

Sydney Metro West – Rail infrastructure, stations, precincts and operations Conditions of Approval

Infrastructure approval

Section 5.19 of the *Environmental Planning & Assessment Act 1979*

I grant approval to the carrying out of the Critical State significant infrastructure (CSSI) referred to in Schedule 1, subject to the conditions in Schedule 2.



The Hon. Anthony Roberts
Minister for Planning

25/1/22

Sydney

SCHEDULE 1

Application no.:	SSI 22765520
Proponent:	Sydney Metro
Approval Authority:	Minister for Planning
Land:	Land in the local government areas of Cumberland, City of Parramatta, City of Canada Bay, Strathfield, Burwood, Inner West and City of Sydney.
Description of CSSI:	<p>Development of the Sydney Metro West project comprising:</p> <ul style="list-style-type: none">• new passenger rail infrastructure between Westmead and the central business district (CBD) of Sydney, including:<ul style="list-style-type: none">◦ tunnels, stations (including surrounding areas) and associated rail facilities, and◦ stabling and maintenance facilities (including associated underground and overground connections to tunnels), and• modification of existing rail infrastructure (including stations and surrounding areas),• construction of certain development at Burwood North Station and The Bays Station, and• ancillary development. <p>The development does not include the following:</p> <ul style="list-style-type: none">• surveys, test drilling, test excavations, geotechnical or contamination investigations or other tests, surveys, sampling or investigation for the purposes of the design or assessment of the Sydney Metro West project, and• the relocation or upgrade of existing roads, intersections or parking areas that:<ul style="list-style-type: none">◦ is carried out on land identified as being within the Bays Precinct Site on the State Significant Development Sites Map of the <i>State Environmental</i>

Planning Policy (Planning Systems) 2021, and

- is the subject of a determination under Division 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Staged CSSI

The proposal is for a staged CSSI by virtue of section 5.20 of the EP&A Act.

Description of Stage 3 of the CSSI:

Stage 3 of the CSSI, including tunnel fit-out, station building and fit-out, operation and maintenance of the line between Westmead and Sydney CBD.

Declaration as CSSI

The proposal is CSSI by virtue of Schedule 5, section 2.15 of *State Environmental Planning Policy (Planning Systems) 2021*.

TABLE OF CONTENTS

SCHEDULE 1	2
DEFINITIONS	6
SUMMARY OF REPORTING REQUIREMENTS	12
SCHEDULE 2	16
PART A	16
ADMINISTRATIVE CONDITIONS	16
GENERAL	16
TIMING and APPROVALS	18
PHASING	18
ANCILLARY FACILITIES	19
SITE ESTABLISHMENT WORK	19
INDEPENDENT APPOINTMENTS	20
ENVIRONMENT REPRESENTATIVE	22
ACOUSTICS ADVISOR	23
NOTIFICATION OF COMMENCEMENT	24
INDEPENDENT ENVIRONMENTAL AUDIT	24
INCIDENT AND NON-COMPLIANCE NOTIFICATION AND REPORTING	25
IDENTIFICATION OF PROJECT	25
PART B	26
COMMUNITY INFORMATION AND REPORTING	26
COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT	26
COMPLAINTS MANAGEMENT SYSTEM	26
PROVISION OF ELECTRONIC INFORMATION	27
PART C	29
CONSTRUCTION ENVIRONMENTAL MANAGEMENT	29
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN	29
CONSTRUCTION MONITORING PROGRAMS	31
PART D	33
OPERATIONAL ENVIRONMENTAL MANAGEMENT	33
OPERATIONAL ENVIRONMENTAL MANAGEMENT	33
PART E	35
KEY ISSUE CONDITIONS	35
AIR QUALITY	35
FLOODING	35
HERITAGE	37
NOISE AND VIBRATION	39
PLACE, DESIGN AND VISUAL AMENITY	47
LAND USE AND PROPERTY	54
SOCIAL IMPACTS	54

BUSINESS IMPACTS	55
SOILS AND CONTAMINATION	56
SUSTAINABILITY	58
TRAFFIC AND TRANSPORT	58
UTILITIES MANAGEMENT	64
WASTE	64
WATER	65
APPENDIX A	67
Burwood North metro station precinct	67
APPENDIX B	68
WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS	68

DEFINITIONS

The definitions below apply to terms used in this approval, unless otherwise stated or the context indicates otherwise.

Table 1: Definitions

Term	Definition
AA	The Acoustics Advisor for the CSSI approved by the Planning Secretary
Aboriginal object	The same meaning as in the <i>National Parks and Wildlife Act 1974</i> (NSW)
Additional Station Development	Development at the Burwood North and The Bays metro station precincts comprising commercial premises, health service facilities and information and education facilities, except commercial premises, health services facilities and information and education facilities on land identified as Lot 1 (as shown in Appendix A) at the Burwood North metro station precinct
AEP	Annual Exceedance Probability
AHIMS	Aboriginal Heritage Information Management System
Ancillary facility	A temporary facility for construction of the CSSI including an office and amenities compound, construction compound, material crushing and screening plant, materials storage compound, maintenance workshop, testing laboratory, material stockpile area and parking facilities
At-property treatment	Includes building treatments and courtyard walls. Building treatments may include but are not limited to ventilation, glazing, window and door seals, sealing of vents and underfloor areas as described in Appendix B of <i>At Receiver Noise Treatment Guideline</i> (Roads and Maritime Services, 2017) and other treatments including, but not limited to, noise curtains, shutters and secondary glazing.
BC Act	<i>Biodiversity Conservation Act 2016</i> (NSW)
CBD	Central business district
CEMF	Construction Environmental Management Framework
CEMP	Construction Environmental Management Plan
CNVS	Construction Noise and Vibration Standard
Completion of construction	The date upon which construction of Stage 3 of the CSSI is completed and all construction-related requirements of the Planning Secretary (if any) have been met. If construction is phased, completion of construction of a certain phase of Stage 3 of the CSSI is the date upon which construction is completed and all construction-related requirements of the Planning Secretary (if any) have been met, in respect of that phase of construction of Stage 3 of the CSSI.
Construction	Includes all work required to construct Stage 3 of the CSSI as described in the documents listed in Condition A1 including commissioning trials of equipment and temporary use of any part of the CSSI, but excluding Low Impact Work

Term	Definition
Construction Boundary	The area physically affected by work as described in the documents listed in Condition A1
CSSI	The critical State Significant Infrastructure, as described in Schedule 1 , the carrying out of which is approved under the conditions of this approval
CTMF	Construction Traffic Management Framework
CTMP	Construction Traffic Management Plan
Department	NSW Department of Planning and Environment
DNVIS	Detailed Noise and Vibration Impact Statement(s)
DPE Environment & Heritage	Environment and Heritage Group of the Department
DPE Water	Water Group of the Department
DPI Fisheries	NSW Department of Primary Industries, Fisheries
EIS	The Environmental Impact Statement referred to in Condition A1 , submitted to the Planning Secretary seeking approval to carry out the development described in it, as revised if required by the Planning Secretary under the EP&A Act, and including any additional information provided by the Proponent in support of the application for approval of the project.
EMS	Environmental Management System
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> (NSW)
EPA	NSW Environment Protection Authority
EPL	Environment Protection Licence under the POEO Act
ER	The Environmental Representative(s) for the CSSI approved by the Planning Secretary
Environment	Includes all aspects of the surroundings of humans, whether affecting any human as an individual or in his or her social groupings
Environmental Representative Protocol	The document of the same title published by the Department of Planning, Industry and Environment (now the Department) dated October 2018
Heavy Vehicle	Has the same meaning as in the <i>Heavy Vehicle National Law</i> (NSW)
Heritage Council	Heritage Council of NSW
Heritage item	A place, building, work, relic, archaeological site, tree, movable object or precinct of heritage significance, that is listed under one or more of the following registers: the State Heritage Register under the <i>Heritage Act 1977</i> (NSW), a state agency heritage and conservation register under section 170 of the <i>Heritage Act 1977</i> (NSW), a Local Environmental Plan under the EP&A Act, the World, National or Commonwealth Heritage lists under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth), and an “Aboriginal object” or “Aboriginal place” as defined in section 5 of the <i>National Parks and Wildlife Act 1974</i> (NSW)
Heritage NSW	Environment and Heritage Group of the Department – Heritage NSW
Highly noise affected	As defined in the <i>Interim Construction Noise Guideline</i> (DECC, 2009)

Term	Definition
Highly noise intensive work	<p>Work which is defined as annoying under the <i>Interim Construction Noise Guideline</i> (DECC, 2009) including:</p> <ul style="list-style-type: none"> (a) use of power saws; (b) grinding metal, concrete or masonry; (c) rock drilling; (d) line drilling; (e) vibratory rolling; (f) bitumen milling or profiling; (g) jackhammering, rock hammering or rock breaking; (h) impact piling; and (i) rail tamping and regulating. <p><i>Note: Power saws include those used for cutting timber, rail lines, masonry, road pavement or steel work.</i></p>
ICNG	<i>Interim Construction Noise Guideline</i> (DECC, 2009)
Incident	<p>An occurrence or set of circumstances that causes or threatens to cause material harm and which may or may not be or cause a non-compliance with the conditions of this approval.</p> <p><i>Note: "material harm" is defined in this approval</i></p>
Land	Has the same meaning as the definition of the term in section 1.4 of the EP&A Act
Landowner	Has the same meaning as "owner" in the <i>Local Government Act 1993</i> (NSW) and in relation to a building means the owner of the building
Local road	Any road that is not defined as a classified road under the <i>Roads Act 1993</i> (NSW)
Low Impact Work	<p>Includes:</p> <ul style="list-style-type: none"> (a) survey work including carrying out general alignment survey, installing survey controls (including installation of global positioning systems (GPS)), installing repeater stations, carrying out surveys of existing and future utilities and building and road dilapidation surveys; (b) investigations including investigative drilling, contamination investigations and excavation; (c) site establishment work approved under a Site Establishment Management Plan; (d) use of ancillary facilities if the ER has determined the operational activities will have minimal impact on the environment and community; (e) minor clearing and relocation of native vegetation, as identified in the documents listed in Condition A1; (f) installation of mitigation measures including erosion and sediment controls, temporary exclusion fencing for sensitive areas and acoustic treatments; (g) property acquisition adjustment work including installation of property fencing, and relocation and adjustments of utilities to property including water supply and electricity; (h) relocation and connection of utilities where the relocation or connection has a minor impact to the environment as determined by the ER; (i) archaeological testing under the <i>Code of practice for archaeological investigation of Aboriginal objects in NSW</i> (DECCW, 2010) or as identified in the documents listed in

Term	Definition
	<p>Condition A1 or archaeological monitoring undertaken in association with (a) - (h) above;</p> <p>(j) archaeological testing for historical archaeological resources to identify and seek to reduce impact on state significant archaeology where it is proposed, ahead of construction or in association with (a) - (h) above;</p> <p>(k) maintenance of existing buildings and structures required to facilitate the carrying out of the CSSI; and</p> <p>(l) other activities determined by the ER to have minimal environmental impact, which may include but not be limited to construction of minor access roads, temporary relocation of pedestrian and cycle paths and the provision of property access.</p> <p>However, where Heritage items on the State heritage register, areas of known or expected archaeological potential, or threatened species or threatened ecological communities (within the meaning of the BC Act) are affected* by Low Impact Work, that work is construction, unless otherwise determined by the Planning Secretary in consultation with Heritage NSW, DPE Environment & Heritage Group or DPI Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation).</p> <p>*Note: Impacts due to Low Impact Work on Heritage items on the State Heritage Register must not be greater than “little to no impact” as defined in Heritage NSW <i>Material Threshold Policy</i>.</p> <p>The Low Impact Work described in this definition and commenced after the approval or endorsement of the relevant CEMP is considered construction with the approval or endorsement of that CEMP.</p> <p>Where Low Impact Work has already commenced, this is considered to remain as Low Impact Work and is managed in accordance with the framework under which it commenced.</p> <p>Any Low Impact Work conducted during night time hours (as defined by the ICNG) that exceeds noise management and vibration levels as identified in Condition E27(b) is not Low Impact Work.</p>
Material harm	<p>is harm that:</p> <p>(a) involves actual or potential harm to the health or safety of human beings or to the environment that is not trivial, or</p> <p>(b) results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, (such loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment).</p>
Minister	NSW Minister for Planning
NML	Noise Management Level as defined in the ICNG
Non-compliance	An occurrence or set of circumstances or development that is a breach of this approval
NSW WQO	<i>NSW Water Quality Objectives</i>
OEMP	Operational Environmental Management Plan

Term	Definition
Operation	The commencement of paid services of the CSSI. If operation is phased, commencement of operation of a certain phase of Stage 3 of the CSSI is the date upon which paid services commences for that phase of Stage 3 of the CSSI
Project Process	Any strategy, plan, procedure, panel, system, protocol, archaeological research design and program required to be endorsed by an ER and / or approved by the Planning Secretary
Planning Secretary	Planning Secretary of the Department (or nominee, whether nominated before or after the date on which this approval was granted)
POEO Act	<i>Protection of the Environment Operations Act 1997</i> (NSW)
Proponent	The person identified as such in Schedule 1 of this approval and any other person carrying out any part of the CSSI from time to time
RAPs	Registered Aboriginal Parties
RBL	Rating background noise level
Relevant Council(s)	Any or all, as relevant, Cumberland, City of Parramatta, City of Canada Bay, Strathfield, Burwood, Inner West or City of Sydney councils
Relevant Roads Authority	The same meaning as the roads authority defined in the <i>Roads Act 1993</i> (NSW)
SAQP	Sampling and Analysis Quality Plan
SDPP	Station Design and Precinct Plan
Sensitive land use(s)	Includes residences, educational institutions (including preschools, schools, universities, TAFE colleges), health care facilities (including nursing homes, hospitals), religious facilities (including churches), child care centres and passive recreation areas (including outdoor grounds used for teaching). Receivers that may be considered to be sensitive include commercial premises (including film and television studios, research facilities, entertainment spaces, temporary accommodation, restaurants, office premises, and retail spaces) and industrial premises as identified by the Planning Secretary. <i>Note: For the purpose of determining appropriate mitigation, a multistorey residential flat building must not be counted as one sensitive receiver.</i> <i>Note: Temporary accommodation as set out in this definition includes caravan parks and camping grounds.</i>
SES	NSW State Emergency Services
SHR	State Heritage Register
SIAG	<i>Social Impact Assessment Guideline</i> (Department of Planning, Industry and Environment, November 2021)
SLEP	Sydney Local Environmental Plan 2012
SMART principles	Specific, Measurable, Achievable, Realistic, and Timely
SOPA	Sydney Olympic Park Authority
Stage 3	As described by the documents listed in Condition A1
Submissions Report	The Proponent's response to issues raised in submissions received during exhibition of the EIS

Term	Definition
TBM	Tunnel Boring Machine
TfNSW	Transport for NSW
Tree	Long lived woody perennial plant greater than (or usually greater than) 3 metres in height with one or relatively few main stems or trunks (AS4373-2007 Pruning of amenity trees)
Ultimate service	Operational service of 30 trains per hour in each direction
Unexpected heritage find	An object or place that is discovered during the carrying out of the CSSI and which may be a Heritage item but was not identified in the documents listed in Condition A1 or suspected to be present. An unexpected heritage find does not include human remains.
Work	Any physical work to construct or facilitate the construction of Stage 3 of the CSSI, including Low Impact Work , environmental management measures and utility work

SUMMARY OF REPORTING REQUIREMENTS

Reports and notifications that must be provided to the Planning Secretary under the conditions of this approval are listed in **Table 2**. Note that under **Condition A11** of this approval the Proponent may seek the Planning Secretary's agreement to a later timeframe for submission (other than in relation to the immediate written notification of an incident required under **Condition A11**).

Table 2: Reports and Notifications that must be submitted to the Planning Secretary

Condition	Report / Notification	Timing ¹	Purpose
Part A – Administrative			
A15	Phasing Report	One month before the lodgement of any CEMP or CEMP Sub-plan for the first of the proposed phases of construction (or if only phased operation is proposed, one month before the commencement of operation of the first of the proposed phases of operation)	Information
A19	Revised Phasing Report	Before the proposed change in the phasing	Information
A30	Environmental Representative	Before the commencement of work	Approval
A33	Environmental Representative Monthly Report(s)	Within seven (7) days following the end of each month for the duration of the ER's engagement	Information
A36	Acoustic Advisor	Before the commencement of work	Approval
A44	Independent Auditors	Before the commencement of an Independent Audit	Approval
A46	Independent Audit Reports and Proponent's response	Within two months of undertaking the independent audit site inspection	Information
A47	Notification of incident	Immediately upon becoming aware of the incident	Notification
A49	Subsequent written notification of an incident	Subsequent written notification and an incident report are required seven days after the Proponent became aware of the incident and 30 days after the date on which the incident occurred, respectively	Information
A50	Notification of non-compliance	Within seven days after becoming aware of a non-compliance	Notification
Part B - Communication Information and Reporting			
B1	Overarching Community Communication Strategy	If updated, within seven days of its revision	Information
B6	Complaints Register	Upon request from the Planning Secretary	Information
Part C - Construction Environmental Management			
C2 C4	CEMP(s) (except for any expressly	One month before the commencement of construction or where construction is phased	Approval

¹ Where a project is phased, all required approvals must be obtained before the commencement of the relevant phase.

