



[Enter iCentral reference number]

3 September 2019

Attn: Glenn Snow
Director Transport Assessments
NSW Department of Planning, Industry & Environment
GPO Box 39
Sydney NSW 2001

Dear Glenn,

Sydney Metro, SSI_5931, Request for Administrative Modification

Sydney Metro requests the following modification of conditions of approval SSI_5931 in accordance with the requirements of s5.25 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

For each condition listed in the table attached in Appendix A, there is the;

- Condition and its number
- Sydney Metro's proposed modification of that condition, and
- Sydney Metro's justification.

No conditions have been removed and suggested text is in red.

Sydney Metro would be happy to meet with the Department to discuss this request if required.

If you require any further information to assist your approval please contact, Ben Armstrong, Senior Manager Environment on ben.armstrong2@transport.nsw.gov.au or 0404 831 197.

Sincerely

Fil Cerone
Director, Sustainability Environment & Planning,
City & Southwest Metro

[Enter iCentral reference number]

Condition	Current wording of the condition	Requested modification	Justification
E6.	<p>Construction works outside of the standard construction hours identified in condition E5 may be undertaken in the following circumstances:</p> <p>(a) construction works that generate air-borne noise that is:</p> <p>(i) no more than 5 dB(A) above rating background level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009);</p> <p>(ii) no more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) at other sensitive receivers;</p> <p>(b) where a negotiated agreement has been reached with affected receivers, where the prescribed noise and vibration levels cannot be achieved;</p> <p>(c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons;</p> <p>(d) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; and</p> <p>(e) works approved through an EPL.</p>	<p>Construction works outside of the standard construction hours identified in condition E5 may be undertaken in the following circumstances:</p> <p>(a) construction works that generate air-borne noise that is:</p> <p>(i) no more than 5 dB(A) above rating background level at any residence in accordance with the Interim Construction Noise Guideline (DECC, 2009);</p> <p>(ii) no more than the noise management levels specified in Table 3 of the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) at other sensitive receivers;</p> <p>(b) where a negotiated agreement has been reached with affected receivers, where the prescribed noise and vibration levels cannot be achieved;</p> <p>(c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons;</p> <p>(d) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm;</p> <p>(e) construction works approved in accordance with the Out of Hours Work (OOHW) Protocol included as part of a Construction Noise & Vibration Management Plan as required by Condition E29(b) of this approval; and</p> <p>(f) works approved through an EPL.</p>	<p>The current wording of the condition does not allow the undertaking of impulsive or tonal noise emitting activities outside of standard construction hours, unless permitted by an EPL.</p> <p>The proposed activities being undertaken by the Line Wide contractor do not trigger the need for an EPL and some activities must be undertaken in a rail possession due to the operational requirements of Northwest Metro and relate to the integration into the existing rail infrastructure network.</p> <p>The requested modification –</p> <ul style="list-style-type: none"> • is consistent with the assessment provided in the EIS, which stated in Chapter 11.8.1 (page 108) that some works would be required to be undertaken within a rail possession up to 24 hours per day, seven days a week; • provides appropriate flexibility for future activities that may require out of hours work associated with the Line Wide scope of works; and <p>would tie approval of such works into the process outlined in the OOHW Protocol included in the Line Wide CNVMP, which was approved by the Secretary on 16 August 2019.</p>

Condition	Current wording of the condition	Requested modification	Justification
E7.	<p>Except as expressly permitted by an EPL, activities resulting in impulsive or tonal noise emission (such as rock breaking, rock hammering, pile driving) shall only be undertaken:</p> <ul style="list-style-type: none"> (a) between the hours of 8:00 am to 5:00 pm Monday to Friday; (b) between the hours of 8:00 am to 1:00 pm Saturday; and (c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block. <p>For the purposes of this condition 'continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work the subject of this condition.</p>	<p>Except as expressly permitted by an EPL or for works approved through the OOHW Protocol referred to in Condition E6, activities resulting in impulsive or tonal noise emission (such as rock breaking, rock hammering, pile driving) shall only be undertaken:</p> <ul style="list-style-type: none"> (a) between the hours of 8:00 am to 5:00 pm Monday to Friday; (b) between the hours of 8:00 am to 1:00 pm Saturday; and (c) in continuous blocks not exceeding three hours each with a minimum respite from those activities and works of not less than one hour between each block. <p>For the purposes of this condition 'continuous' includes any period during which there is less than a one hour respite between ceasing and recommencing any of the work the subject of this condition.</p>	<ul style="list-style-type: none"> • As above.