

# Modification of Infrastructure Approval

## Section 5.25 of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces 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.



Glenn Snow  
**Director**  
**Transport Assessments**

Sydney 29 June 2020

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### SCHEDULE 1

<b>Infrastructure Approval:</b>	SI_7400 granted by the Minister for Planning and Public Spaces on 9 January 2017.
<b>For the following</b>	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.
<b>Modification</b>	<p>Modification to amend conditions to:</p> <ul style="list-style-type: none"><li>• provide an alternative regulatory pathway for when rock breaking and other annoying activities for station shaft or cut and cover stations is allowed outside of standard construction hours; and</li><li>• remove the mandated representation of the NSW Heritage Council on the Sydney Metro Design Review Panel, and to allow a delegate to fulfil the role on an as needs basis.</li></ul>

## SCHEDULE 2

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

### 1. Amend Table 1: Definitions relevant to all CSSI projects as follows:

Term	Definition
NSW Heritage Council	Heritage Council of NSW <u>(or delegate)</u>

### 2. Amend Condition A1 as follows:

- 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);
  - (d) Sydney Metro City and Southwest Chatswood to Sydenham Central Walk Modification Report (Transport for NSW) as amended by the Central Walk Modification Submission Report (Transport for NSW);
  - (e) Sydney Metro City and Southwest Chatswood to Sydenham Martin Place Metro Station Modification Report as amended by the Sydney Metro City and Southwest Chatswood to Sydenham Martin Place Station Modification Submissions Report;
  - (f) Sydney Metro City and Southwest Chatswood to Sydenham Blues Point Acoustic Shed Modification Report (Sydney Metro) as amended by the Response to Submissions (Sydney Metro) dated 2 October 2018;
  - (g) Sydney Metro Chatswood to Sydenham, SSI\_7400, Request for administrative modification (Sydney Metro) dated 12 December 2018; ~~and~~
  - (h) Sydney Metro correspondence dated 17 April 2020 requesting modification to Condition E100 and correspondence dated 12 June 2020 requesting modification to Condition E46; and
  - (i) the terms of this approval.

### 3. Amend Condition E46 as follows:

- E46. Notwithstanding Conditions E44 and E48, rock breaking and other particularly annoying activities for station shaft or cut and cover stations is not permitted outside of standard construction hours, except at Central (excluding Central Walk works at 20-28 Chalmers Street, Surry Hills); or
- (a) 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; or
  - (b) where different construction hours are permitted or required under an EPL in force in respect of the construction; or
  - (c) where an EPL is not required or in force, approved through an Out of Hours Work Protocol developed in accordance with Condition E47; or
  - (d) construction that causes  $L_{Aeq(15\text{ min})}$  noise levels:
    - i. no more than 5 dB(A) above the rating background level at any residence in accordance with the *Interim Construction Noise Guideline* (DECC, 2009); and

- ii. no more than the noise management levels specified in Table 3 of the *Interim Construction Noise Guideline* (DECC, 2009) at other sensitive land uses; and
- iii. continuous or impulsive vibration values, measures at the most affected residence are no more than those for human exposure to vibration, specified in Table 2.2 of *Assessing Vibration: a technical guideline* (DEC, 2006); and
- iv. intermittent vibration values measured at the most affected residence are no more than those for human exposure to vibration, specified in Table 2.4 of *Assessing Vibration: a technical guideline* (DEC, 2006).

**4. Amend Condition E100 as follows:**

**E100.** The Proponent must establish a Design Review Panel (DRP) to refine design objectives for place making, public realm and urban and heritage integration applicable to the length of the project and provide advice on the application of the objectives to key design elements in relation to place making, architecture, heritage, urban and landscape design and artistic aspects of the CSSI.

The DRP must:

- (a) comprise five members who are experts in one of the identified designs elements;
- (b) include:
  - i. the NSW Government Architect as Chair (or their representative)
  - ii. ~~a representative from the Heritage Council.~~
- (c) invite the Heritage Council (or delegate) to participate in meetings on matters that have been referred to it by the Proponent in consultation with the Heritage Office. The independent heritage architect must also be invited to advise on matters relating to other heritage issues where this capability is not held by one of the members referred to in (a) or (b):
- (d) invite relevant Council(s) and other key stakeholders (such as UrbanGrowth NSW) to participate in meetings to advise on local issues and applicability of design review outcomes as they relate to the local context of each station;
- (e) meet at least four times a year, or any other timeframe agreed by the DRP; and
- (f) keep meeting minutes and a schedule of action items arising from each meeting.

~~Relevant Council(s) and other key stakeholders such as UrbanGrowth NSW and must be invited to participate in DRP meetings to advise on local issues and applicability of design review outcomes as they relate to the local context of each station location.~~