Condition	Report / Notification	Timing ¹	Purpose
	nominated by the Planning Secretary to be endorsed by the ER only)	no later than one month before the commencement of that phase	
C7 C9	CEMP Sub-plan(s) (except for any expressly nominated by the Planning Secretary to be endorsed by the ER only)	One month before the commencement of construction or where construction is phased no later than one month before the commencement of that phase	Approval
C18 C19	Construction Monitoring Program(s) (except for any expressly nominated by the Planning Secretary to be endorsed by the ER only)	One month before the commencement of construction or where construction is phased no later than one month before the commencement of that phase	Approval
C21	Construction Monitoring Report(s)	As specified in Construction Monitoring Programs	Information
Part D - Operation Environmental Management			
D7	OEMP or EMS	One month before the commencement of operation	Information
D6	OEMP Sub-plan(s)	One month before the commencement of operation as part of the OEMP	Information
Part E – Key Issues			
Heritage			
E19	Excavation Director	Before the commencement of archaeological excavation	Approval
E20	Annotated index and reference of all archival recordings, historical research, archaeological excavations and other heritage documents	24 months after the completion of all relevant work	Information
Noise and Vibration			
E27	Variation of Work Hours	On becoming aware of the need for emergency work	Information
E28	Out-of-Hours Work Protocol	Before the commencement of out-of-hours work	Approval
E33	Detailed Noise and Vibration Impact Statements	Upon request	Information
E44	Out-of-Hours Works – Community Consultation on Respite	Upon completion of the outcomes of community consultation and before the out-of-hours works commence	Information

Condition	Report / Notification	Timing ¹	Purpose
E50	Operational Noise and Vibration Compliance Report	Within 60 days of completing the operational monitoring	Information
Place, Design and Visual Amenity			
E51	DRP Review	Before the submission of the SDPP upon request	Information
E65	Endorsed DRP Terms of Reference	Before the forming of the DRP	Information
E68	DRP advice and recommendations	Submitted when submitting the final SDPP(s) and Clyde Landscape Masterplan	Information
E70	Station Design and Precinct Plan(s)	One month before commencement of construction of permanent built surface works and / or landscaping in the area which the plan applies	Information
E73	Clyde Landscape Masterplan	One month before commencement of construction of permanent built surface works and / or landscaping in the area which the plan applies	Information
E76	Operational Maintenance	Following the transfer of the asset(s) to the relevant authority	Information
Socio-economic, Land Use and Property			
E85	Community Communication Strategy(s)	Before construction	Information
E86	Community Benefit Plan(s)	Before construction	Information
E86	Community benefit impact register	Upon request	Information
Business			
E90	Small Business Owners Engagement Plan(s)	Before construction at the relevant construction site	Information
Soils and Contamination			
E95	Detailed Site Investigation Report(s)	As soon as practicable following the completion of the Detailed Site Investigations	Information
E97	Remedial Action Plan(s), Section B Site Audit Statement or interim audit advice	Before commencing remediation upon request	Information
E98	Revised Remedial Action Plan	If applicable, upon request	Information

Condition	Report / Notification	Timing ¹	Purpose
E99	Section A1 or A2 Site Audit Statement (including Environmental Management Plan) and Site Audit Report	After remediation and before the commencement of operation	Information
Traffic and Transport			
E103	Construction Traffic management Plan(s)	Submitted before the commencement of construction in the area identified and managed within the plan	Information
E104	Use of local roads used by Heavy Vehicles	Before the use of the relevant local roads	Approval
E109	Construction Parking and Access Strategy	One month before the commencement of construction that reduces the availability of existing parking	Approval
E117	Road Safety Audits	Upon request	Information
E124	Delivery and implementation program in the Interchange Access Plan(s)	Before commencement of construction of permanent aboveground facilities	Approval
E141	Revised Groundwater Modelling report	Before bulk excavation for the underground concourse at Westmead metro station and for the basements at Parramatta metro station	Information

*Note: **Table 2** is not a condition of this approval. If there is an inconsistency between a requirement in **Table 2** and a requirement in a condition, the requirement of the condition prevails.*

SCHEDULE 2

PART A

ADMINISTRATIVE CONDITIONS

GENERAL

- A1 The Proponent must carry out the CSSI in accordance with the conditions of this approval and generally in accordance with the:
- (a) *Sydney Metro West – Rail infrastructure, stations, precincts and operations – Environmental Impact Statement* dated March 2022; and
 - (b) *Sydney Metro West – Rail infrastructure, stations, precincts and operations – Submissions Report* dated August 2022.
- A2 The CSSI must only be carried out in accordance with all procedures, commitments, preventative actions, performance criteria and mitigation measures set out in the documents listed in **Condition A1** unless otherwise specified in, or required under, this approval.
- A3 In the event of an inconsistency between:
- (a) the conditions of this approval and any document listed in **Condition A1**, the conditions of this approval will prevail to the extent of the inconsistency; and
 - (b) different documents listed in **Condition A1**, the most recent document will prevail to the extent of the inconsistency.
- Note: For the purpose of this condition, there will be an inconsistency between a condition of this approval and any document if it is not possible to comply with both the condition and the document.*
- A4 In the event that there are differing interpretations of the conditions of this approval, including in relation to a condition of this approval, the Planning Secretary's interpretation is final.
- A5 The Proponent must comply with all written requirements or directions of the Planning Secretary, including in relation to:
- (a) the environmental performance of the CSSI;
 - (b) any document or correspondence in relation to the CSSI;
 - (c) any notification given to the Planning Secretary under the conditions of this approval;
 - (d) any audit of the CSSI;
 - (e) the conditions of this approval and compliance with the conditions of this approval (including anything required to be done under this approval);
 - (f) the carrying out of any additional monitoring or mitigation measures; and
 - (g) in respect of ongoing monitoring and management obligations, compliance with an updated or revised version of a guideline, protocol, Australian Standard or policy required to be complied with under this approval.
- A6 Where the conditions of this approval require a document or monitoring program to be prepared, or a review to be undertaken in consultation with identified parties, evidence of the consultation undertaken must be submitted to the Planning Secretary with the document. The evidence must include:
- (a) documentation of the engagement with the party(s) identified in the condition of approval that has occurred before submitting the document for approval;
 - (b) a log of the dates of engagement or attempted engagement with the identified party(s) and a summary of the issues raised by it;

- (c) documentation of the follow-up with the identified party(s) where feedback has not been provided to confirm whether the party(s) has feedback or has failed to provide feedback after repeated requests;
- (d) outline of the issues raised by the identified party(s) and how they have been addressed; and
- (e) a description of the outstanding issues raised by the identified party(s) and the reasons why they have not been addressed.

*Note: Consultation with the community and businesses must be undertaken in accordance with the Overarching Community Communication Strategy required under **Condition B1**.*

- A7 This approval lapses five (5) years after the date on which it is granted, unless work has physically commenced on or before that date.
- A8 References in the conditions of this approval to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Australian Standards, or policies in the form they are in as at the date of this approval, unless otherwise approved by the Planning Secretary including any written requirement or direction of the Planning Secretary as set out in **Condition A5**.
- A9 Notwithstanding the requirement of any condition of this approval, the Proponent may adopt any existing Project Process endorsed by the **ER** or approved by the Planning Secretary to satisfy a condition of this approval.

Where a Project Process for SSI 10038, SSI 19238057 or SSI 7400 has been adopted to satisfy a condition of this approval, the Proponent must identify which condition under the aforementioned approvals the Project Process is adopted from.

The Planning Secretary shall nominate that any Project Process adopted to satisfy a condition of this approval must either be endorsed by the ER and / or submitted to the Planning Secretary for approval.

For the purposes of this condition, the term 'Planning Process' is taken to mean any strategy, plan, procedure, panel, system, protocol, archaeological research design and program required to be completed to satisfy a condition of this approval or for SSI 10038, SSI 19238057 or SSI 7400.

- A10 Notwithstanding **Condition A9**, where the following was approved by the Planning Secretary to satisfy the requirements of SSI 10038, SSI 19238057 or SSI 7400, further approval from the Planning Secretary is not required for the CSSI where the same individual, company or document is nominated:
 - (a) Environmental Representative;
 - (b) Acoustics Advisor;
 - (c) Excavation Director;
 - (d) Community Communication Strategy; or
 - (e) Out-of-Hours Work Protocol.

The Proponent must notify the Planning Secretary of the appointment of an individual, company or application of a document and state which condition in SSI 10038, SSI 19238057 or SSI 7400 the individual, company or application of a document was approved / endorsed to satisfy.

The Planning Secretary is entitled at any time to withdraw support for any of the Independent Appointment in accordance with **Condition A29**.

TIMING and APPROVALS

- A11 Any document that must be submitted or action taken within a timeframe specified in or under the conditions of this approval may be submitted or undertaken within a later timeframe agreed in writing with the Planning Secretary. This condition does not apply to the written notification required in respect of an incident under **Condition A50**.
- A12 Any document or similar that must be prepared under the conditions of this approval may be prepared and where applicable submitted for multiple phases of the CSSI, if agreed by the Planning Secretary.
- A13 Without limitation, all strategies, plans, programs, reviews, audits, report recommendations, protocols and the like required by the conditions of this approval must be implemented by the Proponent and in accordance with all requirements issued by the Planning Secretary.
- A14 For documents that are required to be submitted to the Planning Secretary / Department for information under **Condition A33(d)(ii)**, the documents must be submitted as soon as practicable to the Planning Secretary / Department after endorsement by the **ER**, unless otherwise agreed by the Planning Secretary.

PHASING

- A15 The CSSI may be constructed and operated in phases. Where phased construction and / or operation is proposed, a **Phasing Report** must be prepared and submitted to the Planning Secretary for information no later than one (1) month before the lodgement of any **CEMP** or **CEMP Sub-plan** for the first of the proposed phases of construction (or if only phased operation is proposed, one (1) month before the commencement of operation of the first of the proposed phases of operation), unless otherwise agreed with the Planning Secretary.
- A16 The **Phasing Report** must:
- (a) set out how the construction of the whole of the CSSI will be phased, including details of work and other activities to be carried out in each phase and the general timing of when construction of each phase will commence and finish;
 - (b) if phased operation is proposed, set out how the operation of the whole of the CSSI will be phased, including details of activities to be carried out in each phase and the general timing of when operation of each phase will commence and finish (if relevant);
 - (c) specify the relevant conditions that apply to each phase and how compliance with conditions will be achieved across and between each of the phases of the CSSI;
 - (d) set out mechanisms for managing cumulative impacts arising from the proposed phasing; and
 - (e) for the purposes of informing **Conditions C3, C7 and C16**, include an assessment of the predicted level of environmental risk and potential level of community concern posed by the construction activities required to construct each phase of the CSSI.

With respect to **(e)** above, the risk assessment must use an appropriate process consistent with AS/NZS ISO 31000: 2018; Risk Management - Principles and Guidelines and must be endorsed by the **ER**.

- A17 The CSSI must be phased in accordance with the **Phasing Report**, as submitted to the Planning Secretary.
- A18 Where phasing is proposed, the conditions of this approval that apply or are relevant to the work or activities to be carried out in a specific phase must be complied with at the relevant time for that phase.

- A19 Where changes are proposed to the phasing of construction or operation, a revised **Phasing Report** must be prepared and submitted to the Planning Secretary for information before the commencement of changes to the phasing.
- A20 With the agreement of the Planning Secretary, the Proponent may submit any strategies, plans or programs required by this approval on a progressive basis within each phase of the CSSI.

Notes:

1. *While any strategy, plan or program may be submitted on a progressive basis, the Proponent must ensure that the existing activities on site are covered by suitable strategies, plans or programs at all times; and*
2. *If the submission of any strategy, plan or program is to be submitted on a progressive basis, then the relevant strategy, plan or program must clearly describe the activities to which the strategy, plan or program applies, the relationship of these activities to future activities within the phase, and the trigger for updating the strategy, plan or program.*

ANCILLARY FACILITIES

Ancillary facilities

- A21 Ancillary facilities that are not identified by description and location in the documents listed in **Condition A1** can only be established and used in each case if:

- (a) they are located within or immediately adjacent to the Construction Boundary; and
- (b) they are not located next to sensitive land use(s) (including where an access road is between the facility and the land use), unless the landowner and occupier have given written acceptance to the carrying out of the relevant facility in the proposed location; and
- (c) they have no impacts on Heritage items (including areas of archaeological sensitivity), threatened species, populations or ecological communities beyond the impacts approved under the conditions of this approval; and
- (d) the establishment and use of the facility can be carried out and managed within the outcomes set out in the conditions of this approval, including in relation to environmental, social and economic impacts.

*Note: This condition does not apply to any ancillary facilities or work that are exempt or complying development, established before the commencement of construction under this approval or minor ancillary facilities established under **Condition A24**.*

SITE ESTABLISHMENT WORK

Site Establishment Management Plan

- A22 Before the establishment of an ancillary facility (excluding exempt or complying development, minor ancillary facilities determined by the **ER** to have minimal environmental impact and those established under **Condition A24**, and those considered in an approved **CEMP**), a **Site Establishment Management Plan** must be prepared which outlines the environmental management practices and procedures to be implemented for the establishment of the ancillary facility. The **Site Establishment Management Plan** must be prepared in consultation with the Relevant Council(s), SOPA (in respect of Sydney Olympic Park), Place Management NSW (in respect of The Bays) and government agencies. The Plan must include:

- (a) a description of activities to be undertaken during establishment of the ancillary facility (including scheduling and duration of work to be undertaken at the site);
- (b) figures illustrating the proposed operational site layout and the location of the closest sensitive land use(s);
- (c) a program for ongoing analysis of the key environmental risks arising from the site establishment activities described in subsection (a) of this condition, including an initial risk assessment undertaken prior to the commencement of site establishment work;
- (d) details of how the site establishment activities described in subsection (a) of this condition will be carried out to:

- (i) meet the performance outcomes stated in the documents listed in **Condition A1**, and
- (ii) manage the risks identified in the risk analysis undertaken in subsection (c) of this condition; and
- (e) a program for monitoring the performance outcomes, including a program for construction noise monitoring, where appropriate or required.

Nothing in this condition prevents the preparation of individual **Site Establishment Management Plans** for each construction ancillary facility.

*Note: This plan is only needed before a **CEMP** is approved. Once a **CEMP** is approved a **Site Establishment Management Plan** is not required.*

Use of an Ancillary Facility

- A23 An ancillary facility established under **Condition A22** must not be used for construction until the **CEMP** required by **Condition C1**, relevant **CEMP Sub-plans** required by **Condition C5** and relevant **Construction Monitoring Programs** required by **Condition C13** have been approved by the Planning Secretary or endorsed by the **ER** (whichever is relevant).

*Note: This condition does not apply to **Condition A24** or where the use of an ancillary facility is **Low Impact Work** or for **Low Impact Work**.*

Minor Ancillary Facilities

- A24 Lunch sheds, office sheds, portable toilet facilities, and the like, can be established and used where they have been assessed in the documents listed in **Condition A1** or satisfy the following criteria:

- (a) are located within or adjacent to the Construction Boundary; and
- (b) have been assessed by the **ER** to have -
 - (i) minimal amenity impacts to surrounding residences and businesses, after consideration of matters, and
 - (ii) minimal environmental impact with respect to waste management and flooding, and
 - (iii) no impacts on biodiversity, soil and water, and Heritage items beyond those already approved under other conditions of this approval.

Note: In respect of (b)(i) above, matters for consideration include compliance with the ICNG, traffic and access impacts, dust and odour impacts, and visual (including light spill) impacts.

Boundary screening

- A25 Boundary screening must be erected around ancillary facilities that are adjacent to sensitive land use(s) for the duration of the time that the ancillary facility is in use, unless otherwise agreed with relevant affected residents, business operators or landowners.
- A26 Boundary screening required under **Condition A25** must minimise visual impacts on adjacent sensitive land use(s).

INDEPENDENT APPOINTMENTS

- A27 All **Independent Appointments** required by the conditions of this approval must have regard to *Seeking approval from the Department for the appointment of independent experts* (DPIE, 2020). All **Independent Appointments** must hold current membership of a relevant professional body, unless otherwise agreed by the Planning Secretary.
- A28 The Planning Secretary may at any time commission an audit of how an **Independent Appointment** has exercised their functions. The Proponent must:
- (a) facilitate and assist the Planning Secretary in any such audit; and
 - (b) make it a term of their engagement of an **Independent Appointment** that the **Independent Appointment** facilitate and assist the Planning Secretary in any such audit.

- A29 Upon completion of an audit under **Condition A28** above, the Planning Secretary may withdraw its approval of an **Independent Appointment** should they consider the **Independent Appointment** has not exercised their functions in accordance with this approval.

Note: Conditions A28 and A29 apply to all Independent Appointments including the Environmental Representative, Acoustic Advisor and the Independent Auditor.

ENVIRONMENTAL REPRESENTATIVE

- A30 Work must not commence until an **Environmental Representative (ER)** has been nominated by the Proponent and approved by the Planning Secretary.
- A31 The proposed **ER** must be a suitably qualified and experienced person(s) who was not involved in the preparation of the documents listed in **Condition A1**, is independent from the design and construction personnel for the CSSI and those involved in the delivery of it.
- A32 More than one **ER** may be engaged for the CSSI, in which case the functions to be exercised by an **ER** under the conditions of this approval may be carried out by any **ER** that is approved by the Planning Secretary for the purposes of the CSSI.
- A33 For the duration of the work and for no less than six (6) months following completion of construction of the CSSI, or as agreed with the Planning Secretary, the approved **ER** must:
- (a) receive and respond to communication from the Planning Secretary in relation to the environmental performance of the CSSI;
 - (b) consider and inform the Planning Secretary on matters specified in the conditions of this approval;
 - (c) consider and recommend to the Proponent any improvements that may be made to work practices to avoid or minimise adverse impact to the environment and to the community;
 - (d) review the **Phasing Report, Site Establishment Management Plan, CEMP, CEMP Sub-plans and Construction Monitoring Programs** and any other documents that are identified by the Planning Secretary, to ensure they are consistent with requirements in or under this approval and if so:
 - (i) make a written statement to this effect before submission of such documents to the Planning Secretary (if those documents are required to be approved by the Planning Secretary); or
 - (ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Planning Secretary for information or are not required to be submitted to the Planning Secretary); or
 - (iii) provide a written statement to the Planning Secretary advising the documents have been endorsed;
 - (e) regularly monitor the implementation of the **Phasing Report, Site Establishment Management Plan, CEMP, CEMP Sub-plans and Construction Monitoring Programs** to ensure implementation is being carried out in accordance with the document and the conditions of this approval;
 - (f) as may be requested by the Planning Secretary, help plan or attend audits of the development commissioned by the Department including scoping audits, programming audits, briefings and site visits, but not independent environmental audits required under **Condition A42** of this approval;
 - (g) as may be requested by the Planning Secretary, assist in the resolution of community complaints received directly by the Department;
 - (h) assess the impacts of activities as required by the **Low Impact Work** definition;
 - (i) consider or assess the impacts of minor ancillary facilities comprising lunch sheds, office sheds and portable toilet facilities as required by **Condition A24** of this approval;
 - (j) consider any minor amendments to be made to the **Site Establishment Management Plan, CEMP, CEMP Sub-plans and Construction Monitoring Programs** without increasing impacts to nearby sensitive land use(s), and are consistent with the conditions of this approval and the **Site Establishment Management Plan, CEMP, CEMP Sub-plans and**

Construction Monitoring Programs approved by the Planning Secretary and, if satisfied such amendment is necessary, approve the amendment. This does not include any modifications to the conditions of this approval;

- (k) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, an **Environmental Representative Monthly Report** providing the information set out in the Environmental Representative Protocol under the heading “Environmental Representative Monthly Reports.” **The Environmental Representative Monthly Report** must be submitted within seven (7) days following the end of each month for the duration of the **ER**’s engagement for the CSSI, or as otherwise agreed by the Planning Secretary.

