken to date address the incident and what actions are proposed to be implemented in the future to either address the consequences of the incident or avoid a recurrence of the incident.

Revisions to Strategies, Plans and Programs

6. Within 3 months of the submission of an:
 - a) incident report under condition 4 of schedule 4;
 - b) and/or
 - c) a modification to this approval,

the Proponent must review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Director-General.

Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.

COMMUNITY INVOLVEMENT

Community Stakeholder Involvement Plan

7. The Proponent shall prepare and implement a Community Stakeholder Involvement Plan for the project to the satisfaction of the Director-General. This plan must:
 - (a) be approved by the Director-General prior to commencement of construction;
 - (b) include
 - identification of all relevant community and other stakeholders;
 - details of procedures and mechanisms used to inform the community and stakeholders of the projects progress and other issues;
 - details of how property owners directly affected by the project would be consulted;
 - processes to receive and manage feedback and complaints; and
 - project phone, email and mail contact details, including a 24 hour contact number.

Access to Information

8. From the commencement of construction, the Proponent shall make the following information publicly available on its website or a dedicated project website as it is progressively required by the approval:
 - a) a copy of all current statutory approvals;
 - b) a copy of the current plans and programs required under this approval;
 - c) a summary of the monitoring results of the project, which have been reported in accordance with the relevant conditions of this approval;
 - d) a complaints register, which is to be updated on a monthly basis; and
 - e) any other matter required by the Director-General.

