

# Modification of Infrastructure Approval

## Section 115ZI of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning under the Instrument of Delegation dated 11 October 2017, I approve the modification of the State significant infrastructure approval referred to in Schedule 1, subject to the conditions in Schedule 2.



David Gainsford  
**Executive Director**  
**Priority Projects Assessments**

Sydney 13th December 2017

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### SCHEDULE 1

**Infrastructure Approval:** SSI 7400 granted by the Minister for Planning on 9 January 2017.

**For the following Critical  
State Significant Infrastructure:**

Construction and operation of a metro rail line, approximately 16.5 kilometres long (of which approximately 15.5 kilometres is located in underground rail tunnels) between Chatswood and Sydenham, including the construction of a tunnel under Sydney Harbour, links with the existing rail network, seven metro stations, and associated ancillary infrastructure.

**Declaration as Critical  
State Significant Infrastructure:**

The proposal is Critical State Significant Infrastructure by virtue of clause 5 of Schedule 5 of the State Environmental Planning Policy (State and Regional Development) 2011 (NSW) and section 115V of the *Environmental Planning and Assessment Act 1979* (NSW).

**Modification:**

(SSI 7400 MOD 4)

- Sydenham Station and precinct works, including the demolition and reconstruction of platforms 1 and 2 and construction of a new aerial concourse connecting new station entries at Railway Parade and Burrows Avenue.
- Construction and operation of a train stabling and maintenance facility (Sydney Metro Trains Facility South).
- Installation and fit-out of metro tracks and rail systems, including crossover and turnback facilities, between the Marrickville dive site and south of Sydenham Station.
- Adjustments to the Sydenham Pit and Drainage Pumping Station.
- Reconfiguration of the existing track and rail systems.
- Ancillary infrastructure and works.

## SCHEDULE 2

Note: Words that have been deleted are shown as: ~~deleted~~  
Words that have been added are shown as: added

### 1. Delete condition A1 and replace with the following:

- A1 The CSSI must be constructed generally in accordance with the description of the CSSI in the EIS as amended by the:
- (a) description in the PIR;
  - (b) Sydney Metro City and Southwest Chatswood to Sydenham Victoria Cross Station and Artarmon Substation Modification Report (Transport for NSW) as amended by the Victoria Cross and Artarmon Substation Modification Submission Report (Transport for NSW);
  - (c) Sydney Metro City and Southwest Chatswood to Sydenham Sydenham Station and Sydney Metro Trains Facility South Modification Report (Transport for NSW) as amended by the Sydney Metro City and Southwest Chatswood to Sydenham Sydenham Station and Sydney Metro Trains Facility South Submissions Report (Transport for NSW); and
  - (d) the terms of this approval.

### 2. Amend condition A4 as follows:

- A4 Except to the extent described in the EIS or in any document listed in A1, any over station development or any development above or within the Sydney Metro Trains Facility South, including associated future uses, does not form part of this CSSI and will be subject to the relevant assessment pathway prescribed by the EP&A Act.

### 3. Amend condition C1 as follows:

- C1 A **Construction Environmental Management Plan (CEMP)** must be prepared in accordance with the Construction Environmental Management Framework (CEMF) included in the PIR and the Department's *Guideline for the Preparation of Environmental Management Plans* to detail how the performance outcomes, commitments and mitigation measures specified in Chapter 11 of the PIR, as amended by the documents listed in A1, will be implemented and achieved during construction.

### 4. Amend condition C2 (e) as follows:

- C2 (e) details of how the activities described in subsection (a) of this condition will be carried out to:
- i. meet the performance outcomes stated in the EIS as amended by the documents listed in A1 ~~(a) to A1(c) inclusive~~; and
  - ii. manage the risks identified in the risk analysis undertaken in subsection (d) of this condition;

### 5. Amend C4 (a) and (b) as follows:

- C4 (a) the environmental performance outcomes identified in the EIS as amended by the documents listed in A1 ~~(a) to A1(c) inclusive~~ will be achieved;
- (b) (b) the mitigation measures identified in the EIS as amended by documents listed in A1 ~~(a) to A1(c) inclusive~~ will be implemented;

### 6. Amend D3 as follows:

- D3 Where an **OEMP** is required, the Proponent must include the following **OEMP sub-plans** in the **OEMP**:

	Required OEMP sub-plan	Relevant government agencies to be consulted for each OEMP sub-plan
(a)	Noise and vibration	EPA
(b)	Groundwater Management	EPA and DPI Water
(c)	Traffic and Transport	Sydney Coordination Office, Relevant Road Authority and non-private transport operators
(d)	Flooding and hydrology (including emergency response planning)	Directly affected landowners, OEH, DPI Water, SES, <u>Sydney Water</u> and Relevant Council(s)

**7. Amend E8 as follows:**

E8 Measures identified in Chapter 11 of the PIR to maintain or improve flood characteristics, as amended by the documents listed in A1, must be incorporated into the detailed design of the CSSI. The incorporation of these measures into the detailed design, including modelling, must be reviewed and endorsed by a suitably qualified and experienced person in consultation with directly affected landowners and businesses, Sydney Water, DPI Water, OEH, NSW State Emergency Service (SES) and Relevant Councils.