With respect to **(d)** above, the **ER** is not required to endorse the specialist content in documents requiring specialist review and / or endorsement.

A34 The Proponent must provide the **ER** with documentation requested by the **ER** in order for the **ER** to perform their functions specified in **Condition A33** (including preparation of the **Environmental Representative Monthly Report**), as well as:

- (a) the **Complaints Register** (to be provided on a weekly basis or as requested, where complaints have been received); and
- (b) a copy of any assessment carried out by the Proponent of whether proposed work is consistent with the approval (which must be provided to the **ER** before the commencement of the subject work).

ACOUSTICS ADVISOR

A35 A suitably qualified and experienced **Acoustics Advisor(s) (AA)** in noise and vibration management, who is independent of the design and construction personnel, must be nominated by the Proponent and engaged for the duration of work (as required by **Condition A36**) and for no less than six (6) months following completion of construction of the CSSI.

A36 Work must not commence until an **AA** has been nominated by the Proponent and approved by the Planning Secretary.

A37 The Proponent may nominate additional suitably qualified and experienced persons, for the Planning Secretary’s approval, to assist the lead **AA**.

A38 The Proponent must cooperate with the **AA** by:

- (a) providing access to noise and vibration monitoring activities as they take place;
- (b) providing access to the **Complaints Register** if requested;
- (c) providing for review of noise and vibration documents required to be prepared under the conditions of this approval; and
- (d) considering any recommendations to improve practices and demonstrating, to the satisfaction of the **AA**, why any recommendation is not adopted.

A39 The approved **AA** must:

- (a) receive and respond to communication from the Planning Secretary in relation to the performance of the CSSI in relation to noise and vibration;
- (b) consider and, where relevant, inform the Planning Secretary on matters specified in the conditions of this approval relating to noise and vibration;
- (c) consider and recommend to the Proponent, improvements that may be made to avoid or minimise adverse noise and vibration impacts;
- (d) review proposed night-time works (with the exception of low risk activities) to determine if sleep disturbance would occur and recommend measures to avoid sleep disturbance or appropriate additional alternative mitigation measures;
- (e) review noise and vibration documents required to be prepared under the conditions of this approval, and should they be consistent with the conditions of this approval, endorse them

- before submission to the Planning Secretary (if required to be submitted to the Planning Secretary) or before implementation (if not required to be submitted to the Planning Secretary);
- (f) regularly monitor the implementation of noise and vibration documents required to be prepared under the conditions of this approval to ensure implementation is in accordance with what is stated in the document(s) and the conditions of this approval;
 - (g) review the Proponent's written notification of noise incidents in accordance with **Conditions A47 to A49** of this approval;
 - (h) in conjunction with the **ER** (where required), the **AA** must:
 - (i) as may be requested by the Planning Secretary or **Community Complaints Mediator** (required by **Condition B8**), help plan, attend or undertake audits of noise and vibration management of the CSSI including briefings, and site visits,
 - (ii) in the event that conflict arises between the Proponent and the community in relation to the noise and vibration performance of the CSSI, follow the procedure in the **Overarching Community Communication Strategy** referenced under **Condition B1** to attempt to resolve the conflict, and if it cannot be resolved, notify the Planning Secretary,
 - (iii) if requested by the **ER**, consider relevant minor amendments made to the **Site Establishment Management Plan, CEMP**, relevant sub-plans and noise and vibration monitoring programs that require updating or are of an administrative nature, and are consistent with the conditions of this approval and the management plans and monitoring programs approved by the Planning Secretary and, if satisfied such amendment is necessary, endorse the amendment, (this does not include any modifications to the conditions of this approval),
 - (iv) if requested by the **ER**, review the noise impacts of minor ancillary facilities, and
 - (v) prepare and submit to the Planning Secretary and other relevant regulatory agencies, for information, a **Monthly Noise and Vibration Report** detailing the **AA**'s actions and decisions on matters for which the **AA** was responsible in the preceding month. The **Monthly Noise and Vibration Report** must be submitted within seven (7) days following the end of each month for the duration of the **AA**'s engagement for the CSSI, or as otherwise agreed by the Planning Secretary.

NOTIFICATION OF COMMENCEMENT

- A40 The Planning Secretary must be notified in writing of the dates of commencement of construction and operation before those dates.
- A41 If the construction of Stage 3 of the CSSI is to be phased, the Planning Secretary must be notified in writing before the commencement of each phase, of the date of the commencement of that phase.

INDEPENDENT ENVIRONMENTAL AUDIT

- A42 **Independent Audits** of the CSSI must be conducted and carried out in accordance with the *Independent Audit Post Approval Requirements* (DPIE, 2020).
- A43 Notwithstanding **Condition A42**, the Proponent may prepare an audit program to outline the scope and timing of each **Independent Audit** that will be undertaken during construction. If prepared, the audit program must be developed in consultation with, and approved by, the Planning Secretary before commencement of the first audit and implemented throughout construction.

*Note: Until such time an audit program is approved by the Planning Secretary under this condition, **Independent Audits** must be prepared in accordance with **Condition A42**.*

- A44 Proposed independent auditors must be approved by the Planning Secretary before the commencement of an **Independent Audit**.

- A45 The Planning Secretary may require the initial and subsequent **Independent Audits** to be undertaken at different times to those specified in the *Independent Audit Post Approval Requirements* (DPIE, 2020), upon giving at least four (4) weeks' notice (or timing as stipulated by the Planning Secretary) to the Proponent of the date upon which the audit must be commenced.
- A46 **Independent Audit Reports** and the Proponent's response to audit findings must be submitted to the Planning Secretary within two (2) months of undertaking the independent audit site inspection as outlined in the *Independent Audit Post Approval Requirements* (DPIE, 2020), unless otherwise agreed by the Planning Secretary.

INCIDENT AND NON-COMPLIANCE NOTIFICATION AND REPORTING

Incident Notification, Reporting and Response

- A47 The Planning Secretary must be notified, via phone or in writing via the Major Projects website, immediately after the Proponent becomes aware of an incident. Any notification via phone must be followed up by a notification in writing via the Major Projects website within 24 hours of the initial phone call.
- A48 The written notification must identify the CSSI (including the application number and the name of the CSSI) and set out the location and general nature of the incident.
- A49 Subsequent notification must be given and reports submitted in accordance with the requirements set out in **APPENDIX B**.

Non-Compliance Notification

- A50 The Planning Secretary must be notified, via the Major Projects website, within seven (7) days after the Proponent becomes aware of any non-compliance with the conditions of this approval.
- A51 A non-compliance notification must identify the CSSI (including the application number and the name of the CSSI if it has one), set out the condition(s) of approval that the development is non-compliant with, the way in which it does not comply and the reason(s) for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.

Note: A non-compliance which has been notified as an incident does not need to be notified as a non-compliance.

IDENTIFICATION OF PROJECT

- A52 The CSSI name, application number, telephone number, postal address and email address required under **Condition B3** must be available on site boundary fencing / hoarding at each ancillary facility before the commencement of construction. This information must also be provided on the website required under **Condition B11**.

PART B

COMMUNITY INFORMATION AND REPORTING

COMMUNITY INFORMATION, CONSULTATION AND INVOLVEMENT

Community Communication

- B1 The **Overarching Community Communication Strategy** as provided in the documents listed in **Condition A1** must be implemented for the duration of the work.

Should the **Overarching Community Communication Strategy** be updated, a copy of the updated strategy must be provided to the Planning Secretary for information within seven (7) days of its revision.

COMPLAINTS MANAGEMENT SYSTEM

- B2 A **Complaints Management System** must be prepared and implemented before the commencement of any work and maintained for the duration of construction and for a minimum for 12 months following completion of construction of the CSSI.
- B3 The following information must be available to facilitate community enquiries and manage complaints before the commencement of work and for 12 months following the completion of construction:
- (a) a 24- hour telephone number for the registration of complaints and enquiries about the CSSI;
 - (b) a postal address to which written complaints and enquires may be sent;
 - (c) an email address to which electronic complaints and enquiries may be transmitted; and
 - (d) a mediation system for complaints unable to be resolved.

This information must be accessible to all in the community regardless of age, ethnicity, disability or literacy level.

- B4 A **Complaints Register** must be maintained recording information on all complaints received about the CSSI during the carrying out of any work and for a minimum of 12 months following the completion of construction. The **Complaints Register** must record the:
- (a) number of complaints received;
 - (b) date and time of the complaint;
 - (c) number of people in the household affected in relation to a complaint, if relevant;
 - (d) method by which the complaint was made;
 - (e) personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - (f) nature of the complaint;
 - (g) means by which the complaint was addressed and whether resolution was reached, with or without mediation; and
 - (h) if no action was taken, the reason(s) why no action was taken.
- B5 Complainants must be advised of the following information before, or as soon as practicable after, providing personal information:
- (a) the **Complaints Register** may be forwarded to government agencies, including the Department (Department of Planning and Environment, 4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150), to allow them to undertake their regulatory duties;
 - (b) by providing personal information, the complainant authorises the Proponent to provide that information to government agencies;
 - (c) the supply of personal information by the complainant is voluntary; and

- (d) the complainant has the right to contact government agencies to access personal information held about them and to correct or amend that information (Collection Statement).

The **Collection Statement** must be included on the Proponent or development website to make prospective complainants aware of their rights under the *Privacy and Personal Information Protection Act 1998* (NSW). For any complaints made in person, the complainant must be made aware of the **Collection Statement**.

- B6 The **Complaints Register** must be provided to the Planning Secretary upon request, within the timeframe stated in the request.

*Note: Complainants must be advised that the **Complaints Register** may be forwarded to government agencies to allow them to undertake their regulatory duties.*

Community Complaints Mediator

- B7 A **Community Complaints Mediator** that is independent of the design and construction personnel must be nominated by the Proponent, upon the referral of the complaint by the **ER** in accordance with the **Overarching Community Communication Strategy**. Where a **Community Complaints Mediator** is required, a mediator accredited under the National Mediator Accreditation System (NMAS), administered by the Mediator Standards Board must be appointed.
- B8 The role of the **Community Complaints Mediator** is to provide independent mediation services for any reasonable and unresolved complaint referred by the **ER** where a member of the public is not satisfied by the Proponent's response.
- B9 The **Community Complaints Mediator** will:
 - (a) review unresolved disputes, referred by the **ER** in accordance with the **Overarching Community Communication Strategy**; and
 - (b) make recommendations to the Proponent to satisfactorily address complaints, resolve disputes or mitigate against the occurrence of future complaints or disputes.
- B10 **Community Complaints Mediation** must not be enacted before the **Complaints Management System** required by **Condition B2** has been executed for a complaint and must not consider issues where other dispute processes are provided for in this approval or clear government policy and resolution processes are available, or matters which are not within the scope of this CSSI.

PROVISION OF ELECTRONIC INFORMATION

- B11 A website or webpage providing information in relation to the CSSI must be established before commencement of work and be maintained for the duration of construction, and for a minimum of 24 months following the completion of construction. The following up-to-date information (excluding confidential, private, commercial information or any other information that the Planning Secretary has agreed to be excluded) must be published before the relevant work commences and maintained on the website or dedicated pages including:
 - (a) information on the current implementation status of the CSSI;
 - (b) a copy of the documents listed in **Condition A1**, and any documentation relating to any modifications made to the CSSI or the terms of this approval;
 - (c) a copy of this approval in its original form, a current consolidated copy of this approval (that is, including any approved modifications to its terms), and copies of any approval granted by the Minister to a modification of the terms of this approval or links to the referenced documents where available;
 - (d) a copy of each statutory approval, licence or permit required and obtained in relation to the CSSI or where the issuing agency maintains a website of approvals, licences or permits, a link to that website;

- (e) a copy of the current version of each document required under the terms of this approval;
and
- (f) a copy of the audit reports required under this approval.

Where the information / document relates to a particular work or is required to be implemented, it must be published before the commencement of the relevant work to which it relates or before its implementation.

All information required in this condition must be provided on a website, ordered in a logical sequence and which is easy to navigate.

Note: The intention of this condition is to increase transparency and for information/documents required as part of the approval to be provided proactively and publicly in an easily accessible manner. Where information is excepted by this condition, it is intended that these documents are provided in their redacted form.

PART C

CONSTRUCTION ENVIRONMENTAL MANAGEMENT

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

Construction Environmental Management Plan

- C1 **Construction Environmental Management Plans (CEMPs)** and **CEMP Sub-plans** must be prepared in accordance with the **Construction Environmental Management Framework (CEMF)** included in the documents listed in **Condition A1** to detail how the performance outcomes, commitments and mitigation measures specified in the documents listed in **Condition A1** will be implemented and achieved during construction.
- C2 With the exception of any **CEMPs** expressly nominated by the Planning Secretary to be endorsed by the **ER**, all **CEMPs** must be submitted to the Planning Secretary for approval.
- C3 The **CEMPs** not requiring the Planning Secretary's approval must be submitted to the **ER** for endorsement no later than one (1) month before the commencement of construction or where construction is phased no later than one (1) month before the commencement of that phase. That **CEMP** must obtain the endorsement of the **ER** as being consistent with the conditions of this approval and all undertakings made in the documents listed in **Condition A1**.
- C4 **CEMPs** to be approved by the Planning Secretary must be endorsed by the **ER** and then submitted to the Planning Secretary for approval no later than one (1) month before the commencement of construction or where construction is phased no later than one (1) month before the commencement of that phase.
- C5 Of the **CEMP Sub-plans** required to be prepared under **Condition C1**, the following **CEMP Sub-plans** must be prepared in consultation with the relevant government agencies identified for each **CEMP Sub-plan**. Details of issues raised by a government agency during consultation must be included in the relevant **CEMP Sub-plan**, including copies of all correspondence from those government agencies as required by **Condition A6**. Where a government agency(ies) request(s) is not included, the Proponent must provide the Planning Secretary / **ER** (whichever is applicable) justification as to why:

	Required CEMP Sub-plan	Relevant government agencies to be consulted for each CEMP Sub-plan
(a)	Noise and vibration	Place Management NSW and Port Authority of NSW (in respect of The Bays), SOPA (in respect of Sydney Olympic Park) and Relevant Council(s)
(b)	Heritage (Non-Aboriginal and Aboriginal)	Heritage NSW, Place Management NSW and Port Authority of NSW (in respect of The Bays), SOPA (in respect of Sydney Olympic Park) and Relevant Council(s)
(c)	Contamination	SOPA (in respect of Sydney Olympic Park)

- C6 The **CEMP Sub-plans** must state how:
- (a) the environmental performance outcomes identified in the documents listed in **Condition A1** will be achieved;
 - (b) the mitigation measures identified in the documents listed in **Condition A1** will be implemented;
 - (c) the relevant terms of this approval will be complied with; and
 - (d) issues requiring management during construction (including cumulative impacts), as identified through ongoing environmental risk analysis, will be managed through SMART principles.

- C7 With the exception of any **CEMP Sub-plans** expressly nominated by the Planning Secretary to be endorsed by the **ER**, all **CEMP Sub-plans** must be submitted to the Planning Secretary for approval.
- C8 The **CEMP Sub-plans** not requiring the Planning Secretary's approval must obtain the endorsement of the **ER** as being in accordance with the conditions of approval and all relevant undertakings made in the documents listed in **Condition A1**. Any of these **CEMP Sub-plans** must be submitted to the **ER** with, or subsequent to, the submission of the **CEMP** but in any event, no later than one (1) month before construction or where construction is phased no later than one (1) month before the commencement of that phase.
- C9 Any of the **CEMP Sub-plans** to be approved by the Planning Secretary must be submitted to the Planning Secretary with, or subsequent to, the submission of the **CEMP** but in any event, no later than one (1) month before construction or where construction is phased no later than one (1) month before the commencement of that phase.
- C10 Construction must not commence until the relevant **CEMP(s)** and **CEMP Sub-plans** have been approved by the Planning Secretary or endorsed by the **ER** (whichever is applicable), unless otherwise agreed by the Planning Secretary. The **CEMP** and **CEMP Sub-plans**, as approved by the Planning Secretary or endorsed by the **ER** (whichever is applicable), including any minor amendments approved by the **ER**, must be implemented for the duration of construction. Where construction of the CSSI is phased, construction of a phase must not commence until the **CEMP** and **CEMP Sub-plans** for that phase have been approved by the Planning Secretary or endorsed by the **ER** upon nomination by the Planning Secretary (whichever is applicable).
- C11 In addition to the relevant requirements of the **CEMF**, the **Contamination CEMP Sub-plan** for Sydney Olympic Park must provide information on how landfill gas leakage into the station box, and ingress of leachate and contaminated groundwater into the station box will be managed to protect the environment and human health.
- C12 In addition to the relevant requirements of the **CEMF**, the **Heritage CEMP Sub-plan** must be prepared in consultation with a suitably qualified and experienced heritage expert and include, but not be limited to:
- (a) exclusion zones, archival recording requirements, baseline and periodic monitoring protocols (including before and during construction);
 - (b) set out the final site inspections to be conducted for the post-construction condition report within three (3) months of completion of construction for the following heritage sites unless otherwise agreed by the Planning Secretary:
 - (i) the Roxy Theatre (State Heritage Register (SHR) I00711);
 - (ii) White Bay Power Station (SHR I01015);
 - (iii) the former State Abattoirs (State Environmental Planning Policy (State Significant Precincts) 2005 Item 141);
 - (iv) the RTA Depot facade fronting Unwin Street (Parramatta Local Environmental Plan 2011 I576);
 - (v) Former Skinners Family Hotel (SHR 00584);
 - (vi) NSW Club House Building (SHR 00145);
 - (vii) Former Bank – Delfin House (Sydney Local Environmental Plan 2012 (SLEP) I1903); and
 - (viii) Richard Johnson Square (SLEP I1673);
 - (c) set out means of rectification of damage by the CSSI to Heritage items in (b) above within six (6) months of the completion of construction at the construction site identified in the relevant **Heritage CEMP Sub-plan**. This rectification work must be in consultation with a suitably qualified and experienced heritage consultant to ensure the use of appropriate materials, appropriate conservation practices and in accordance with existing heritage management documents (for example, conservation management plans or strategies) to protect and conserve the heritage significance of the items.

The **Heritage CEMP Sub-plan** must include Aboriginal cultural heritage management and mitigation measures (that may include conservation, archaeological salvage excavation and community collection) based on the **Aboriginal Cultural Heritage Excavation Report** and continuing Aboriginal community consultation.