APPENDIX A SITE PLANS

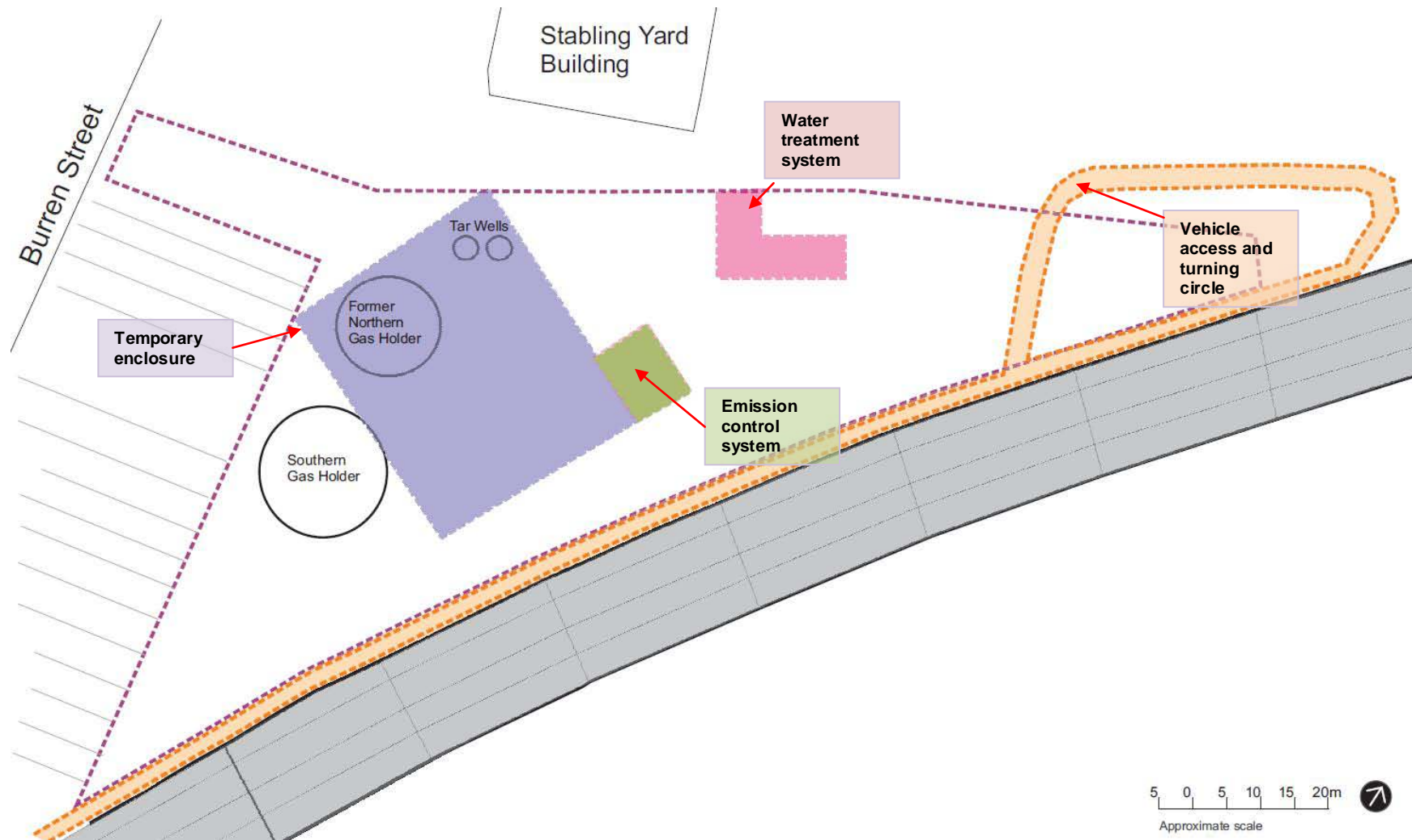


Figure 1: Macdonaldtown Site Layout



Figure 2: Chullora Site Layout

APPENDIX B STATEMENT OF COMMITMENTS

Revised Statement of Commitments

The proponent will undertake the statement of commitments identified below. The Statement of Commitments has been revised to include matters agreed to in response to submissions. Updated text or new Statement of Commitments are shown in **red text**.

Final Statement of Commitments

Issue	Ref #	Commitment
Safety	S1	Via the CEMP a Remedial Health and Safety Management Plan is to be prepared and implemented.
	S2	Licensing requirements for both Macdonaldtown and Chullora will be determined in consultation with OEH and all regulatory requirements of such licences will be complied with in undertaking the project.
	S3	Incident Management Plan is to be prepared and implemented.
Construction Management	C1	<p>A Construction Environmental Management Plan (CEMP) is to be prepared and implemented by the remediation contractor, which is to include:</p> <ul style="list-style-type: none"> Controls identified in the updated EMP (Attachment 4) Controls identified via the Statement of Commitments
	C2	<p>A sign will be erected on the boundary fence at the Macdonaldtown site, and Chullora site if utilised, during the period of the remediation works of the development which will advise of the following:</p> <ul style="list-style-type: none"> Contractor details 24 hour emergency contact details
	C3	<p>Via the CEMP works will be carried out within the following times:</p> <p>7:00 am and 6:00pm Monday to Friday</p> <p>8:00am to 1:00pm on Saturdays.</p> <p>Highly intrusive equipment shall be limited to the following operating hours:</p> <ul style="list-style-type: none"> Monday to Friday: 8:00 am to 6:00 pm Saturday: 8:00 am to 1:00 pm Sunday and Public Holidays: No work <p>Further, suitable respite periods will be negotiated with residents.</p> <p>No work shall be conducted outside the above hours unless approved by RailCorp and deemed to be crucial to the control of potential environmental emissions from the site.</p>
	C4	A dilapidation report for Worth Street, Chullora, is to be prepared by the principal contractor with copies provided to Council both before and after works.
	H1	The Southern Gasholder will be retained and protected.

Issue	Ref #	Commitment
Heritage	H2	<p>Archaeological assessment and archival recording during excavation as per recommendations 1 - 4 in the Archaeological Assessment report by City Plan Services (Appendix O). The Heritage Director for these works must:</p> <ul style="list-style-type: none"> • Meet the Heritage Council's Excavation Directors Criteria for salvage excavation on a State significant site. • Submit a statement addressing the Heritage Council's Excavation Directors Criteria, along with an appropriate Research Design and Archaeological Methodology (which includes a significance assessment of the archaeological resources on site) to the Heritage Branch of the Office of Environment & Heritage for approval, prior to works commencing. • A final excavation report is to be written by the approved Primary Excavation Director to publication standard, within one (1) year of the completion of the field based archaeological activity. This report must be submitted to the Heritage Council and must comply with Heritage Council guidelines for Archaeological Reports.
	H3	The works are to avoid any undermining or damage of the existing houses on the eastern side of Burren Street (due to heritage significance). A mitigation plan (via the CEMP) is to be prepared and implemented based on geotechnical engineer, structural engineer, and acoustic engineer recommendations.
	H4	<p>Installation of interpretative signage as per Heritage Interpretation Plan by City Plan Services (Appendix M) at:</p> <ul style="list-style-type: none"> a) Burren Street b) Eveleigh Railway Workshops (addition to existing panels) c) Macdonaldtown railway station platform (subject to railway safety considerations) d) Macdonaldtown stabling yards facility e) Macdonaldtown northern and southern gasholders <p>In addition, if it is assessed to be operationally safe and viable, RailCorp agree to install an interpretive panel on the Macdonaldtown platform to tie in with those in the tunnel and provide further context for the commuter.</p>
Flora and Fauna	F1	The CEMP is to incorporate a weed control protocol
	F2	Boundary replanting at Macdonaldtown will be undertaken in consultation with adjacent residents on Burren St with a preference for advanced native trees.
Air Quality	A1	<p>Via the CEMP implementation of air emission controls and mitigation measures identified in:</p> <ul style="list-style-type: none"> • Macdonaldtown Air Quality Management Plan (Appendix ZE) • Chullora Air Quality Management Plan (Appendix ZF)
	SW1	A Remedial Works Validation Plan is to be prepared. The Remedial Works Validation Plan is to be approved by the Site Auditor prior to implementation.
	SW2	A 'Site Audit Statement' (SAS) for the Macdonaldtown site will be obtained.