**8. Amend E9 as follows:**

E9 Measures Flood information including flood reports, models and geographic information system outputs, and work as executed information from a registered surveyor certifying finished ground levels and the dimensions and finished levels of all structures within the flood prone land, must be provided to the relevant Councils, Sydney Water, OEH and the SES. The Relevant Councils, Sydney Water, OEH and the SES must be notified in writing that the information is available no later than one month following the completion of construction and be provided with that information. Information requested by the relevant Council, Sydney Water, OEH or the SES must be provided no later than six months following the completion of construction or within another timeframe agreed with the Relevant Council(s), Sydney Water, OEH and the SES.

**9. Amend E13 as follows:**

E13 The Proponent must prepare a **Heritage Archival Recording Report**, including photographic recording of the heritage items identified in documents referred to in Condition A1.

Archival recording must include but not be limited to the following heritage items:

- (a) any component of the Blues Point Waterfront Group and the McMahons Point South heritage conservation area to be directly affected or altered, including vegetation and significant landscape features;
- (b) Hickson Road wall in the vicinity of proposed ventilation risers and skylights for Barangaroo Station or any other project elements to be located in front of the Hickson Road wall;
- (c) Martin Place, between Elizabeth and Castlereagh Streets, Sydney;
- (d) the Rolling Stock Officers' Garden, Rolling Stock Officers' Building and Cleaners' Amenities Building in Sydney Yard and any other component of the Sydney Terminal and Central Railway Stations group to be removed or altered; ~~and~~
- (e) any component of Sydenham Station or Sydenham Pit and Pumping Station to be removed or altered; and
- (f) views from Mortuary Station before construction of the Sydney Yard Access Bridge.

The archival recording must be undertaken by a suitably qualified heritage specialist and prepared in accordance with NSW Heritage Office's *How to Prepare Archival Records of Heritage Items* (1998) and *Photographic Recording of Heritage Items Using Film or Digital Capture* (2006).

Within two (2) years of completing the archival recording, or any other later time agreed by the Secretary, the Proponent must submit the **Heritage Archival Recording Report** to the Department, the OEH, Heritage Council of NSW, Relevant Council(s), relevant local libraries and local historical societies in the respective local government area(s).

**10. Amend E16 as follows:**

E16 The Proponent must prepare a **Salvage Report**, including photographic recording of the heritage items identified for salvage in documents referred to in Condition A1. The **Salvage Report** must include:

- (a) the internal heritage fabric removed from within the curtilage of Mowbray House, Chatswood;
- (b) the interior, exterior and setting of the shop at 187 Miller Street, North Sydney;
- (c) the fabric and setting of the North Sydney bus shelters;
- (d) the interior, exterior and setting of the 'Flat Building' at 7 Elizabeth Street, Sydney;
- (e) the heritage fabric of the existing Martin Place Station affected by the project; ~~and~~

- (f) the heritage fabric of the existing Sydenham Station affected by the project; and
- (g) directly impacted parts of the Congregational Church at Waterloo.

**11. Amend E21 as follows:**

- E21 The Proponent must prepare a **Heritage Interpretation Plan** which identifies and interprets the key Aboriginal and Non-Aboriginal heritage values and stories of heritage items and heritage conservation areas impacted by the CSSI. The **Heritage Interpretation Plan** must inform the **Station Design and Precinct Plan** referred to in Condition E101. The **Heritage Interpretation Plan** must be prepared in accordance with 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 history and significance of the affected heritage items and sections of heritage conservation areas including, but not limited to the Central Station, ~~and~~ Martin Place Station, Sydenham Station and Sydenham Pit and Drainage Pumping Station Precincts and;
  - (b) identification and confirmation of interpretive initiatives implemented to mitigate impacts to archaeological Relics, heritage items and conservation areas affected by the CSSI including:
    - i. use of interpretative hoardings during construction
    - ii. community open days
    - iii. community updates
    - iv. station and precinct design; and
  - (c) Aboriginal cultural and heritage values of the project area including the results of any archaeological investigations undertaken.