CONSTRUCTION MONITORING PROGRAMS

- C13 The following **Construction Monitoring Program** must be prepared in consultation with the relevant government agencies identified for each to compare actual performance of construction of the CSSI against the performance predicted in the documents listed in **Condition A1** or in the **CEMP**:

	Required Construction Monitoring Program	Relevant government agencies to be consulted for each Construction Monitoring Program
(a)	Noise and vibration	EPA, Place Management NSW (in respect of The Bays), SOPA (in respect of Sydney Olympic Park) and Relevant Council(s)

- C14 Each **Construction Monitoring Program** must provide:

- details of baseline data available including the period of baseline monitoring;
- details of baseline data to be obtained and when;
- details of all monitoring of the project to be undertaken;
- the parameters of the project to be monitored;
- the frequency of monitoring to be undertaken;
- the location of monitoring;
- the reporting of monitoring results and analysis results against relevant criteria;
- details of the methods that will be used to analyse the monitoring data;
- procedures to identify and implement additional mitigation measures where the results of the monitoring indicate unacceptable project impacts;
- a consideration of SMART principles;
- any consultation to be undertaken in relation to the monitoring programs; and
- any specific requirements as required by **Condition C15**.

- C15 The **Noise and Vibration Construction Monitoring Program** must include:

- noise and vibration monitoring determined in consultation with the **AA** to confirm the best-achievable construction noise and vibration levels with consideration of all reasonable and feasible mitigation and management measures that will be implemented;
- for the purposes of (a), noise monitoring must be undertaken during the day, evening and night-time periods (as appropriate) and within the first month of work as well as throughout the construction period and cover the range of activities being undertaken at the sites; and
- a process to undertake real time noise and vibration monitoring. The results of the monitoring must be readily available to the construction team, the Proponent, **ER** and the **AA**. The Planning Secretary and EPA must be provided with access to the results on request
- noise monitoring methods must be developed and carried out to meet the requirements of the EPA's *Approved Methods for the Measurement and Analysis of Environmental Noise* (EPA, 2022).

- C16 With the exception of any **Construction Monitoring Programs** expressly nominated by the Planning Secretary to be endorsed by the **ER**, all **Construction Monitoring Programs** must be submitted to the Planning Secretary for approval.

- C17 **Construction Monitoring Programs** not requiring the Planning Secretary's approval must obtain the endorsement of the **ER** as being in accordance with the conditions of approval and all undertakings made in the documents listed in **Condition A1**. These **Construction Monitoring Programs** must be submitted to the **ER** for endorsement at least one (1) month before the

commencement of construction or where construction is phased no later than one (1) month before the commencement of that phase.

- C18 **Construction Monitoring Programs** which require Planning Secretary approval must be endorsed by the **ER** and then submitted to the Planning Secretary for approval at least one (1) month before the commencement of construction or where construction is phased no later than one (1) month before the commencement of that phase.
- C19 Unless otherwise agreed with the Planning Secretary, construction must not commence until the Planning Secretary has approved, or the **ER** has endorsed (whichever is applicable), the required **Construction Monitoring Programs** and all relevant baseline data for the specific construction activity has been collected.
- C20 **Construction Monitoring Programs**, as approved by the Planning Secretary or the **ER** has endorsed (whichever is applicable), including any minor amendments approved by the **ER**, must be implemented for the duration of construction and for any longer period set out in the monitoring program or specified by the Planning Secretary or the **ER** (whichever is applicable), whichever is the greater.
- C21 The results of the **Construction Monitoring Program** must be submitted to the Planning Secretary (upon request), the **ER**, the **AA** (where relevant) and relevant regulatory agencies, for information in the form of a **Construction Monitoring Report** at the frequency identified in the relevant **Construction Monitoring Program**.

Notes:

1. *Where a relevant **CEMP Sub-plan** exists, the relevant **Construction Monitoring Program** may be incorporated into that **CEMP Sub-plan**.*
2. *Data must be provided in an acceptable format for relevant regulatory agencies.*
3. *With regards to monitoring data to be provided to DPE Water, the format of the dataset must be both in a tabulated and electronic quality-controlled data (.csv, Excel) ready to use format.*

PART D

OPERATIONAL ENVIRONMENTAL MANAGEMENT

OPERATIONAL ENVIRONMENTAL MANAGEMENT

- D1 An **Operational Environmental Management Plan (OEMP)** must be prepared having regard to the *Environmental Management Plan Guideline for Infrastructure Projects* (Department of Planning, Industry and Environment, 2020). The **OEMP** must detail how the performance outcomes, commitments and mitigation measures made and identified in the documents listed in **Condition A1** will be implemented and achieved during operation. **Condition D1** does not apply if **Condition D2** of this approval applies.
- D2 An **OEMP** is not required for the CSSI if the Proponent has an **Environmental Management System (EMS)** or equivalent as agreed with the Planning Secretary, and demonstrates, to the satisfaction of the Planning Secretary, that through the **EMS** or equivalent:
- (a) the performance outcomes, commitments and mitigation measures, made and identified in the documents listed in **Condition A1**, and specified relevant terms of this approval can be achieved;
 - (b) issues identified through ongoing risk analysis can be managed; and
 - (c) procedures are in place for rectifying any non-compliance with this approval identified during compliance auditing, incident management or any other time during operation.
- D3 Where an **OEMP** is required, the following **OEMP Sub-plans** must be included in the **OEMP**:

	Required OEMP Sub-plan	Relevant government agencies to be consulted for each OEMP Sub-plan
(a)	Noise and vibration	EPA, Relevant Council(s), SOPA (in respect of Sydney Olympic Park) and Place Management NSW and Port Authority of NSW (in respect of The Bays)
(b)	Surface water quality	DPE Water and Relevant Council(s)
(c)	Groundwater	Port Authority of NSW (in respect of The Bays), DPE Water and Sydney Water (if any Sydney Water assets are impacted)
(d)	Traffic and transport (including event management)	Customer Journey Planning, SOPA (in respect of Sydney Olympic Park), Place Management NSW and Port Authority of NSW (in respect of The Bays) and Relevant Roads Authority
(e)	Flooding (including emergency response planning)	SES, Sydney Water, SOPA (in respect of Sydney Olympic Park), Place Management NSW (in respect of The Bays) and Relevant Council(s)

- D4 Each of the **OEMP Sub-plans** must include the information set out in **Condition D2** of this approval.
- D5 The **OEMP Sub-plans** must be developed in consultation with relevant government agencies as identified in **Condition D3** and must include information requested by an agency to be included in an **OEMP Sub-plan** during such consultation. Details of all information requested by an agency to be included in an **OEMP Sub-plan** as a result of consultation, including copies of all correspondence from those agencies, must be provided with the relevant **OEMP Sub-Plan**.
- D6 The **OEMP Sub-plans** must be submitted to the Planning Secretary as part of the **OEMP**.

- D7 The **OEMP** or **EMS** or equivalent as agreed with the Planning Secretary, must be submitted to the Planning Secretary for information no later than one (1) month before the commencement of operation.
- D8 The **OEMP** or **EMS** or equivalent, as submitted to the Planning Secretary and amended from time to time, must be implemented for the duration of operation or as agreed with the Planning Secretary and the **OEMP** or **EMS** or equivalent must be made publicly available before the commencement of operation.

PART E

KEY ISSUE CONDITIONS

AIR QUALITY

- E1 All reasonably practicable measures must be implemented to minimise the emission of dust and other air pollutants during construction.

FLOODING

Flooding Impacts

- E2 Unless otherwise agreed by the Planning Secretary, the CSSI must be designed and constructed to not worsen flooding characteristics within and in the vicinity of the CSSI. Not worsen existing flooding characteristics means the following:

- (a) a maximum increase in inundation time of one hour during any flood event up to and including a one (1) per cent Annual Exceedance Probability (AEP) flood event;
- (b) a maximum increase of 10 mm in inundation at properties where floor levels are currently exceeded during any flood event up to and including a one (1) per cent AEP flood event;
- (c) a maximum increase of 50 mm in inundation at properties where floor levels would not be exceeded during any flood event up to and including a one (1) per cent AEP flood event; and
- (d) no inundation of floor levels which are currently not inundated during any flood event up to and including a one (1) per cent AEP flood event.

Measures identified in the documents listed in **Condition A1** to not worsen flood characteristics or other measures that achieve the same outcomes, must be incorporated into the detailed design of the CSSI. The incorporation of these measures into the detailed design must be reviewed and endorsed by a suitably qualified and experienced person, who is independent of the project's design and construction, in consultation with directly affected landowners, DPE Water, DPI Fisheries, SES, Place Management NSW (in respect of The Bays), SOPA (in respect of Sydney Olympic Park), and Relevant Councils.

Where flooding characteristics exceed the levels identified in **(a)** to **(d)** above, the Proponent must undertake the following:

- (e) consult with property owners for properties adversely flood affected as a result of the CSSI and mitigate where necessary; and
- (f) consult with SES, Place Management NSW (in respect of The Bays), SOPA (in respect of Sydney Olympic Park), and Relevant Council(s) regarding the management of any residual flood risk beyond the 1 per cent AEP flood event and up to the probable maximum flood.

Active Flood Mitigation and Management

- E3 The CSSI must be designed with the objective of providing station entrances that are flood immune for flood events up to and including the 1 per cent AEP flood level plus freeboard or a PMF event (whichever is higher) through passive design for the operational design life of the CSSI unless otherwise agreed by the Planning Secretary. The design must also consider the ability of metro stations to adapt to flood changes as a result of climate change beyond the operational design life of the CSSI.

In seeking the Planning Secretary's agreement to an alternative outcome, the use of active flood mitigation measures must be justified considering depths of flow, velocities, volumes of floodwater and place design / public domain outcomes that could affect the CSSI.

Note: For the purposes of this condition, freeboard is 500mm in height at Parramatta, The Bays, Pyrmont and Hunter Street metro stations, and 300mm in height at Westmead, Sydney Olympic Park, North Strathfield, Burwood North and Five Dock metro stations.

Active Flood Mitigation and Management

- E4 Where active flood mitigation and management measures (including flood barriers) are used, they must be designed and operated so as not to pose an unacceptable risk to life during a flood event at metro stations and along the CSSI. Metro station design must include provisions for safe access and egress for rail operator employees and emergency services.

In addition, appropriate procedures must be developed:

- (a) to provide advanced warning to the public of when barriers are likely to be activated;
- (b) for routine testing, management and maintenance of flood barriers; and
- (c) for employee training for a flood event.

A detailed risk assessment must be undertaken for each active flood mitigation measure, including consideration of:

- (d) available/effective warning time and rain/flood forecast accuracy;
- (e) false alarms;
- (f) activation of barriers, including user safety;
- (g) failure to activate barriers;
- (h) barrier height;
- (i) power outages;
- (j) isolation;
- (k) human behaviour (staff and public);
- (l) each mechanism of failure of operational barriers, e.g. hydrostatic pressure, failure of seals and incorrect installation; and
- (m) measures to mitigate risks to acceptable levels.

The detailed risk assessment, design and operation procedures of active flood mitigation and management measures must be undertaken in consultation with and informed by DPE EHG, State Emergency Services (SES) and Relevant Council(s).

Emergency Management

- E5 In all flood scenarios, including and up to the PMF, metro station design must ensure access to, from and within the metro stations by emergency services is maintained. An **Operational Emergency Management Plan(s)** must be prepared in consultation with the SES to address, but not be limited to, the following matters:

- (a) the risks associated with occupants remaining within the flood impacted area, including any proposal for sheltering in place;
- (b) impacts on emergency service personnel and the emergency management arrangement of existing community; and
- (c) how the secondary risks of fire and medical emergencies will be managed during flooding.

The **Operational Emergency Management Plan(s)** must be made available to DPE EHG upon request.

*Note: The above requirements may be included in a **Flooding OEMP Sub-plan** developed in accordance with **Condition D3** where one is prepared.*

Parameters

- E6 The following information must be considered (as applicable) in complying with **Conditions E2** to **E4** inclusive:

- (a) the tabulation for each entry (including any vents or openings): floor / entry levels, flood levels (1 per cent AEP, 1 per cent AEP plus impacts associated with mid-range projections of climate change to 2100, and PMF), and available freeboard to the 1 per cent AEP flood;
- (b) flood modelling of 20 per cent AEP flood for stations experiencing frequent flooding and inclusion in the above table where applicable;
- (c) flood modelling of 0.2, 0.5, and 0.1 per cent AEP Parramatta River flood events for Parramatta metro station and inclusion in the above table where applicable; and
- (d) a risk assessment for Parramatta and The Bays metro stations for flooding under mid-range projections of climate change conditions in 2100 considering 95th percentile sea level rises.

Review

- E7 All procedures, mitigation, and management measures must be implemented for the duration of operation. All outcomes required by **Conditions E2 to E6** must be prepared in consultation with DPE EHG and reviewed and endorsed as meeting the requirements of these conditions by a suitably qualified and experienced person, who is independent of the project's design and construction.
- E8 Flood information including flood reports, project flood models, data and geographic information system outputs, must be provided to Place Management NSW (in respect of The Bays), SOPA (in respect of Sydney Olympic Park), the Relevant Council(s) and the SES. The Relevant Council(s), and the SES must be notified in writing that the information is available no later than one (1) month following the completion of construction of flood mitigation measures. The project flood models and data must be uploaded to the NSW Flood Data Portal.

HERITAGE

Non-Aboriginal Heritage

- E9 The Proponent must not destroy, modify or otherwise affect any Heritage item not identified in documents referred to in **Condition A1**. Unexpected heritage finds identified by the CSSI must be managed in accordance with the *Sydney Metro Unexpected Heritage Finds Procedure* (Sydney Metro 2022) and the *Exhumation Management Procedure* (Sydney Metro 2022) outlined in the documents list under **Condition A1**. Consideration of avoidance and redesign to protect state significant unexpected finds must be addressed where this condition applies.

Note: Affect in this condition means any impact above "little to no impact" as defined in the Material Threshold Policy (Heritage NSW, 2020).

- E10 Before installing acoustic treatment at any Heritage item identified in the documents listed in **Condition A1**, the advice of a suitably qualified and experienced built heritage expert must be obtained to guide installation to minimise impact to the heritage significance of the item or fabric.
- E11 During construction, the Proponent must implement protective measures to prevent adverse impacts to the heritage significance of the following:
 - (a) former Skinners Family Hotel, Sydney;
 - (b) Victorian Regency terraced shops at 41-45 George Street, Parramatta; and
 - (c) Kia Ora Georgian House at 64 Macquarie Street, Parramatta.

Before installing such measures, the advice of a suitably qualified and experienced built heritage expert must be obtained and implemented to ensure any such work does not have an adverse impact on the heritage significance of the item. Protection measures must also consider and avoid potential impacts to significant historical archaeology and seek the advice from the Excavation Director approved under **Condition E19** below.

- E12 The Heritage items identified in **Condition C12(b)** must not be destroyed, modified or otherwise adversely affected, except as identified in the documents listed under **Condition A1**.

Note: Affect in this condition means any impact above "little to no impact" as defined in the Material Threshold Policy (Heritage NSW, 2020).

- E13 Where Heritage items, or items assessed to be of local heritage significance in the documents listed in **Condition A1**, are proposed to be fully or partially destroyed, heritage salvage must occur in consultation with a suitably qualified heritage specialist. The Proponent must develop a significant fabric and moveable heritage salvage register. The register must identify significant items to be salvaged. Salvage must occur for items that are assessed as having heritage significance and the potential for re-use or reinstatement has been identified. Salvage from State-listed items must be undertaken in consultation with Heritage NSW.

Aboriginal Heritage

- E14 All reasonable steps must be taken to not harm, modify or otherwise impact Aboriginal objects except as authorised by this approval.
- E15 Registered Aboriginal Parties (RAPs) must be kept informed about the CSSI. The RAPs must continue to be provided with the opportunity to be consulted about the Aboriginal cultural heritage management requirements of the CSSI throughout construction.
- E16 At the completion of Aboriginal cultural heritage test and salvage excavations, an **Aboriginal Cultural Heritage Excavation Report(s)**, prepared by a suitably qualified expert, must be prepared in accordance with the *Guide to Investigation, assessing and reporting on Aboriginal cultural heritage in NSW*, OEH 2011 and the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*, DECCW 2010. The **Aboriginal Cultural Heritage Excavation Report(s)** must document the results of the archaeological test excavations and any subsequent salvage excavations. The reports must include completed Aboriginal site impact recording forms for inclusion on the Aboriginal Heritage Information Management System (AHIMS) and provide evidence of submission to the AHIMS Registrar. The RAPs must be given a minimum of 28 days to consider the report and provide comments before the report is finalised. The final report must be provided to Heritage NSW and the RAPs within 24 months of the completion of the Aboriginal archaeological excavations (both test and salvage).
- E17 Where previously unidentified Aboriginal objects are discovered, all work must immediately stop in the vicinity of the affected area and a suitably qualified and experienced Aboriginal heritage expert must be contacted to provide specialist heritage advice before construction recommences. The measures to consider and manage this process must be specified in the **Heritage CEMP Sub-plan** required by **Condition C5** and, where relevant, include registration in the AHIMS.

Excavation and Archaeology

- E18 Archaeological mitigation measures recommended in the **Archaeological Research Design(s)** approved under SSI 10038 or SSI 19238057 (or prepared or amended for Stage 3 of the CSSI) must be carried out in accordance with Heritage NSW guidelines, and where appropriate, supervised by a suitably qualified Excavation Director approved under **Condition E19**. The **Archaeological Research Design(s)** must be implemented throughout the entire archaeological excavation programs.
- E19 Before ground disturbance in areas subject to archaeological excavation, the Proponent must nominate a suitably qualified **Excavation Director**, who complies with Heritage Council of NSW's *Criteria for Assessment of Excavation Director* (September 2019) for the approval of the Planning Secretary, in consultation with Heritage NSW, to oversee and advise on matters associated with historical archaeology. The **Excavation Director** must be present to oversee excavation, advise on archaeological issues, advise on the duration and extent of oversight required during archaeological excavations consistent with the **Archaeological Research Designs** approved under SSI 10038 or SSI 19238057 (or prepared or amended for Stage 3 of the CSSI). Aboriginal archaeological excavations must be conducted by a suitably qualified person in accordance with the requirements of the *Code of Practice for Archaeological Investigation of Aboriginal Objects*

in New South Wales (DECCW 2010). More than one **Excavation Director** may be engaged for the CSSI to exercise the functions required under the conditions of this approval.