Issue	Ref #	Commitment
Soil and Water Management	SW3	A 'Baseline and Post Treatment Assessment' for the Chullora site (if this site is used) will be undertaken
	SW4	Via the CEMP a Soil Treatment Plan to demonstrate management of soil requiring remediation in a manner that achieves the objectives of the project while preventing any unacceptable risks to the surrounding environment or health of exposed populations.
	SW5	Via the CEMP a detailed Earthworks Specification (as per Pells Sullivan Meynink 2010 in Appendix W) is to be prepared and implemented.
	SW6	<p>Establishment of a Water Treatment System (WTS) at Macdonaldtown to treat water which is intercepted during the excavation and remediation process. Treated (or untreated) water is to meet criteria specified in Table 9.3 of the Remedial Strategy (JBS 2011e, Appendix I) for reuse on-site or discharge to sewer. Alternatively, discharge of water to stormwater may also occur if the water meets the criteria specified in section 8.3 of the Remedial Strategy (together with an application to City of Sydney).</p> <p>Water used at heavy vehicle wash down points (EMP09) will be treated as contaminated water and decontaminated in the same manner as other contaminated water generated at site prior to discharge.</p>
	SW7	If required, a Trade Waste Permit with Sydney Water will be obtained for discharge of water from the Wastewater Treatment System to sewer.
	SW8	A Validation Report will be prepared for the Site Auditor in accordance with NSW EPA (1997) <i>Guidelines for Consultants Reporting on Contaminated Sites</i> , and to meet requirements of the NSW DEC (2006) <i>Guidelines for the NSW Site Auditor Scheme</i> .
	SW9	Containment and Capping will only be undertaken following endorsement of the Site Auditor and will comply with the "Guidelines for the Assessment of On-Site Containment of Contaminated Soil" (ANZECC 1999).
Soil and Water Management	SW10	<p>A long term Environmental Management Plan will be prepared for the Macdonaldtown site, including a Program of Monitored Natural Attenuation (MNA), as per section 10.3.3 of the RAP (CH2M Hill 2007b, Appendix F) or subsequent Auditor approved variations.</p> <p>The long term Environmental Management Plan will also include management protocols for remnant soil impact (if any). The long term Environmental Management Plan and Program of MNA will need to be approved by the site auditor.</p> <p>Subsequent to Site Auditor endorsement a copy of the Long Term EMP is to be issued to the NSW Office of Water to demonstrate compliance with groundwater licencing (refer to commitment SW11).</p>

Issue	Ref #	Commitment
	SW11	Licences under the Water Act 1912 for all proposed groundwater monitoring wells at the Macdonaldtown site proposed to be installed as part of the remedial works will be obtained in consultation with the NSW Office of Water prior to works commencing. No unlicensed monitoring wells will be used for dewatering, and any unlicensed wells at the Macdonaldtown site will either be decommissioned or appropriately licensed with NSW Office of Water prior to the completion of the works. Any decommissioning of wells is to be undertaken in accordance with the “ <i>Minimum Construction Requirements for Water Bores in Australia</i> ” (Third Edition).
	SW12	The principal contractor will create an Erosion and Sediment Control Plan (ESCP) which forms part of the CEMP and is consistent with principles and practices of the Blue Book; All sediment and erosion controls will be carried out in accordance with Managing Urban Storm water: Soils and Construction - the Blue Book (Landcom, 2004).
Traffic	T1	Via the CEMP traffic and pedestrian management to be carried out in accordance with the recommendations in the updated Traffic and Pedestrian Management Plan prepared by Transport and Traffic Planning Associates (Attachment 5)
	T2	Via the CEMP an Incident Management Plan is to be prepared for vehicles used to transport contaminated soil, and is to include: <ul style="list-style-type: none"> • Incident preparedness and response requirements • Provisions for communication of an incident • Procedure for clearance of an incident • A review procedure to improve incident management or prevention measures
Noise	N1	Via the CEMP works will be carried out within the following times: <ul style="list-style-type: none"> • Monday to Friday: 7:00 am to 6:00 pm • Saturday: 8:00 am to 1:00 pm • Sunday and Public Holidays: No work Highly intrusive equipment shall be limited to the following operating hours: <ul style="list-style-type: none"> • Monday to Friday: 8:00 am to 6:00 pm • Saturday: 8:00 am to 1:00 pm • Sunday and Public Holidays: No work Further, suitable respite periods will be negotiated with residents. No work shall be conducted outside the above hours unless approved by RailCorp and deemed to be crucial to the control of potential environmental emissions from the site.
	N2	Via the CEMP noise mitigation measures to be implemented in accordance with the recommendations in the Macdonaldtown Noise and Vibration report (Appendix T), and Chullora Noise and Vibration report (Appendix U), prepared by Acoustic Logic