The **Heritage Interpretation Plan** must be prepared in consultation with the Heritage Council of NSW (or its delegate), Relevant Councils and Registered Aboriginal Parties, and must be submitted to the Secretary before commencement of construction.

**12. Amend E37 as follows:**

- E37 The Proponent must identify all receivers at Crows Nest, Victoria Cross, Barangaroo, Martin Place, Pitt Street, ~~and~~ Central, Marrickville, Newtown, St Peters, Sydenham and Tempe likely to experience internal noise levels greater than  $L_{eq(15 \text{ minute})}$  60 dB(A) inclusive of a 5 dB penalty, if rock breaking or any other annoying activity likely to result in regenerated (ground-borne) noise or a perceptible level of vibration is planned (including works associated with utility adjustments), between 7am – 8pm.

**13. Add new condition E95.1 to read:**

- E95.1 Before approval of the Interchange Access Plan or Station Design and Precinct Plan relevant to the Sydenham Station upgrade and Sydney Metro Trains Facility South, the Proponent must, in consultation with the TTLG, investigate opportunities for dedicated cycle connections between Sydenham Station and Marrickville Station. Where opportunities for such connections are identified, the relevant Interchange Access Plan and/or Station Design and Precinct Plan must include provision for delivery of any connections.

**14. Amend E101 as follows:**

- E101 Before commencement of permanent built surface works and/or landscaping, the Proponent must prepare **Station Design and Precinct Plans (SDPP)** for each station. The SDPP must be prepared by a suitably qualified and experienced person(s), in collaboration and consultation with relevant stakeholders including but not limited to relevant council(s), UrbanGrowth NSW, the Department, Chambers of Commerce and the local community. The SDPP(s) must present an integrated urban and place making outcome for each station or end state element. The SDPP(s) must be approved by the Secretary following review by the DRP and before commencement of permanent aboveground work.

Each SDPP must include, but not be limited to:

- (a) identification of specific design objectives, principles and standards based on -
  - i. the project design objectives as refined by the DRP;
  - ii. maximising the amenity of public spaces and permeability around entrances to stations;
  - iii. local environmental, heritage and place making values;

- iv. urban design context;
- v. sustainable design and maintenance;
- vi. community safety, amenity and privacy, including 'safer by design' principles where relevant;
- vii. relevant urban design and infrastructure standards and guidelines (including relevant council standards, policies and guidelines);
- viii. minimising the footprint of the project (including at operational facilities);
- (b) opportunities for public art;
- (c) landscaping and building design opportunities to mitigate the visual impacts of rail infrastructure and operational fixed facilities (including the Chatswood Dive, Marrickville Dive, Sydney Metro Trains Facility South, Artarmon Substation, station structures and services, noise walls etc.);
- (d) the incorporation of salvaged historic and artistic elements onto the project design, including but not limited to the Tom Bass P&O fountain, the Douglas Annand glass screen (if present), the Douglas Annand wall frieze and heritage fabric from Martin Place Station, unless otherwise agreed by the Secretary;
- (e) details on the location of existing vegetation and proposed landscaping (including use of endemic and advanced tree species where practicable). Details of species to be replanted/revegetated must be provided, including their appropriateness to the area and habitat for threatened species;
- (f) a description of the CSSI design features, including graphics such as sections, perspective views and sketches for key elements of the CSSI;
- (g) the location, design and impacts of operational lighting associated with the CSSI and measures proposed to minimise lighting impacts;
- (h) details of where and how recommendations from the DRP have been considered in the plan;
- (i) the timing for implementation of access, landscaping and public realm initiatives;
- (j) monitoring and maintenance procedures for vegetation and landscaping (including weed control), performance indicators, responsibilities, timing and duration and contingencies where rehabilitation of vegetation and landscaping measures fail; and
- (k) evidence of consultation with the community, local Councils and agencies in the preparation of on the SDPP(s) and how feedback has been addressed before seeking endorsement by the DRP.

Elements covered by SDPP(s) must be complete no later than the commencement of operation of the Sydney Metro to paid services, unless otherwise agreed with the Secretary.

*Note: The SDPP may be submitted in stages to address the built elements of the CSSI and landscaping aspects of the CSSI.*

#### **15. Amend E102 as follows:**

- E102 The SDPP must achieve a minimum visual impact rating of at least "Minor Benefit" as defined in the EIS, *as amended by the documents listed in A1*, for all design elements of the project, where feasible and reasonable. Where it can be demonstrated, to the DRP's satisfaction, that a "Minor Benefit" is not achievable, then a "Negligible" visual impact rating must be achieved as a minimum.