- E20 Following completion of all work described in the documents listed in **Condition A1** in relation to Heritage items, an annotated index and reference of all archival recordings, historical research, archaeological excavations (with artefact analysis and identification of a final repository for finds) and other heritage documents of the CSSI must be prepared. This reference must be submitted to the Planning Secretary, the Heritage Council of NSW and Heritage NSW for information no later than 24 months after the completion of all relevant work.

Heritage Interpretation Plan

- E21 The Proponent must prepare a **Heritage Interpretation Plan(s)** which identifies and interprets the key Aboriginal and Non-Aboriginal heritage values and stories of Heritage items, items of heritage significance, and heritage conservation areas impacted by the CSSI. The **Heritage Interpretation Plan(s)** must inform the **Station Design and Precinct Plan(s) (SDPP)**. The **Heritage Interpretation Plan(s)** must be prepared in accordance with the **Heritage Interpretation Strategy** included in the documents listed in **Condition A1**, the *NSW Heritage Manual*, the NSW Heritage Office's *Interpreting Heritage Places and Items: Guidelines* (August 2005), and the NSW Heritage Council's *Heritage Interpretation Policy* and include, but not be limited to:

- (a) a discussion of key interpretive themes, stories and messages proposed to interpret the Aboriginal and other cultural values, history and significance of the affected Heritage items, items of heritage significance and sections of heritage conservation areas;
- (b) identification and confirmation of interpretive initiatives to be implemented to mitigate impacts to archaeological relics, Heritage items, items of heritage significance and heritage conservation areas affected by the CSSI including, but not limited to:
 - (i) use of interpretative hoardings during construction;
 - (ii) community open days;
 - (iii) community updates;
 - (iv) station and precinct design;
 - (v) permanent public interpretative displays, utilising salvaged archaeological materials where appropriate; and
- (c) Aboriginal cultural and heritage values of the project area including the results of any archaeological investigations undertaken.

Unexpected Finds

- E22 The Sydney Metro *Unexpected Heritage Finds Procedure* (Sydney Metro 2022) and the *Exhumation Management Procedure* (Sydney Metro 2022), as submitted to the Planning Secretary, must be implemented for the duration of construction.

Note: Human remains that are found unexpectedly during the carrying out of work may be under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately. Management of human remains in NSW is subject to requirements set out in the Public Health Act 2010 (NSW) and Public Health Regulation 2012 (NSW).

NOISE AND VIBRATION

Land Use Survey

- E23 A detailed land use survey must be undertaken to confirm the occupants of the sensitive land use(s) potentially exposed to construction noise and vibration and construction ground-borne noise. The survey may be undertaken on a progressive basis but must be undertaken in any one area before the commencement of work which generates construction noise, vibration or ground-borne noise in that area. The results of the survey must be included in the **Noise and vibration CEMP Sub-plan** required by **Condition C5**.

Notes:

1. *Sensitive land use(s) include critical working areas such as operating theatres and precision laboratories.*
2. *Detailed land use surveys from previous stages of the CSSI are permitted to be used, provided the land use has not changed.*

Best Practice Noise and Vibration Management

E24 Industry best practice construction methods must be implemented where reasonably practicable to ensure that noise and vibration impacts are minimised. Practices must include, but are not limited to:

- (a) use of regularly serviced low sound power equipment;
- (b) early occupation and later release of road carriageways and work sites;
- (c) scheduling of noisiest work during construction hours specified in **Condition E26**;
- (d) at-source controls, temporary noise barriers (including the arrangement of plant and equipment) around noisy equipment and activities;
- (e) use of non-tonal reversing alarms; and
- (f) use of alternative construction and demolition techniques.

Work Hours

E25 Work must be undertaken during the following hours:

- (a) 7:00 am to 6:00 pm Mondays to Fridays, inclusive;
- (b) 8:00 am to 6:00 pm Saturdays; and
- (c) at no time on Sundays or public holidays.

Highly Noise Intensive Work

E26 Except as permitted by an EPL, highly noise intensive work that results in an exceedance of the applicable Noise Management Level (NML) at the same receiver must only be undertaken:

- (a) between the hours of 8:00 am to 6:00 pm Monday to Friday;
- (b) between the hours of 8:00 am to 1:00 pm Saturday; and
- (c) if continuously, then not exceeding three (3) hours, with a minimum cessation of work of not less than one (1) hour.

For the purposes of this condition, 'continuously' includes any period during which there is less than one (1) hour between ceasing and recommencing any of the work.

Variation to Work Hours

E27 Notwithstanding **Conditions E25** and **E26** work may be undertaken outside the hours specified in the following circumstances:

- (a) **Safety and Emergencies**, including:
 - (i) for the delivery of materials required by the NSW Police Force or other authority for safety reasons; or
 - (ii) where it is required in an emergency to avoid injury or the loss of life, to avoid damage or loss of property or to prevent environmental harm.

On becoming aware of the need for emergency work in accordance with **(a)(ii)** above, the **AA**, the **ER**, the Planning Secretary and the EPA where an EPL is in force must be notified of the reasons for such work. The Proponent must use best endeavours to notify all noise and / or vibration affected occupants of sensitive land use(s) of the likely impact and duration of those work.

- (b) **Low noise or vibration impact construction**, including:
 - (i) construction that causes $L_{Aeq(15 \text{ minute})}$ noise levels:
 - no more than 5 dB(A) above the rating background level (RBL) at any residence in accordance with the ICNG, and
 - no more than the 'Noise affected' NMLs specified in Table 3 of the ICNG at other sensitive land use(s); or
 - (ii) construction that causes L_{AFmax} noise levels during the night time period of no more than 15 dB(A) above the RBL at any residence; or
 - (iii) construction that causes:

- continuous or impulsive vibration values, measured at the most affected residence are no more than the preferred values for human exposure to vibration, specified in Table 2.2 of *Assessing Vibration: a technical guideline* (DEC, 2006), or
 - intermittent vibration values measured at the most affected residence are no more than the preferred values for human exposure to vibration, specified in Table 2.4 of *Assessing Vibration: a technical guideline* (DEC, 2006).
- (c) **By Approval**, including:
- (i) where different construction hours are permitted or required under an EPL in force in respect of the CSSI; or
 - (ii) works which are not subject to an EPL that are approved under an **Out-of-Hours Work Protocol** as required by **Condition E28**; or
 - (iii) negotiated agreements with directly affected residents and occupants of sensitive land use(s).
- (d) **By Prescribed Activity**, including:
- (i) tunnel fit out works, underground fit out works and /or internal station fit out works, and internal facility fit out works within the Clyde Stabling and Maintenance Facility and the Rosehill Services Facility (which are permitted 24 hours a day, seven (7) days a week); or
 - (ii) work that must be undertaken during rail possessions, including the delivery and removal of material to support those works; or
 - (iii) delivery of material that is required to occur outside the construction hours identified in **Condition E25** to directly support:
 - tunnel fit out works;
 - underground and / or internal station fit out activities (excluding surface works); and
 - work for the Clyde Stabling and Maintenance Facility and the Rosehill Services Facility,
 except where doing so would result in noise levels above $L_{Aeq(15 \text{ minute})}$ 40 dB(A) or the prevailing RBL plus 5 dB, whichever is the greater, and / or L_{AFmax} 52 dB(A) or the prevailing RBL plus 15 dB, whichever is greater for residential receivers above the existing noise environment (as of the date of this approval), unless otherwise approved in accordance with (a) and (c) above; or
 - (iv) haulage of spoil except between the hours of 10:00pm and 7:00am to / from Westmead construction site using any roads / streets, except as permitted by (d)(ii) above; or
 - (v) works within an acoustic shed where there is no exceedance of the noise levels under 'Low noise or vibration impact construction' circumstances identified in (b) above, unless otherwise agreed by the Planning Secretary.

Out-Of-Hours Work Protocol – Works not subject to an EPL

E28 An **Out-of-Hours Work Protocol** must be prepared before the approval of out-of-hours-work under **Condition E27(c)(ii)**. The Protocol must identify a process for the consideration, management and approval of work which is outside the construction hours defined in **Conditions E25** and **E26**. The Protocol must be approved by the Planning Secretary and implemented before commencement of the out-of-hours work. The Protocol must be prepared in consultation with the **ER** and the **AA**. The Protocol must include:

- (a) justification for why out-of-hours works are required;
- (b) identification of low and high-risk activities and an approval process that considers the risk of activities, proposed mitigation, management, and coordination, including where:
 - (i) the **ER** and the **AA** review all proposed out-of-hours activities and confirm their risk levels,
 - (ii) low risk activities can be approved by the **ER** in consultation with the **AA**, and
 - (iii) high risk activities that are approved by the Planning Secretary;
- (c) a process for the consideration of out-of-hours work against the relevant NML and vibration criteria including reasons for why it is required under each situation;
- (d) a process for selecting and implementing mitigation measures for residual impacts in consultation with the community at each affected location, including respite periods

consistent with the requirements of **Condition E44**. The measures must take into account the predicted noise levels and the likely frequency and duration of the out-of-hours works that sensitive land use(s) would be exposed to, including the number of noise awakening events;

- (e) procedures to facilitate the coordination of out-of-hours work including those approved by an EPL or undertaken by a third party, to ensure appropriate respite is provided; and
- (f) notification arrangements for affected receivers for approved out-of-hours work and notification to the Planning Secretary of approved low risk out-of-hours works.

This condition does not apply if the requirements of **Condition E27(b)** are met.

Notes:

1. *Out-of-hours work is any work that occurs outside the construction hours identified in **Conditions E25** and **E26**.*
2. *The Out-of-Hours Work Protocol is intended to be used for activities where these activities cannot be undertaken during the construction hours identified in **Conditions E25** and **E26**.*

Construction Noise Management Levels and Vibration Criteria

E29 All reasonable and feasible mitigation measures must be implemented with the aim of achieving the following construction NMLs and vibration objectives:

- (a) construction 'Noise affected' NMLs established using the ICNG;
- (b) vibration criteria established using the *Assessing vibration: a technical guideline* (DEC, 2006) (for human exposure);
- (c) BS 7385 Part 2-1993 "Evaluation and measurement for vibration in buildings Part 2" as they are "applicable to Australian conditions"; and
- (d) the vibration limits set out in the *German Standard DIN 4150-3: Structural Vibration- effects of vibration on structures* (for structural damage for structurally unsound Heritage items).

Any work identified as exceeding the NMLs and / or vibration criteria must be managed in accordance with the **Noise and vibration CEMP Sub-plan**.

Note: The ICNG identifies 'particularly annoying' activities that require the addition of 5 dB(A) to the predicted level before comparing to the construction NML.

E30 All reasonable and feasible mitigation measures must be applied when the following residential ground-borne noise levels are exceeded:

- (a) evening (6:00 pm to 10:00 pm) — internal $L_{Aeq(15 \text{ minute})}$: 40 dB(A); and
- (b) night (10:00 pm to 7:00 am) — internal $L_{Aeq(15 \text{ minute})}$: 35 dB(A).

The mitigation measures must be outlined in the **Noise and vibration CEMP Sub-plan**, including those set out in an **Out-of-Hours Work Protocol**, as required by **Condition E28**.

E31 Noise generating work in the vicinity of potentially-affected community, religious, educational institutions, noise and vibration-sensitive businesses and critical working areas resulting in noise levels above the NMLs must not be timetabled during sensitive periods, unless other reasonable arrangements with the affected institutions are made at no cost to the affected institution.

Note: Critical working areas include theatres, laboratories and operating theatres.

E32 At no time can noise generated by construction exceed the National Standard for exposure to noise in the occupational environment of an eight-hour (8hr) equivalent continuous A-weighted sound pressure level of $L_{Aeq,8h}$ of 85 dB(A) for any employee working at a location near the CSSI.

Note: The reference to employee does not refer to employees involved in the delivery of the CSSI.

E33 **Detailed Noise and Vibration Impact Statements (DNVIS)** must be prepared for all work (excluding emergency work) that may exceed the NMLs, vibration limits and / or ground-borne noise levels specified in **Condition E29(c)**, **Condition E29(d)** and **Condition E30** at any

residence outside construction hours identified in **Condition E25** or where receivers will be highly noise affected.

The **DNVIS** must include specific mitigation measures identified through consultation with affected sensitive land use(s) and the mitigation measures must be implemented for the duration of the works. A copy of the **DNVIS** must be provided to the **AA** and **ER** before the commencement of the associated works. The Planning Secretary may request a copy(ies) of the **DNVIS**.

- E34 A **DNVIS** must be prepared for each construction site before construction noise and vibration impacts commence and include specific mitigation measures identified through consultation with the occupants of affected sensitive land use(s) and updated as required if site conditions or activities change.
- E35 Owners and occupiers of properties at risk of exceeding the screening criteria for cosmetic damage must be notified before work that generates vibration commences in the vicinity of those properties. If the potential exceedance is to occur more than once or extend over a period of 24 hours, owners and occupiers must be provided a schedule of potential exceedances on a monthly basis for the duration of the potential exceedances, unless otherwise agreed by the owner and occupier. These properties must be identified and considered in the **Noise and vibration CEMP Sub-plan** and the process for notifying those owners and occupiers within the **Community Communication Strategy(s)** required by **Condition E85**.

Mitigation – Non-Residential Zones

- E36 The Proponent must ensure that residential receivers, located in non-residential zones, likely to experience an internal noise level exceeding $L_{eq(15 \text{ minute})}$ 60 dB(A) between 8:00 pm and 9:00 pm or $L_{eq(15 \text{ minute})}$ 45 dB(A) between 9:00 pm and 7:00 am (inclusive of a 5 dB penalty if rock breaking or any other annoying activity likely to result in ground-borne noise, or a perceptible level of vibration is planned (including works associated with utility adjustments)) must be offered additional noise and vibration mitigation measures as per the **CNVS**.

Mitigation – Residential Receivers in Residential Zones

- E37 The Proponent must ensure that residential receivers in residential zones likely to experience an internal noise level of $L_{eq(15 \text{ minute})}$ 45 dB(A) or greater between 8:00 pm and 7:00 am (inclusive of a 5 dB penalty if rock breaking or any other annoying activity likely to result in ground-borne noise, or a perceptible level of vibration is planned (including works associated with utility adjustments)) must be offered additional noise and vibration mitigation measures as per the **CNVS**.

Construction Noise Mitigation – Acoustic Sheds

- E38 For all work sites where acoustic sheds are installed, the sheds must be designed, constructed and operated to minimise noise emissions. This would include the following considerations:
- (a) all significant noise producing equipment used during the night-time be inside the sheds;
 - (b) noise generating ventilation systems be located inside the sheds and external air intake / discharge ports be appropriately acoustically treated; and
 - (c) the doors of acoustic sheds be kept closed during the night-time period. Where night-time vehicle access is required at sites with nearby residences, the shed entrances must be designed and constructed to minimise noise breakout.

Note: Noise generating ventilation systems include compressors and scrubbers.

Construction Vibration Mitigation – Heritage

- E39 Vibration testing must be conducted during vibration generating activities that have the potential to impact on Heritage items to identify minimum working distances to prevent cosmetic damage. In the event that the vibration testing and attended monitoring shows that the preferred values for vibration are exceeded, the Proponent must review the construction methodology and, if necessary, implement additional mitigation measures. Such measures must include, but not be limited to, review or modification of excavation techniques.

- E40 If a Heritage item is found to be structurally unsound (following inspection) a cosmetic damage criterion of 2.5 mm/s peak component particle velocity (from DIN 4150) must be applied.

Additional Construction Noise Mitigation

- E41 Where occupants of sensitive land uses would be impacted by prolonged construction noise impacts, the **AA** may identify that such properties must be considered for additional noise mitigation treatments over and above those measures specified in the **CNVS**. This could include at-property or other treatment measures in consultation with the property owner and / or occupier.
- E42 The implementation of at-property treatment does not preclude the application of other noise and vibration mitigation and management measures including temporary and long term accommodation.

Utility Coordination and Respite

- E43 All utility work undertaken for the delivery of the CSSI, including those undertaken by third parties, must be coordinated to ensure respite periods are provided. The Proponent must:
- (a) reschedule any work to provide respite to impacted noise sensitive land use(s) so that the respite is achieved in accordance with **Condition E44**; or
 - (b) consider the provision of alternative respite or mitigation to impacted noise sensitive land use(s); and
 - (c) provide documentary evidence to the **AA** in support of any decision made by the Proponent in relation to respite or mitigation.

The consideration of respite must also include all other approved critical State significant infrastructure, State significant infrastructure and State significant development projects which may cause cumulative and / or consecutive impacts at receivers affected by the delivery of the CSSI.

Note: Utility work undertaken includes any utility relocations by the Proponent or third parties.

Out-of-Hours Works – Community Consultation on Respite

- E44 In order to undertake out-of-hours work outside the hours specified under **Condition E25**, (except emergency work) appropriate respite periods must be identified for the out-of-hours work in consultation with the community at each affected location on a regular basis.

This consultation must include (but not be limited to) providing the community with:

- (a) a progressive schedule for periods no less than three (3) months, of likely out-of-hours work;
- (b) a description of the potential work, location and duration of the out-of-hours work;
- (c) the noise characteristics and likely noise levels of the work; and
- (d) likely mitigation and management measures which aim to achieve the relevant NMLs and vibration criteria under **Conditions E29(c), E29(d)** and **E30** (including the circumstances of when respite or relocation offers will be available and details about how the affected community can access these offers).

The outcomes of the community consultation, the identified respite periods and the scheduling of the likely out-of-hours work must be provided to the **AA, ER, EPA** and the Planning Secretary before the out-of-hours works commence.

Note: Respite periods can be any combination of days or hours where out-of-hours work would not be more than 5 dB(A) above the rating background noise level at any residence.

Blasting

- E45 No blasting is permitted as part of this CSSI.

Operational Noise and Vibration Mitigation Measures

- E46 Noise generated from the operation of draught relief shafts must be mitigated (where required) to achieve an external noise objective of L_{AFmax} 65 dB(A) at 15 metres or at the nearest sensitive land use(s) (whichever is closer).
- E47 Operational noise exceedances at the Rosehill Gardens Racecourse must be mitigated in consultation with the Australian Turf Club and racecourse and equine experts.
- E48 Operation of services (including noise associated with services buildings and associated industrial plant and equipment) must not result in exceedance of the project specific trigger levels outlined in Technical Paper No. 3 of the EIS consistent with the *Noise Policy for Industry* (EPA, 2017) and vibration criteria in the *Assessing Vibration: a Technical Guideline* (DECC, 2006) at the closest sensitive land use(s). Where this is expected, mitigation measures must be implemented to achieve compliance with the applicable noise and vibration criteria at the receiver before operation.

Note: This condition relates to all plant and equipment associated with the CSSI including those that form part of normal project operations as well as for scheduled maintenance and testing.

