

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>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 proposed activities include the excavation of trenches for the construction of in-ground services, which are known as Combined Services Routes (CSR). Excavation of the CSRs is required in existing operational areas. Excavation of CSRs are planned to occur during a possession to address safety and operational requirements.</p> <p>A significant portion of the required excavation work is through rock, which will require the use of rock-hammering equipment.</p> <p>Note: Rock hammering activities that are required during possessions will, as far as possible, be carried out within standard construction hours.</p>

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		(f) works approved through an EPL.	<p>However, as noted above excavation of individual CSRs (under existing operational rail) must be completed within the possession period to allow the facility to return to operational status at completion of the possession period.</p> <p>Works being required to occur during a possession are generally described in the EIS Appendix F – Noise Assessment. Specifically Sections 3.5 and 3.6. Construction of the CSR is an integral and fundamental component of the overall scope of the approved project and is consistent with the project description in the EIS and the Indicative Construction Program and Activities as described in Section 4.1 of the approved Construction Noise and Vibration Management Plan (CNVMP).</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 • would tie approval of such works into the process outlined in the OOHV Protocol included in the Line Wide CNVMP, which was approved by the Secretary on 16 August 2019.

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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.