Issue	Ref #	Commitment
	N3	Via the CEMP vibration is to be monitored and managed in accordance with the Macdonaldtown Noise and Vibration report (Appendix T) prepared by Acoustic Logic
	N4	<p>Preparation of Noise and Vibration Management Plan(s) for both Macdonaldtown and Chullora (if required). Controls for the Macdonaldtown plan to include (amongst other controls):</p> <ul style="list-style-type: none"> • Community consultation to be undertaken • Incorporation of respite periods during the operation of high noise generating equipment • Enclosure of the excavation site with Polyvinyl with a minimum wall thickness of 7mm facing residential sides with no doors facing the western facade and all gaps to be acoustically sealed. • Acoustic silencers and/or external lagging for fans, extractors and generators used for the polyvinyl enclosure. • The Excavator with Hydraulic Hammer to keep a minimum of 8m distance from the nearest residential property. • CFA/Bored piling to be undertaken in lieu of impact piles to significantly reduce any vibration impacts upon the adjoining residents. • Practical management methods such as restricting the operation hours of piling, and changing the speed of CFA piling. • Vibration monitors should be installed on the heritage structure or residential properties close to the project site. SMS messages shall be sent to the site manager if the vibration to the heritage structure exceeds 2mm/s PPV.
Noise	N4 (con't)	<ul style="list-style-type: none"> • Static equipment shall be located as far as possible from noise receivers. • Smart alarms are be fitted to all vehicles operating on site. <p>Controls for the Chullora plan to include (amongst other controls):</p> <ul style="list-style-type: none"> • Community consultation to be undertaken. • Equipment shall be well maintained. • A Polyvinyl enclosure with a minimum wall thickness of 7mm shall be installed. • The ventilation system serving the enclosure shall be acoustically treated to ensure that the noise emission to the residential properties to the east boundary is less than 51 dB(A). • Static equipment shall be located as far as possible from receivers. • Smart alarms are be fitted to all vehicles operating on site. <p>The Noise and Vibration Management Plan(s) are be submitted to the Director General for approval and comment prior to the commencement of any works on-site.</p>

Issue	Ref #	Commitment
Waste	W1	Via the CEMP a Waste Management Plan (WMP) is to be prepared and implemented, and to include details on the waste tracking procedures, waste classification program, licensing requirements, disposal protocols and incident responses to be implemented.
Geotechnical	G1	Pre- and post- work dilapidation study for residential properties adjoining Macdonaldtown to assist in preventing dilapidation during remedial works.
	G2	Geotechnical and detailed Structural Engineer assessment of retaining structures, in particular in the vicinity of the Southern Gasholder and the western boundary.
Visual	V1	Via the CEMP implementation of visual mitigation measures identified in: <ul style="list-style-type: none"> • Macdonaldtown Visual Impact Assessment (Appendix X) • Chullora Visual Impact Assessment (Appendix Y)
Community Consultation	CC1	RailCorp will issue newsletters to keep the community abreast of the progress of the project.
	CC2	RailCorp will complete future consultation and information sessions as necessary to communicate the progress of the project.
	CC3	RailCorp will consult with local Macdonaldtown stakeholders on pre- and post-work dilapidation studies for these adjoining properties
Community Consultation	CC4	A 'Communications and Community Relations Strategy' for both the Macdonaldtown and the Chullora site will be prepared. The strategy will identify all relevant community and other stakeholders and outline: <ul style="list-style-type: none"> • Details of procedures and mechanisms used to inform the community and stakeholders of the projects progress and other issues • Details of how property owners directly affected by the project would be consulted • Processes to receive and manage feedback and complaints • Project phone, email, and mail contact details, including a 24 hour contact number.

APPENDIX C NOISE RECIEVER LOCATIONS



Figure 1: Noise Receiver Locations – Burren Street, Macdonaldtown



Figure 2: Noise Receiver Locations – Marlene Crescent, Chullora