Operational Noise and Vibration Review

- E49 The Proponent must prepare an **Operational Noise and Vibration Review (ONVR)** to confirm noise and vibration mitigation measures to be implemented for the operation of the ultimate service. The **ONVR** must be prepared as part of the iterative design development and in consultation with the EPA, Relevant Council(s) and SOPA (in respect of Sydney Olympic Park) and other relevant stakeholders and must:
- (a) identify appropriate operational noise and vibration objectives and levels representative of surrounding development, including existing and approved (as known at the date of this approval) sensitive land use(s);
 - (b) confirm the operational noise and vibration predictions based on the expected final design including all plant and equipment associated with the premises. Confirmation must be based on an appropriately calibrated noise model;
 - (c) confirm the appropriate track attenuation required to meet the design noise objectives for ground-borne noise land uses;
 - (d) assess low frequency noise impacts and outline proposed mitigation measures, where relevant, in accordance with *Noise Policy for Industry* (EPA, 2017) and specifically the additional guidance in Fact Sheet C;
 - (e) consider sleep disturbance impacts from the operation of draught relief shafts taking into account the number of events and the frequency of occurrence during the night time period;
 - (f) identify sensitive land uses that are predicted to exceed:
 - (i) noise criteria set out in the *Rail Infrastructure Noise Guideline* (EPA, 2013), *Noise Policy for Industry* (EPA, 2017); and
 - (ii) vibration goals for human exposure for existing sensitive land use(s), as presented in *Assessing Vibration: a Technical Guideline* (DECC, 2006).
 - (g) identify all noise and vibration mitigation measures including location, type and timing of mitigation measures, with a focus on:
 - (i) source control and design;
 - (ii) at the receiver (if relevant); and
 - (iii) 'best practice' achievable noise and vibration outcome for each activity
 - (h) describe how the final suite of mitigation measures will achieve:
 - (i) the noise criteria outlined in the *Rail Infrastructure Noise Guideline* (EPA, 2013) and *Noise Policy for Industry* (EPA, 2017);
 - (ii) vibration goals for human exposure for existing sensitive land use(s), as presented in *Assessing Vibration: a Technical Guideline* (DECC, 2006); and
 - (iii) ground-borne noise objectives for track form;
 - (i) include a consultation strategy to seek feedback from directly affected landowners on the noise and vibration mitigation measures being offered; and
 - (j) include procedures for operational noise and vibration complaints management, including investigation and monitoring (subject to complainant agreement).

The **ONVR** must be verified by an independent acoustic expert before the implementation of any operational noise mitigation measures.

The Proponent must implement the identified noise and vibration control measures as verified by the acoustic expert and make the **ONVR** publicly available.

Operational Noise and Vibration Compliance

E50 Within 12 months of the commencement of operation, monitoring of operational noise and vibration (including ground-borne noise) to compare actual noise and vibration performance of the CSSI against the noise and vibration performance predicted and the review of mitigation measures required by **Condition E49**, must be undertaken. An **Operational Noise and Vibration Compliance Report (ONVCR)** must be prepared to document this monitoring and include, but not necessarily be limited to:

- (a) noise and vibration monitoring (including ground-borne noise) to assess compliance with the operational noise and vibration levels predicted in the review required under **Condition E49**;
- (b) methodology, location and frequency of noise and vibration monitoring undertaken, including monitoring sites at which CSSI noise and vibration levels are ascertained, with specific reference to locations indicative of impacts on receivers;
- (c) a review of the performance of the CSSI against:
 - (i) operational noise levels in terms of criteria and noise goals established in the *NSW Rail Infrastructure Noise Guideline* (EPA, 2013) and *Noise Policy for Industry* (EPA, 2017);
 - (ii) vibration goals for human exposure for existing sensitive land use(s), as presented in *Assessing Vibration: a Technical Guideline* (DECC, 2006);
- (d) details of any complaints and enquiries received in relation to operational noise and vibration generated by the CSSI (between the date of commencement of operation and the date the report was prepared);
- (e) an assessment of the performance and effectiveness of applied noise and vibration mitigation measures together with a review and if necessary, reassessment of mitigation measures;
- (f) identification of:
 - (i) additional measures to meet the criteria outlined in the *NSW Rail Infrastructure Noise Guideline* (EPA 2013) and *Noise Policy for Industry* (EPA, 2017),
 - (ii) additional measures to meet the vibration goals for human exposure for existing sensitive land, as presented in *Assessing Vibration: a Technical Guideline* (DECC, 2006);
 - (iii) when these measures are to be implemented (with implementation to be undertaken within six (6) months of completion of this report unless otherwise agreed by the Planning Secretary); and
 - (iv) how their effectiveness is to be measured and reported to the Planning Secretary and the EPA.

The **ONVCR** must be submitted to the Planning Secretary and the EPA within 60 days of completing the operational noise and vibration monitoring and made publicly available.

*Note: Refer to **Condition B5** about how personal information will be handled.*

PLACE, DESIGN AND VISUAL AMENITY

Design Guidance

E51 The CSSI must be designed with consideration of:

- (a) the design objectives, principles and guidelines identified in documents listed in **Condition A1**;
- (b) the principles and objectives of the *Connecting with Country Draft Framework* (GANSW, 2020);

- (c) relevant land use changes, masterplans and initiatives, where this information is known and / or available;
- (d) existing and proposed future local context and character; and
- (e) transport and land use integration and system functionality in the context of precincts, to the extent it is known and / or defined.

The Proponent must document how the CSSI design responds to items (a) to (e) above and submit that information to the **Design Review Panel (DRP)** to assist its review function. The outcome of the **DRP** review must be provided to the Planning Secretary before the submission of the **SDPP** upon the Planning Secretary's request.

*Note: This condition can be phased in accordance with **Condition A15** or provided progressively in accordance with **Condition A20**.*

Design Standards

- E52 Lighting associated with construction and operation must be consistent with the requirements of *Australian Standard 4282-1997 Control of the obtrusive effects of outdoor lighting* and relevant Australian Standards in the series *AS/NZ 1158 – Lighting for Roads and Public Spaces*. Additionally, mitigation measures must be provided to manage residual night lighting impacts including from headlights of construction vehicles to protect properties adjoining or adjacent to the CSSI, in consultation with affected landowners.
- E53 Permanent active transport facilities must be designed in consultation with the Relevant Council(s), SOPA (in respect of Sydney Olympic Park) and relevant user groups. Permanent active transport facilities must have regard to the NSW Movement and Place Framework and relevant guidance documents including *Walking Space Guide: Towards Pedestrian Comfort and Safety* (TfNSW, 2020), *Fruin Level of Service* (Fruin, 1971) for transport interchanges, and the *Cycleway Design Toolbox: Designing for Cycling and Micromobility* (TfNSW, 2020). Such facilities must be designed, constructed and / or rectified in accordance with:
- (a) *Guide to Road Design Part 6A: Paths for Walking and Cycling* (Austroads, 2017) and *Cycling Aspects of Austroads Guides 2017* (Austroads, 2017), in relation to criteria for bicycle parking requirements;
 - (b) relevant Australian Standards; and
 - (c) relevant Crime Prevention Through Environmental Design principles.

Note: In the event of an inconsistency, the latest guidance document prevails to the extent of the inconsistency.

Tree Replacement

- E54 A **Tree Replacement Plan** must be prepared confirming the number of trees removed during SSI 10038, SSI 19238057 and Stage 3 of the CSSI and the number to be replanted at a ratio of 2:1. Replacement trees must be planted within metro station precincts and the Clyde maintenance and stabling facility or on public land up to 500 metres from the project boundary. Trees may be planted beyond 500 metres of metro station precincts and the Clyde maintenance and stabling facility on public land in consultation with Relevant Council(s) and SOPA (in respect of Sydney Olympic Park) where no more practicable land for planting can be found within and up to 500 metres from the metro station precincts and the Clyde maintenance and stabling facility boundary. The **Tree Replacement Plan** must clearly demonstrate that urban tree canopy will increase over a 10 year period from the commencement of operation as part of the CSSI.
- E55 As many mature trees and as much urban canopy as practicable must be retained during construction. Canopy trimming should be considered where practicable prior to any mature tree removal.

General Station Precinct Requirements

- E56 Each metro station precinct must be designed in consultation with the Relevant Council(s), SOPA (in relation to Sydney Olympic Park), and Port Authority of NSW and Place Management NSW (in relation to The Bays).

- E57 The designs of each metro station precinct must ensure appropriate transitioning is provided between the public domain under the CSSI and immediately adjoining public domain owned by the Relevant Council(s), SOPA, Place Management NSW or TfNSW.

Specific Station Precinct Requirements

E58 The design of The Bays metro station precinct must ensure:

- (a) the traction substation building limits encroachment on the heritage curtilage of the White Bay Power Station (WBPS) and views of the Turbine Hall, Boiler House and Chimneys are not obstructed from either the south or from ANZAC Bridge, in accordance with the White Bay Power Station Conservation Management Plan (Design 5 – Architects, 2004);
- (b) the box culvert excavation for new drainage and piling work associated with the traction substation must not physically impact on the inlet canal or outlet canal;
- (c) Additional Station Development aligns with the *Bays West Place Strategy*, *draft Bays West Urban Design Framework*, associated sub-precinct master plans and the *Bays West Stage 1 Draft Master Plan*, as may be amended and updated by any subsequent rezoning proposal;
- (d) vehicle access, service / utility(ies) access and parking for Additional Station Development is wholly contained within building footprints.

E59 The design of the Burwood North metro station precinct must have regard to:

- (a) the desired future character and maximum heights outlined in the *Parramatta Road Corridor Urban Transformation Strategy* (PRCUTS) (NSW Government, 2016) and related PRCUTS documents as may be amended and updated by any subsequent rezoning proposal;
- (b) the variable setbacks along the northern side of Parramatta Road as identified in PRCUTS-related documents;
- (c) where relevant, the containment of vehicle access, service / utility(ies) access and parking for Additional Station Development wholly within building footprints;
- (d) the provision of adequate building separation to 8 Burwood Road, Burwood, consistent with Section 2F and Objective 3F-1 of the *Apartment Design Guide* (DPE, 2015) for the Additional Station Development over the southern metro station entrance.

E60 The design of Civic Link in Parramatta metro station precinct must consider:

- (a) the provision of areas of adequate deep soil depth and volume to allow for planting of large trees;
- (b) the depth of services to enable access from above for future asset service or maintenance activities where they are located above the underground station structures; and
- (c) the design of tree pits to be constructed flush with the surrounding pavement where appropriate.

Design Review

E61 An independent **Design Review Panel (DRP)** must be established to provide advice and recommendations to the Proponent during the CSSI's design development and construction to facilitate quality design and place outcomes. The Proponent must provide appropriate resources to enable the effective operation of the **DRP**. The **DRP** must be formed and hold its first meeting within six (6) months of the date of this approval, or as otherwise agreed with the Planning Secretary.

*Note: Nothing in this approval prevents the use of an existing design panel as the **DRP** convened for this CSSI where the function and composition of that panel complies with the terms of this approval.*

E62 The responsibilities of the **DRP** are to:

- (a) provide advice and recommendations to the Proponent for consideration in the design development of the CSSI;
- (b) provide advice on the application of the Design Guidelines to key design elements; and
- (c) review and endorse any updates and / or revisions to the Design Guidelines attached to the Submissions Report.

The **DRPs** advice must be consistent with Stage 3 of the CSSI as approved.

E63 The **DRP** must be chaired by the Government Architect NSW (or their nominee), and must comprise, where relevant, suitably qualified, experienced and independent professional(s) in each of the fields of:

- (a) urban design and place making;
- (b) landscape architecture; and
- (c) architecture.

The **DRP** may seek advice from suitably qualified, experienced independent professionals in other fields, as required, including but not limited to sustainability, active transport and non-Aboriginal heritage. The **DRP** must also seek appropriate expertise to ensure Aboriginal cultural heritage and cultural values inform its advice.

E64 **DRP** panel members must be sourced from the NSW State Design Review Panel Pool or otherwise be approved by the Government Architect NSW.

Operation of the Design Review Process

E65 Before forming the **DRP**, the **DRP Terms of Reference** must be developed and endorsed by the Government Architect NSW. The **DRP Terms of Reference** must:

- (a) be generally consistent with the published version of *NSW State Design Review Panel Terms of Reference*;
- (b) outline the frequency of **DRP** meetings, coordinated with the Proponent's program requirements, as outlined in **Condition E69**, to ensure timely advice and design adjustment; and
- (c) identify cessation arrangements.

The **DRP** must be operated and managed in accordance with the **DRP Terms of Reference**. The endorsed **DRP Terms of Reference** must be submitted to the Planning Secretary for information.

E66 An appropriately qualified and experienced panel advisor must be appointed by the Government Architect NSW after consultation with the Proponent to record the **DRP's** advice and recommendations.

*Note: An alternative panel advisor to the **DRP** can be nominated by the Government Architect NSW when the nominated panel advisor is unavailable.*

E67 The Relevant Council(s), SOPA (in respect of Sydney Olympic Park), Place Management NSW and Port Authority of NSW (in respect of The Bays) and other key stakeholders may be invited to participate in meetings of the **DRP** as observers or to advise on local issues and applicability of design review outcomes as they relate to the local context of each station.

E68 **DRP** advice and recommendations (and itemised list of actions), as issued by the **DRP**, and the Proponent's response to each recommendation, must be included when submitting the final **SDPP(s)** and **Clyde Landscape Masterplan** to the Planning Secretary for information.

In relation to significant design elements that are not consistent with the **DRP's** advice (and excluding those significant design elements which for technical requirements do not allow for consistency with the **DRP's** advice), the Proponent must provide an explanation for the inconsistency, including a rationale for the alternate design and how it achieves the design objectives, principles and guidelines identified in documents listed in **Condition A1**.

E69 The Proponent must provide the design development schedule to the **DRP** before its first meeting (including details of when relevant elements of the detailed design will be available for review by the **DRP**). The schedule must be updated every three (3) months for the life of the **DRP**.

Station Design and Precinct Plan

E70 **SDPP(s)** must be prepared to document and illustrate the permanent built work and landscape design of each metro station precinct of the CSSI and how these works are to be maintained. The **SDPP(s)** must be:

- (a) prepared by a suitably qualified and experienced person(s);
- (b) reviewed by an independent and suitably qualified and experienced person nominated by the **DRP**;
- (c) submitted to the Planning Secretary for information no later than one (1) month before the commencement of construction of permanent built surface works and / or landscaping in the area to which the **SDPP(s)** applies, excluding those elements which for technical requirements, or requirements as agreed by the Planning Secretary, do not allow for alternate design outcomes; and
- (d) implemented before the commencement of operation.

*Note: The **SDPP(s)** may be developed and considered in phases to facilitate design progression and construction. Any such phasing would need to facilitate a cohesive final design and not limit final design outcomes.*

E71 The **SDPP(s)** must document how the following matters have been considered in the design, place making and landscaping of the CSSI:

- (a) the requirements of **Conditions E58 to E60** (inclusive);
- (b) outcomes of consultation with the community (including affected landowners and businesses or a representative of the businesses), Relevant Council(s), SOPA (in respect of Sydney Olympic Park), and Place Management NSW and Port Authority of NSW (in respect of The Bays); and
- (c) advice and recommendations from the **DRP**.

E72 The **SDPP(s)** must include descriptions and visualisations (as appropriate) of:

- (a) the design (including form, materials and detail) of the permanent built elements of the CSSI, including metro stations and surrounding precincts including roads;
- (b) plans for station precincts including but not limited to:
 - (i) justification of the spatial scope of each station precinct plan;
 - (ii) provision for public art and heritage interpretation installations;
 - (iii) the Additional Station Development;
 - (iv) placemaking opportunities, having regard to placemaking initiatives in various strategies including but not limited to the *Parramatta Road Corridor Urban Transformation Strategy* and the *Bays West Stage 1 Draft Master Plan*; and
 - (v) active transport connections, design of pedestrian and cyclist access, facilities and fixtures – indicative dimensions of pedestrian and cyclist pathways and setbacks as well as measures to ensure pedestrian and cyclist safety and movement which must consider Relevant Council's strategic plans;
- (c) relevant principles and guidelines set out in the Design Guidelines;
- (d) landscaping and building design opportunities to mitigate visual and noise impacts and minimise light spill on nearby residences;
- (e) landscaping, including:
 - (i) hard and soft elements;
 - (ii) use of native species from the relevant native vegetation community (or communities), where identified as appropriate;
 - (iii) water sensitive urban design initiatives;
- (f) indicative timing and responsibilities for implementation of elements included within the **SDPP**; and
- (g) operational management and routine maintenance standards (including adequate watering of plants following planting and ongoing weed management).

Clyde Stabling and Maintenance Facility and Rosehill Services Facility

E73 A **Clyde Landscape Masterplan** must document and illustrate the permanent built work including landscape design of the Clyde Stabling and Maintenance Facility and the Rosehill Services Facility and how this work will be maintained. The **Clyde Landscape Masterplan** must be:

- (a) prepared by a suitably qualified and experienced person(s);
- (b) reviewed by an independent and suitably qualified and experienced person nominated by the **DRP**;
- (c) submitted to the Planning Secretary for information no later than one (1) month before the construction of permanent built surface works and / or landscaping in the Clyde Stabling and Maintenance Facility and Rosehill Services Facility, excluding those elements which for technical requirements, or requirements as agreed by the Planning Secretary do not allow for alternate design outcomes; and
- (d) implemented before the commencement of operation of the CSSI.

*Note: The **Clyde Landscape Masterplan** may be developed and considered in phases to facilitate design progression and construction. Any such phasing would need to facilitate a cohesive final design and not limit final design outcomes.*

E74 In preparation of the **Clyde Landscape Masterplan**, the Proponent must document how the following matters have been considered in the design, place making and landscaping of the CSSI:

- (a) outcomes of consultation with the community (including the affected landowners and businesses or a representative of the businesses) and City of Parramatta Council; and
- (b) advice and recommendations from the **DRP**.

E75 The **Clyde Landscape Masterplan** must include descriptions and visualisations (as appropriate) of:

- (a) the design (including form, materials and detail) of the Clyde Stabling and Maintenance Facility and the Rosehill Services Facility and tunnel portals;
- (b) consideration of relevant local strategic plans;
- (c) active transport integration with the wider Camellia-Rosehill precinct;
- (d) residual land and potential use of such land;
- (e) relevant principles and guidelines set out in the Design Guidelines;
- (f) landscaping and building design opportunities to mitigate visual and noise impacts and minimise light spill;
- (g) landscaping, including:
 - (i) hard and soft elements around Duck Creek and A'Becketts Creek;
 - (ii) use of native species from the relevant native vegetation community (or communities), where identified as appropriate;
 - (iii) water sensitive urban design initiatives;
- (h) the indicative timing and responsibilities for implementation of included elements; and
- (i) operational management and routine maintenance standards (including adequate watering of plants following planting and ongoing weed management).

