

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

I approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.



Brad Hazzard MP
MINISTER FOR PLANNING AND INFRASTRUCTURE

06 DEC 2013

Sydney

2013

SCHEDULE 1

Project Approval:

MP 10_0111 granted by the Minister for Planning and Infrastructure on 16 February 2011.

For the following:

An Inner West extension of 5.6 kilometres along the disused Rozelle goods line corridor from Lilyfield to Dulwich Hill, including a GreenWay walking and cycling path, and nine new stops:

- Leichhardt North stop;
- Hawthorne stop;
- Marion stop;
- Taverners Hill stop;
- Lewisham West stop;
- Waratah Mills stop;
- Arlington stop;
- Dulwich Grove stop; and
- Dulwich Hill Interchange stop.

Modification:

Two modifications to condition B18 – Revegetation and Biodiversity Compensation and Monitoring Package, to:

- Allow provision of indirect offsets due to the infeasibility of compensating all impacts through direct compensation; and
- Limit the management and protection timeframe from 'in-perpetuity' to 'long term'.

SCHEDULE 2 CONDITIONS

PART A – ADMINISTRATIVE CONDITIONS

Terms of Approval

Delete condition A1 and replace with the following:

- A1 The Proponent shall carry out the project generally in accordance with the:
- (a) Major Project Application 10_0111;
 - (b) *Sydney Light Rail Extension Stage 1 – Inner West Extension* (two volumes), prepared by Parsons Brinkerhoff for Transport NSW and dated October 2010;
 - (c) *Sydney Light Rail Extension Stage 1 – Inner West Extension – Submissions Report*, prepared by Parsons Brinkerhoff for Transport NSW and dated December 2010;
 - (d) *Inner West Light Rail Extension – Condition B18 – Revegetation and Biodiversity Compensation and Monitoring Package – Request for Modification* dated 18 September 2013; and
 - (e) conditions of this approval.

Delete condition A2 and replace with the following:

- A2 In the event of an inconsistency between:
- (a) the conditions of this approval and any document listed from condition A1a) to A1d) inclusive, the conditions of this approval shall prevail to the extent of the inconsistency; and
 - (b) any of the documents listed from condition A1a) to A1d) inclusive, the most recent document shall prevail to the extent of the inconsistency.

PART B – ENVIRONMENTAL CONDITIONS

Biodiversity

Delete condition B18 and replace with the following:

- B18 The Proponent shall develop and implement a **Revegetation and Biodiversity Compensation and Monitoring Package** to outline how ecological impacts will be compensated for and habitat monitored within the corridor, Bushcare and other appropriate sites.

The Package shall be prepared and submitted to the Director-General for approval prior to construction, unless otherwise agreed by the Director-General, and in consultation with DECCW, relevant Councils, the GreenWay Sustainability Project, the GreenWay Steering Committee and the IWEG, and have consideration of the *Greenway Revegetation and Bushcare Plan*. The Package should ensure that all vegetation loss, including native vegetation and weeds, is offset by an equivalent area of regeneration of replanting, or indirect offsets, and include:

- (a) the identification of the extent and types of habitat impacts and habitat loss or degradation as a result of the final design of the project;
- (b) the objectives and biodiversity outcomes to be achieved through impact mitigation and compensation measures;
- (c) details of impact mitigation measures, including infrastructure designs that facilitate fauna movements;
- (d) details of the offset measures selected to compensate for the loss of vegetation, including the identification of potential Bushcare sites;
- (e) measures for the management, protection and monitoring of the compensatory sites, including the:
 - (i) monitoring of the condition of fauna and flora species and ecological communities at offset locations;
 - (ii) the methodology for the monitoring program(s), including the number and location of monitoring sites, and the sampling frequency at these sites;
 - (iii) provisions for the annual reporting of the monitoring results for a set period of time as determined in consultation with the DECCW; and
- (f) timing and responsibilities for the implementation of the provisions of the Package.

Any land offset must be enduring and include a long term conservation mechanism which protects and manages the land. The long term conservation mechanism should include details of agreement with the relevant landowner, and include the time period for conservation, funding requirements, maintenance arrangements and frequency. Should agreement with the landowner not be able to be reached, dispute resolution shall be facilitated by the Department of Planning and Infrastructure.

Where monitoring shows inadequate compensatory habitat results, remedial actions must be undertaken to ensure that the objectives of the Package are achieved.