Operational Maintenance

E76 The ongoing maintenance and operation costs of urban design, open space, landscaping and work implemented as part of this approval remain the Proponent's responsibility until satisfactory arrangements have been put in place for the transfer of the asset to the relevant authority. Before the transfer of assets, the Proponent must maintain items and work to at least the design standards established in the **SDPP** and **Clyde Landscape Masterplan**, required by **Conditions E72** and **E75** respectively.

The Planning Secretary must be advised of the date of transfer of the asset(s) to the relevant authority.

- E77 Should any plant loss occur during the maintenance period identified in the **SDPP** or **Clyde Landscape Masterplan** in accordance with **Conditions E72** and **E75** respectively, the plants must be replaced by the same plant species and growth form (i.e. a tree with a tree) unless it is determined by a suitably qualified person that a different species is more suitable for that location. Any replacement plantings must be implemented within six (6) months of identifying plant loss, unless otherwise agreed by the Planning Secretary.

Visual Amenity

- E78 Wayfinding information must be incorporated on temporary hoardings to guide pedestrians around ancillary facilities and enhance their understanding and experience of the locality and space.
- E79 The CSSI must be constructed in a manner that minimises visual impacts of work sites including, providing temporary decorative hoarding, landscaping and vegetative screening of ancillary facilities, minimising impacts to identified significant view lines and incorporating architectural treatment and finishes within key elements of temporary structures that reflect the context within which the work sites are located, including recognition of Country wherever practical.
- E80 Nothing in this approval permits commercial advertising on any element of the CSSI.

Temporary Placemaking

- E81 Temporary placemaking initiatives for the benefit of the community must be implemented around the perimeter or in the vicinity of work sites at Parramatta and Five Dock with the objective of temporarily enhancing visual amenity, providing gathering places in the local area and creating temporary active frontages to work sites. These initiatives must be developed in consultation with key stakeholders, not limited to Relevant Council(s) and local landowners and businesses.

Note: Temporary placemaking initiatives may include commercial “pop up” spaces, information booths, art installations and rest areas.

LAND USE AND PROPERTY

- E82 The CSSI must be designed and constructed with the objective of minimising impacts to, and interference with, third party property and infrastructure, and that such infrastructure and property is protected during construction.
- E83 The utilities and services (hereafter “services”) potentially affected by construction must be identified to determine requirements for diversion, protection and / or support. Alterations to services must be determined by negotiation between the Proponent and the service providers. Disruption to services resulting from construction must be avoided, wherever possible, and advised to customers where it is not possible.

SOCIAL IMPACTS

- E84 Adverse social impacts as a result of the CSSI must be minimised and managed, and social benefits enhanced in accordance with the *Social Impact Assessment Guideline* (Department of Planning, Industry and Environment, November 2021) (SIAG).

Community Communications Strategy(s)

- E85 **Community Communications Strategy(s)** must be prepared in accordance with the **Overarching Community Communication Strategy** as provided in the documents listed in **Condition A1** and must:
- (a) identify affected communities, including vulnerable or marginalised groups;
 - (b) include specific and proportionate measures and mitigations to manage impacts identified in section 4.3 (as relevant) of the SIAG and enhance positive social outcomes;

- (c) support the implementation of the **Community Benefits Plan(s)** as required under **Condition E86**;
- (d) be informed by engagement with directly affected communities and stakeholders; and
- (e) consider cumulative impacts at each site, as relevant.

The **Community Communication Strategy(s)** must be submitted to the Planning Secretary for information before construction. The **Community Communication Strategy(s)** must be implemented for the duration of construction.

The **Community Communication Strategy(s)** must be monitored and reviewed in accordance with the **Overarching Community Communication Strategy**, including consideration of the appropriateness of mitigation measures and lessons learnt.

Community Benefit Plan(s)

E86 A **Community Benefit Plan(s)** must be prepared by suitably qualified and experienced person(s), to guide the delivery of measures identified in the documents listed in **Condition A1** relating to social impacts and the development of community benefit initiatives to deliver tangible benefits. The **Community Benefit Plan(s)** outcomes must aim to:

- (a) make a positive contribution to the potentially affected community, including vulnerable and marginalised groups;
- (b) respond to community priorities and needs;
- (c) create positive community or environmental outcomes; and
- (d) prioritise consideration of achieving outcomes for enhancing community character, community culture, community wellbeing and the local surroundings.

The **Community Benefit Plan(s)** must include a community benefit initiative impact register to monitor, review, and report on the effectiveness of the plan(s).

The **Community Benefit Plan(s)** must review and refine the social impacts, risks and mitigations in the documents listed in **Condition A1**, including impacts identified in section 4.3 (as relevant) of the SIAG.

Nothing in this condition prevents the preparation of individual **Community Benefit Plan(s)** for each metro station precinct.

The **Community Benefit Plan(s)** must be submitted to the Planning Secretary for information, before construction. The **Community Benefit Plan(s)** must be implemented for the duration of construction. The community benefit initiative impact register must be provided to the Planning Secretary upon request.

BUSINESS IMPACTS

E87 During construction of the CSSI, all reasonably practicable measures must be implemented to maintain pedestrian, cyclist and vehicular access to, and parking in the vicinity of, businesses and affected properties. Disruptions are to be avoided, and where avoidance is not possible, minimised. Where disruption cannot be avoided, alternative pedestrian, cyclist and vehicular access, and parking arrangements must be developed in consultation with affected businesses.

Business Impacts from Parking Loss

E88 An analysis of existing and likely future on-street vehicular servicing, access and parking needs must be undertaken to understand the impacts of proposed road works to businesses on Robert Street, Rozelle. This analysis must be undertaken in consultation with Inner West Council and affected businesses and must identify their access and parking requirements. The final report is to be made publicly available.

- E89 If the number and configuration of on-street operational parking requirements identified in **Condition E88** cannot be provided in the final configuration of Robert Street, measures to address the kerbside needs must be undertaken in consultation with the affected businesses, DPE Eastern Harbour City, Place Management NSW and Inner West Council. Measures to mitigate such parking loss must be committed to, and implemented as part of the Robert Street road works at no cost to Inner West Council.

Small Business Owners Engagement Plan(s)

- E90 **Small Business Owners Engagement Plan(s)** must be prepared and implemented in accordance with the **Overarching Community Communication Strategy** to minimise adverse impacts and secure benefits to businesses and traders on streets and underground pedestrian access affected by construction of the CSSI. The **Small Business Owners Engagement Plan(s)** must include but not necessarily be limited to:

- (a) measures to address amenity, vehicular and pedestrian access (including wayfinding) and visibility of the business or service appropriate to its reliance on such, and other reasonable matters raised in consultation with affected businesses and traders;
- (b) measures to assist small businesses (including those within the Hunter Connection) adversely impacted by construction of the CSSI.

The **Small Business Owners Engagement Plan(s)** must be submitted to the Planning Secretary for information before construction at the relevant construction site.

The **Small Business Owners Engagement Plan(s)** must be monitored and reviewed in accordance with the **Overarching Community Communication Strategy**.

Note: Small business assistance measures include small business education and mentoring, activation events, business engagement events, marketing and promotion.

SOILS AND CONTAMINATION

Soils

- E91 Prior to the commencement of any ground disturbance, erosion and sediment controls must be installed and maintained, in accordance with the publication *Managing Urban Stormwater: Soils & Construction* (4th edition, Landcom 2004) commonly referred to as the 'Blue Book'.

Contamination

- E92 A NSW EPA-accredited Site Auditor must be engaged throughout the duration of works to ensure that any work required in relation to contamination is appropriately managed.
- E93 A **Sampling and Analysis Quality Plan (SAQP)** must be prepared for moderate and high risk sites as identified in the documents referred to in **Condition A1** to ensure that field investigations and analyses will be undertaken in a way that enables the collection and reporting of reliable data to meet project objectives, including (where applicable) the relevant site characterisation requirements of the detailed site investigations. The **SAQP** must:
- (a) be prepared (or reviewed and approved) by a Contaminated Land Consultant certified under either the Environment Institute of Australia and New Zealand's "Certified Environmental Practitioner (Site Contamination)" (EIANZ) scheme or the Soil Science Australia "Certified Professional Soil Scientist Contaminated Site Assessment and Management" (CPSS CSAM) scheme;
 - (b) be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997* (NSW); and
 - (c) be reviewed by a NSW EPA accredited Site Auditor. The Site Auditor must issue interim audit advice stating whether they consider the **SAQP** to be appropriate.

- E94 **Detailed Site Investigations** to confirm moderate and high risk contaminated sites identified in Preliminary Site Investigation in **Condition A1** must be prepared (or reviewed and approved) by a Contaminated Land Consultant certified under either the EIANZ scheme or the CPSS CSAM scheme.

The **Detailed Site Investigations** must be undertaken before ground disturbance in areas identified in the documents under **Condition A1** as moderate to high risk.

- E95 A **Detailed Site Investigation Report(s)** must be prepared and submitted to the Planning Secretary for information following the completion of **Detailed Site Investigations** required by **Condition E94** and:

- (a) be prepared (or reviewed and approved) by a Contaminated Land Consultant certified under either the EIANZ scheme or the CPSS CSAM scheme;
- (b) be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997* (NSW); and
- (c) be reviewed by a NSW EPA-accredited Site Auditor. The Site Auditor must issue **interim audit advice** stating whether the **Detailed Site Investigation Report(s)** appropriately categorises risk and remediation requirements.

*Note: Nothing in this condition prevents the Proponent from preparing individual **Detailed Site Investigation Report(s)** for separate sites.*

- E96 If **Detailed Site Investigation Report(s)** (required under **Condition E95**) indicate that remediation is required to make land suitable for the intended land use, a **Remedial Action Plan** must:

- (a) be prepared (or reviewed and approved) by a Contaminated Land Consultant certified under either the EIANZ scheme or the CPSS CSAM scheme;
- (b) be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the *Contaminated Land Management Act 1997* (NSW);
- (c) include measures to remediate the contamination at the site to ensure the site will be suitable for the proposed use and detail how the environmental and human health risks will be managed during the disturbance, remediation and / or removal of contaminated soil / sediment or groundwater; and
- (d) be reviewed by a NSW EPA-accredited Site Auditor. The Site Auditor must issue a **Section B Site Audit Statement** or **interim audit advice** which certifies that the site can be made suitable for the intended land use – if the site is remediated in accordance with the **Remedial Action Plan**.

*Note: Nothing in this condition prevents the preparation of individual **Remedial Action Plan(s)** for separate sites.*

- E97 Before commencing remediation, a copy of the **Remedial Action Plan** and the **Section B Site Audit Statement**, or **interim audit advice** which certifies that the **Remedial Action Plan** is appropriate, must be made available.

- E98 The **Remedial Action Plan** must be implemented, and any changes to the **Remedial Action Plan** must be approved in writing by the NSW EPA-accredited Site Auditor. A copy of the revised **Remedial Action Plan** must be made available to the Planning Secretary upon request.

Note: Nothing in this condition prevents the Proponent from engaging the Site Auditor to prepare Site Audit Statements for separate sites.

- E99 A **Section A1** or **A2 Site Audit Statement** (accompanied by an Environmental Management Plan) and its accompanying **Site Audit Report**, which state the contaminated land subject to the **Remedial Action Plan** has been made suitable for the intended land use, must be submitted to the Planning Secretary and the Relevant Council(s), SOPA (in respect of Sydney Olympic Park)

and / or Place Management NSW (in respect of The Bays) after remediation and before the commencement of operation.

*Note: Nothing in this condition prevents the Proponent from obtaining **Section A Site Audit Statement(s)** for individual parcels of remediated land.*

- E100 Contaminated land which requires remediation to make it suitable for its intended land use must not be used for the purpose approved under the conditions of this approval until a **Section A1 or A2 Site Audit Statement** is obtained which states that the land is suitable for that.
- E101 An **Unexpected Finds Procedure for Contamination** must be prepared before the commencement of construction and implemented throughout construction. The procedure must:
- (a) be followed should unexpected contamination or asbestos (or suspected contamination) be excavated or otherwise discovered;
 - (b) include details of who will be responsible for implementing the unexpected finds procedure and the roles and responsibilities of all parties involved; and
 - (c) be prepared (or reviewed and approved), by a contaminated land consultant certified under either the EIANZ scheme or the CPSS CSAM scheme.

SUSTAINABILITY

- E102 A **Water Reuse Strategy** must be prepared, which sets out options for the reuse of collected stormwater. The **Water Reuse Strategy** must include, but not be limited to:
- (a) evaluation of reuse options;
 - (b) details of the preferred reuse option(s), including volumes of water to be reused, proposed reuse locations and/or activities, proposed treatment (if required), and any additional licences or approvals that may be required;
 - (c) measures to avoid misuse of recycled water as potable water;
 - (d) consideration of the public health risks from water recycling; and
 - (e) time frame for the implementation of the preferred reuse option(s).

The **Water Reuse Strategy** must be prepared based on best practice and advice sought from relevant agencies, as required. The **Water Reuse Strategy** must be applied during construction.

Justification must be provided to the Planning Secretary if it is concluded that no reuse options prevail.

A copy of the **Water Reuse Strategy** must be made publicly available.

Nothing in this condition prevents the Proponent from preparing separate **Water Reuse Strategies** for the construction of the CSSI.

TRAFFIC AND TRANSPORT

Construction Traffic Management

- E103 **Construction Traffic Management Plans (CTMPs)** must be prepared in accordance with the **Construction Traffic Management Framework (CTMF)**. A copy of the **CTMPs** must be submitted to the Planning Secretary for information before the commencement of construction in the area identified and managed within the relevant **CTMP**.
- E104 Local roads that are not identified in the documents listed in **Condition A1** which are proposed to be used by Heavy Vehicles to directly access construction sites and ancillary facilities must be approved by the Planning Secretary before the use of the proposed local roads and be included in the **CTMPs**.

E105 Requests to the Planning Secretary for approval to use local roads under **Condition E104** must include the following:

- (a) a swept path analysis and demonstration that the swept paths will not compromise the safety of pedestrians, cyclists or traffic at construction access points and at intersections to, from and along local roads proposed to be used, or will be suitably controlled so as not to compromise the safety of pedestrians, cyclists or traffic;
- (b) demonstration that the use of local roads by heavy vehicles for the CSSI will not compromise the safety of pedestrians and cyclists or the safety of two-way traffic flow on two-way roadways;
- (c) consultation with School Infrastructure NSW and any school, aged care or childcare facilities on heavy vehicle routes and associated management measures to be implemented and where practicable, avoid the use of roads passing these facilities, particularly at their peak traffic generating times;
- (d) provide details on the date of completion of the road dilapidation surveys for the subject local roads; and
- (e) written advice from an appropriately qualified professional on the suitability of the proposed Heavy Vehicle route which takes into consideration items **(a) to (d)** of this condition.

E106 The locations of all Heavy Vehicles used for spoil haulage must be monitored in real time and the records of monitoring must be kept for a period of no less than one (1) year following the completion of construction. The results of the real time monitoring must be made available electronically to the Planning Secretary and the EPA upon request.

Road Dilapidation

E107 If damage to roads occurs as a result of construction, the Proponent must either (at the Relevant Roads Authority's discretion):

- (a) compensate the Relevant Roads Authority for the damage so caused; or
- (b) rectify the damage to restore the road to at least the pre-work condition as identified in **Road Dilapidation Report(s)** (including as required by SSI 10038 and SSI 19238057).

Construction Parking and Access Management

E108 Vehicles (including light vehicles and Heavy Vehicles) associated with the CSSI must be managed to:

- (a) minimise parking on public roads;
- (b) minimise idling and queueing on all roads;
- (c) prevent marshalling of construction vehicles near sensitive land use(s);
- (d) ensure parked vehicles do not block or disrupt access across pedestrian or shared user paths at any time; and
- (e) ensure spoil haulage vehicles adhere to the nominated haulage routes identified in the **CTMPs**.

E109 A **Construction Parking and Access Strategy** must be prepared to identify and mitigate impacts resulting from on-street parking changes during construction. The **Construction Parking and Access Strategy** must include, but not necessarily be limited to:

- (a) achieving the requirements of **Condition E108** above;
- (b) confirmation of timing and duration of the removal of on-street parking associated with construction;
- (c) parking surveys of publicly accessible parking spaces to be removed, or on-street parking spaces potentially occupied by the project workforce and within the vicinity of the relevant construction site to determine demand during peak, off-peak, school drop off and pickup, weekend periods and during special events;
- (d) consultation with affected stakeholders that use the existing on-street parking which may be directly impacted;
- (e) identification of practicable mitigation measures to manage impacts to stakeholders as a result of on-street parking changes including, but not necessarily limited to, staged removal

- and replacement of parking, provision of alternative temporary or permanent parking arrangements, managed staff parking arrangements and working with Relevant Council(s), SOPA (in respect of Sydney Olympic Park) to introduce parking restrictions adjacent to work sites or appropriate residential parking permit schemes;
- (f) where residential parking permit schemes do not exist, off-street parking facilities must be provided for the CSSI workforce where alternate means of transport are not a preferred or feasible option;
 - (g) mechanisms for monitoring, over appropriate intervals, to determine the effectiveness of implemented mitigation measures;
 - (h) details of shuttle bus service(s) that could be used to transport the CSSI workforce to work sites from public transport hubs and off-site car parking facilities (where these are provided) and between work sites;
 - (i) identification and implementation of contingency measures should the results of mitigation or monitoring indicate implemented measures are ineffective; and
 - (j) provision of reporting of monitoring results to the Planning Secretary and Relevant Council(s), at six (6) monthly intervals.

The **Construction Parking and Access Strategy** must be submitted to the Planning Secretary for approval at least one (1) month before the commencement of any construction that reduces the availability of existing parking. The approved **Construction Parking and Access Strategy** must be implemented before impacting on on-street parking and incorporated into the relevant **CTMP(s)**.

- E110 Emergency vehicle access must be maintained at all times to Westmead Hospital throughout construction in consultation with TfNSW, emergency services and NSW Health. Measures must be outlined in the relevant **Construction Parking and Access Strategy**.

Property Access

- E111 Access to all properties must be maintained during the entirety of works unless agreed in writing with the relevant landowner or occupier.
- E112 Any property access physically affected by the CSSI must be reinstated to at least an equivalent standard, unless otherwise agreed by the landowner or occupier.

Road Traffic and Safety

- E113 A **Traffic and Transport Liaison Group(s)** must be established in accordance with the **CTMF** to inform the development of the **CTMP(s)** and in relation to transport management measures to be implemented for operation. The **Traffic and Transport Liaison Group(s)** must include representation from Place Management NSW and Port Authority of NSW (in respect of The Bays), SOPA (in respect of Sydney Olympic Park) and Relevant Council(s).
- E114 Supplementary analysis and modelling as required by TfNSW and / or the **Traffic and Transport Liaison Group(s)** must be undertaken to demonstrate that construction and operational traffic can be managed to minimise disruption to traffic network operations, including changes to and the management of pedestrian, bicycle and public transport networks, public transport services, and pedestrian and cyclist movements. Revised traffic management measures must be incorporated into the **CTMP(s)**.
- E115 Permanent road works included in the CSSI (including new or modified roads, parking, pedestrian and cyclists infrastructure) must be designed, constructed and operated with the objective of integrating with existing and proposed road and related transport networks and minimising adverse changes to the safety, efficiency and accessibility of the network. Design and assessment of related traffic, parking, pedestrian and cycle accessibility impacts and changes must be undertaken:
- (a) in consultation with, and to the reasonable requirements of the relevant **Traffic and Transport Liaison Group(s)**;

- (b) in consideration of existing demand and demand expected to be generated from the operation of the CSSI, connectivity (in relation to permanent changes), performance and safety requirements;
- (c) to minimise and manage local area traffic impacts;
- (d) to ensure access is maintained to property and infrastructure; and
- (e) to address relevant design, engineering and safety guidelines, including Austroads, Australian Standards and TfNSW requirements.

Copies of civil, structural and traffic signal design plans shall be submitted to the Relevant Road Authority for consultation during design development and before the construction of permanent road / intersection works.

E116 As part of **Condition E113**, opportunities to optimise intersection performance must be investigated in consultation with the **Traffic and Transport Liaison Group(s)** taking into consideration the modal access hierarchy defined in the documents set out in **Condition A1**, at:

- (a) Hawkesbury Road / Railway Parade and Hawkesbury Road / Alexandra Avenue in Westmead;
- (b) Pomeroy Street / Queen Street / Beronga Street in North Strathfield;
- (c) Robert Street / Mullens Street in Rozelle; and
- (d) Pyrmont Bridge Road / Union Street in Pyrmont.

Recommended optimisations must be implemented before operation where practicable.

E117 Permanent road works, including vehicular access, signalised intersection works, and works relating to pedestrians, cyclists, and public transport users must be subject to safety audits demonstrating consistency with relevant design, engineering and safety standards and guidelines. Safety audits must be prepared in consultation with the relevant **Traffic and Transport Liaison Group(s)** before the completion and use of the subject infrastructure and must be made available to the Planning Secretary upon request.

E118 The CSSI must not preclude potential future improvement outcomes outlined in the Westmead Place-based Transport Strategy (TfNSW, 2022).

E119 The new precinct road within The Bays metro station precinct must be designed to:

- (a) provide a speed reduced environment;
- (b) promote walkability and provide efficient pedestrian friendly crossings;
- (c) promote efficient cyclist friendly crossings; and
- (d) prioritise the crossing of large numbers of pedestrians, particularly in the vicinity of the metro station.

Public Transport

E120 Where bus stops are required to be temporarily closed for construction, such closure must not occur until relocated bus stops that comply with relevant standards are functioning, have similar capacity and amenity and are relocated within a 400 metre walking distance of the existing bus stop. Closures and relocation of bus stops during construction must be undertaken in consultation with Relevant Council(s). Wayfinding signage must be provided directing commuters to adjacent or relocated bus stops. Footpaths and (where required) road crossing facilities must be provided to any relocated bus stops such that accessibility and safety standards are met.

Active Transport

E121 Safe pedestrian and cyclist access must be maintained around work sites during construction, including appropriate wayfinding signage. In circumstances where pedestrian and cyclist access or routes are restricted or removed due to construction activities, a nearby alternate access or route (which complies with the relevant standards) must be provided and signposted before the restriction or removal of the impacted access or route.

- E122 The design of the permanent pedestrian access proposed for the Rosehill Gardens Racecourse from James Ruse Drive must be developed in consultation with the Australian Turf Club and City of Parramatta Council and implemented before operation.
- E123 An audit of bicycle patronage and the adequacy of bicycle parking at stations must be undertaken 12 months following commencement of operation with the objective of determining the adequacy, in terms of both quantity and quality, of bicycle parking available at each metro station. The audit must be undertaken in consultation with Relevant Council(s), SOPA (in respect of Sydney Olympic Park), Place Management NSW (in respect of The Bays), TfNSW, Bicycle NSW and relevant local bike user groups. Recommendations of the audit must be implemented within 12 months of the completion of the audit where practicable.
- E124 **Interchange Access Plan(s)** must be developed for each metro station precinct to inform the final design of transport, access and service facilities, including footpaths, cycleways, passenger facilities, parking, traffic and road changes, and the integration of public domain and transport initiatives around each metro station. **Interchange Access Plan(s)** must consider a catchment 200 metres from each metro station entry(s) and include:
- (a) the identification of:
 - (i) existing networks, initiatives and plans, including consideration of relevant State and Council cycling strategies (including relevant draft strategies);
 - (ii) expected demand from land use change and approved future development (as known at the date of this approval);
 - (b) the identification of transport infrastructure capacity deficiencies, constraints and gaps, including consideration of:
 - (i) missing active transport links;
 - (ii) footpath crowding and pedestrian levels of service on new public domain constructed as part of the CSSI and at each metro station entry(s) and adjacent footpath(s);
 - (c) the identification of initiatives to address matters raised in **(b)** above, including (but not limited to):
 - (i) opportunities for additional connections;
 - (ii) integration with existing and proposed transport infrastructure and services;
 - (iii) vehicle access and parking infrastructure and service changes (including for bicycles);
 - (iv) review of transport infrastructure to ensure compliance with Austroads design criteria;
 - (v) safe and convenient access to stations and transfer between transport modes (including subterranean connections and the safeguarding of additional entrances in response to land use change and patronage demand);
 - (d) delivery and implementation program for the identified initiatives in **(c)** above; and
 - (e) management provisions for operational requirements, not limited to maintenance, security and management responsibilities.

Each **Interchange Access Plan** must be prepared in consultation with the relevant **Traffic and Transport Liaison Group** and must be supported by existing and forecast traffic and transport analysis. Where necessary, consultation must also be undertaken with major landowners adjoining metro station precincts. The delivery and implementation program must be approved by the Planning Secretary before commencement of construction of permanent aboveground facilities.

Each **Interchange Access Plan** must be reviewed by a qualified traffic and transport professional(s), independent of the detailed design process for the CSSI, having regard to the requirements of this approval.

- E125 In preparing the final design of the pedestrian and cycling links around the Clyde Stabling and Maintenance Facility and Rosehill Services Facility, the Proponent must consult with major landowners adjoining the precinct and City of Parramatta Council and take into account:
- (a) existing networks, initiatives and plans, including consideration of relevant State and City of Parramatta Council cycling strategies (including relevant draft strategies); and

- (b) existing transport infrastructure capacity deficiencies, constraints and gaps, including missing active transport links.

Operational Traffic Review

E126 Traffic on local roads around each station must be monitored 12 months before the CSSI commences operation and for a period of no less than 12 months after commencement of operation. If monitoring indicates unacceptable traffic intrusion on local roads / streets as a result of operation of the CSSI beyond those that could reasonably be predicted in the documents listed in **Condition A1** / or **Interchange Access Plan(s)** in **Condition E124**, appropriate traffic management measures to mitigate the monitored impacts must be implemented following consultation with the Customer Journey Planning and Relevant Road Authorities.

UTILITIES MANAGEMENT

E127 Utilities, services and other infrastructure potentially affected by construction must be identified before works affecting the item, to determine requirements for access to, diversion protection, and / or support. The relevant owner(s) and / or provider(s) of services must be consulted to make suitable arrangements for access to diversion, protection, and / or support of the affected infrastructure as required. The Proponent must ensure that disruption to any service is minimised and be responsible for advising local residents and businesses affected before any planned disruption of service.

Utility Coordination Manager

E128 A **Utility Coordination Manager** must be appointed for the duration of work associated with the CSSI. The role of the **Utility Coordination Manager** must include, but not be limited to:

- (a) the management and coordination of all utility Work associated with the delivery of the CSSI, to ensure respite is provided to the community;
- (b) providing advice to the Sydney Metro Place Manager regarding upcoming utility work, including the scope of the work and the responsibility for the work; and
- (c) investigating complaints received from the Community Complaints Mediator or the Project communication team relating to utility work and providing a response as required.

WASTE

E129 Waste generated during construction and operation must be dealt with in accordance with the following priorities:

- (a) waste generation must be avoided and where avoidance is not reasonably practicable, waste generation must be reduced;
- (b) where avoiding or reducing waste is not possible, waste must be re-used, recycled, or recovered; and
- (c) where re-using, recycling or recovering waste is not possible, waste must be treated or disposed of.

E130 The importation of waste and the storage, treatment, processing, reprocessing or disposal of such waste must comply with the conditions of any relevant EPL in force for the CSSI, or be done in accordance with a Resource Recovery Exemption or Order issued under the *Protection of the Environment Operations (Waste) Regulation 2014*, as the case may be.

E131 Waste must only be exported to a site licensed by the EPA for the storage, treatment, processing, reprocessing or disposal of the subject waste, or in accordance with a Resource Recovery Exemption or Order issued under the *Protection of the Environment Operations (Waste) Regulation 2014*, or to any other place that can lawfully accept such waste.

E132 All waste must be classified in accordance with the EPA's *Waste Classification Guidelines*, with appropriate records and disposal dockets retained for audit purposes.

WATER

E133 Work on waterfront land must be carried out in accordance with controlled activity guidelines.

Water Quality

E134 The CSSI must be designed, constructed and operated so as to maintain the *NSW Water Quality Objectives* (NSW WQO) where they are being achieved as at the date of this approval, and contribute towards achievement of the NSW WQO over time where they are not being achieved as at the date of this approval, unless an EPL in force in respect of the CSSI contains different requirements in relation to the NSW WQO, in which case those requirements must be complied with.

E135 Unless an EPL is in force in respect to the CSSI and that licence specifies alternative criteria, discharges from wastewater treatment plants to surface waters must not exceed:

- (a) the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2018* (ANZG (2018)) default guideline values for toxicants at the 95 per cent species protection level;
- (b) for physical and chemical stressors, the guideline values set out in Tables 3.3.2 and 3.3.3 of the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000* (ANZECC/ARMCANZ);
- (c) for bioaccumulative and persistent toxicants, the ANZG (2018) guidelines values at a minimum of 99 per cent species protection level; and
- (d) the draft *Australian and New Zealand Guidelines* default guideline values for iron (marine).

Where the ANZG (2018) does not provide a default guideline value for a particular pollutant, the approaches set out in the ANZG (2018) for deriving guideline values, using interim guideline values and / or using other lines of evidence must be used.

Note: Other lines of evidence includes international scientific literature or water quality guidelines from other countries.

E136 If alternative discharge criteria from the water treatment plant is proposed via an EPL, a **Water Pollution Impact Assessment** will be required for the relevant pollutants to inform licensing consistent with section 45 of the POEO Act. Any such assessment must be prepared in consultation with the EPA and be consistent with the *National Water Quality Guidelines*, with a level of detail commensurate with the potential water pollution risk.

E137 If construction stage stormwater discharges are proposed, a **Water Pollution Impact Assessment** will be required to inform licensing consistent with section 45 of the POEO Act. Any such assessment must be prepared in consultation with the EPA and be consistent with the *National Water Quality Guidelines*, with a level of detail commensurate with the potential water pollution risk.

E138 Drainage feature crossings (permanent and temporary watercourse crossings and stream diversions) and drainage swales and depressions must be carried out in accordance with relevant guidelines and designed by a suitably qualified and experienced person.

Groundwater

E139 Make good provisions for groundwater users must be provided in the event of a material decline in water supply levels, quality or quantity from registered existing bores associated with groundwater changes from construction dewatering by the CSSI in accordance with the *NSW Aquifer Interference Policy* (NSW DPIE, 2012).

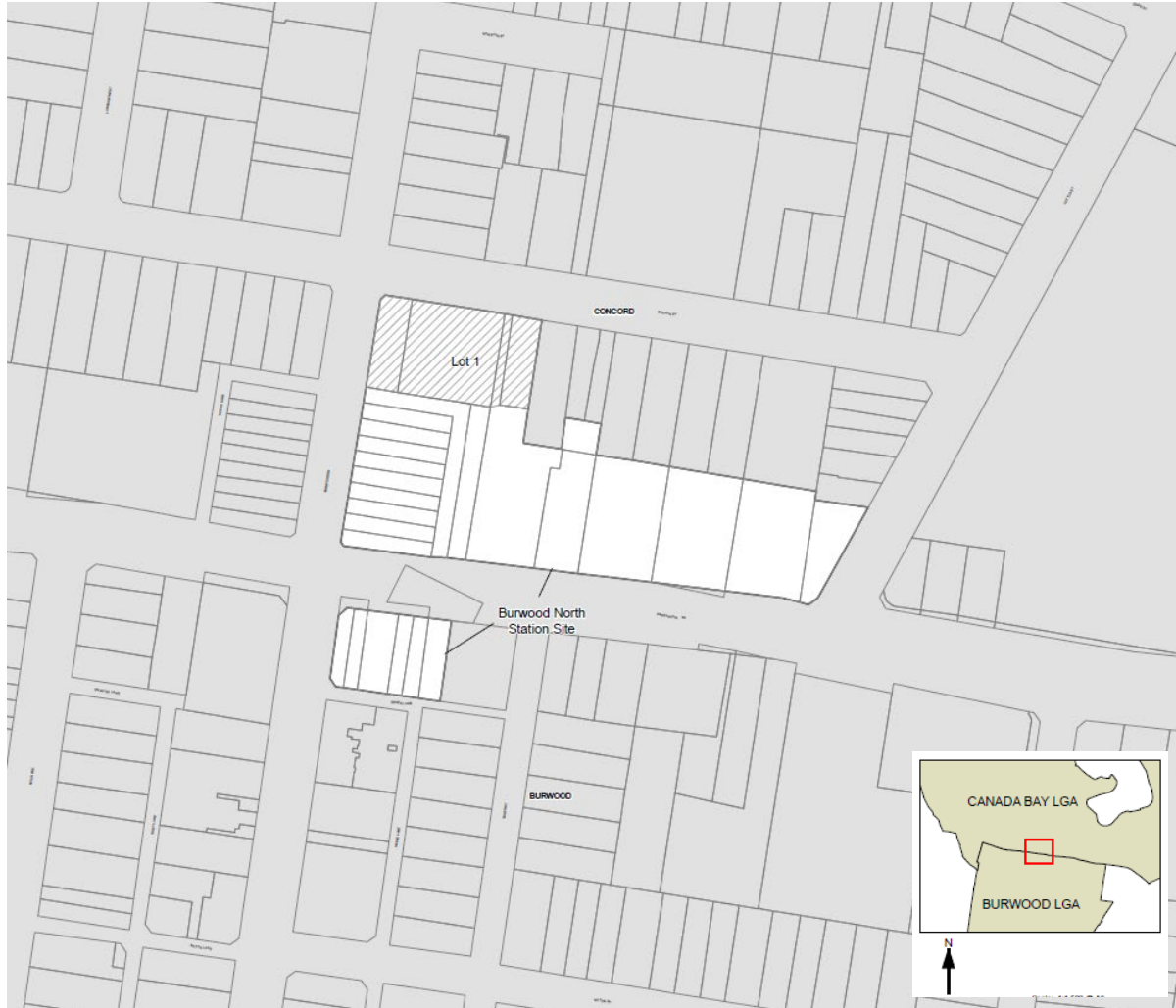
E140 Sufficient water entitlement must be held in a Water Access Licence(s) (WAL) to account for the maximum predicted take for each water source before take occurring, unless an exemption under the Water Management (General) Regulation 2018 applies.

E141 The Proponent must submit a revised **Groundwater Modelling Report** to the Planning Secretary for information before bulk excavation for the underground concourse at Westmead metro station and for the basements at Parramatta metro station. The **Groundwater Modelling Report** be prepared in consultation with DPE Water and must include:

- (a) for each construction site where excavation will be undertaken, cumulative (additive) impacts from nearby developments, parallel transport projects and nearby excavation;
- (b) predicted incidental groundwater take (dewatering) including cumulative project effects;
- (c) potential impacts of the CSSI or detail and demonstrate why the CSSI will not have lasting impacts to the groundwater system, groundwater incidental take and groundwater level drawdown effects;
- (d) actions required to minimise the risk of inflows;
- (e) saltwater intrusion modelling analysis, from estuarine and saline groundwater in shale, into the basements at Parramatta metro station; and
- (f) a schematic of the conceptual hydrogeological model.

APPENDIX A

Burwood North metro station precinct



APPENDIX B

WRITTEN INCIDENT NOTIFICATION AND REPORTING REQUIREMENTS

1. A written incident notification addressing the requirements set out below must be submitted to the Planning Secretary via the Major Projects website within seven (7) days after the Proponent becomes aware of an incident. Notification is required to be given under this condition even if the Proponent fails to give the notification required under **Condition A47** or, having given such notification, subsequently forms the view that an incident has not occurred.
2. Written notification of an incident must:
 - (a) identify the CSSI and application number;
 - (b) provide details of the incident (date, time, location, a brief description of what occurred and why it is classified as an incident);
 - (c) identify how the incident was detected;
 - (d) identify when the Proponent became aware of the incident;
 - (e) identify any actual or potential non-compliance with conditions of approval;
 - (f) describe what immediate steps were taken in relation to the incident;
 - (g) identify further action that will be taken in relation to the incident; and
 - (h) identify a project contact for further communication regarding the incident.
3. Within 30 days of the date on which the incident occurred or as otherwise agreed to by the Planning Secretary, the Proponent must provide the Planning Secretary and any relevant public authorities (as determined by the Planning Secretary) with a detailed report on the incident addressing all requirements below, and such further reports as may be requested.
4. The Incident Report must include:
 - (a) a summary of the incident;
 - (b) outcomes of an incident investigation, including identification of the cause of the incident;
 - (c) details of the corrective and preventative actions that have been, or will be, implemented to address the incident and prevent recurrence; and
 - (d) details of any communication with other stakeholders regarding the incident.