



**Transport
for NSW**

Ms Carolyn McNally
Secretary
Department of Planning & Environment
PO Box 39
Sydney NSW 2001

Attention: Glenn Snow

Dear Ms McNally

**Parramatta Light Rail Stage 1 State Significant Infrastructure approval - SSI 8285
Administrative modification**

Transport for NSW seeks to modify various conditions within Critical State Significant Infrastructure approval for Parramatta Light Rail Stage 1. The purpose of the administrative modification is to clarify some inconsistencies in the terms and requirements of the conditions of approval.

Attachment 1 outlines the proposed changes to the conditions of approval along with relevant justifications.

The changes propose greater clarity around condition requirements during early investigations and site establishment. These activities are anticipated to have minor environmental impacts and can be managed appropriately through industry standard measures documented through Environmental Control Maps. Therefore, the proposed amendments reflect the focus on materiality of the impact of these activities and incentivise work methods with a low impact on the community.

The Independent Environment Representative and Acoustic Advisor will be consulted on work methods and have the ability to endorse the measures appropriately.

Transport for NSW also requests that the department consider further changes to the terms 'work' and 'construction' to clarify their usage throughout the conditions. Capitalisation of these terms where appropriate, may assist in defining where the terms are relevant.

If there is any assistance that you may require or need further information please contact Mr Tim Green.

Yours sincerely

Tim Poole
Program Director
Parramatta Light Rail

Attachment 1

Proposed changes to the SSI 8285 approval

Parramatta Light Rail State Significant Infrastructure Approval SSI 8285
Outline of changes to conditions of approval for proposed administrative modification

No.	May 2018 version (as approved)	Oct 2018 version (as proposed)	Justification for change
Table 1	<p>Construction: Includes all works required to construct the CSSI as described in the EIS/Submissions Report (incorporating Preferred Infrastructure Report), including commissioning trials of equipment and temporary use of part of the CSSI, but excluding the following low impact work:</p> <p>(a) survey works including carrying out general alignment survey, installing survey controls (including installation of global positioning system (GPS)), installing repeater stations, carrying out surveys of existing and future utilities and building and road dilapidation surveys;</p> <p>(b) investigations including investigative drilling, contamination investigations and excavation;</p> <p>(c) establishment of ancillary facilities in approved locations including constructing ancillary facility access roads and providing utilities to the facility;</p> <p>(d) operation of ancillary facilities if the ER has determined the operational activities will have minimal impact on the environment and community;</p> <p>(e) minor clearing and relocation of native vegetation, as identified in the EIS/Submissions Report (incorporating Preferred Infrastructure Report);</p>	<p>Includes all works required to construct the CSSI as described in the EIS/Submissions Report (incorporating Preferred Infrastructure Report), including commissioning trials of equipment and temporary use of part of the CSSI, but excluding the following low impact work:</p> <p>(a) survey works including carrying out general alignment survey, installing survey controls (including installation of global positioning system (GPS)), installing repeater stations, carrying out surveys of existing and future utilities and building and road dilapidation surveys;</p> <p>(b) investigations including investigative drilling, contamination investigations and excavation;</p> <p>(c) establishment of ancillary facilities in approved locations including constructing ancillary facility access roads and providing utilities to the facility;</p> <p>(d) operation of ancillary facilities if the ER has determined the operational activities will have minimal impact on the environment and community;</p> <p>(e) minor clearing and relocation of native vegetation, as identified in the EIS/Submissions Report (incorporating Preferred Infrastructure Report);</p>	<p>The edit for item (f) is for purposes of clarity.</p> <p>The edit for item (j) is intended to enable further investigations to inform the design (e.g. where there may be opportunities to further mitigate potential heritage impacts through design) without triggering the construction related CoAs (e.g. A13 and C7).</p> <p>For the final edit it is considered there would always be "potential" to affect heritage items or threatened species, populations or ecological communities, whether directly or indirectly, and it would not be unreasonable to interpret this requirement such that all "non-construction" activities listed would trigger the need for consultation and determination by the Secretary in consultation with the listed agencies.</p>

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	<p>(f) installation of mitigation measures including erosion and sediment controls, temporary exclusion fencing for sensitive areas and acoustic treatments;</p> <p>(g) property acquisition adjustment works including installation of property fencing, and relocation and adjustments of property utility connections including water supply and electricity;</p> <p>(h) relocation and connection of utilities where the relocation or connection has a minor impact to the environment as determined by the ER;</p> <p>(i) reconfiguration of Robin Thomas Reserve for the purposes of maintaining two sports playing fields;</p> <p>(j) archaeological testing under the Code of practice for archaeological investigation of Aboriginal objects in NSW (DECCW, 2010) or archaeological monitoring undertaken in association with [a]-[i] above to ensure that there is no impact to heritage items;</p> <p>(k) other activities determined by the ER to have minimal environmental impact which may include construction of minor access roads, temporary relocation of pedestrian and cycle paths and the provision of property access including access and egress to construction ancillary facilities; and</p> <p>(l) maintenance of existing buildings and structures required to facilitate the carrying out of the CSSI.</p>	<p>(f) installation of mitigation measures including <u>but not limited to</u> erosion and sediment controls, temporary exclusion fencing for sensitive areas and acoustic treatments;</p> <p>(g) property acquisition adjustment works including installation of property fencing, and relocation and adjustments of property utility connections including water supply and electricity;</p> <p>(h) relocation and connection of utilities where the relocation or connection has a minor impact to the environment as determined by the ER;</p> <p>(i) reconfiguration of Robin Thomas Reserve for the purposes of maintaining two sports playing fields;</p> <p>(j) archaeological testing under the <i>Code of practice for archaeological investigation of Aboriginal objects in NSW</i> (DECCW, 2010), <u>archaeological investigations to inform design</u> or archaeological monitoring undertaken in association with [a]-[i] above to ensure that there is no impact to heritage items;</p> <p>(k) other activities determined by the ER to have minimal environmental impact which may include construction of minor access roads, temporary relocation of pedestrian and cycle paths and the provision of property access including access and egress to construction ancillary facilities; and</p> <p>(l) maintenance of existing buildings and structures required to facilitate the carrying out of the CSSI.</p>	

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	<p>(within the meaning of the Biodiversity Conservation Act 2016) are affected or potentially affected by any low impact work, that work is construction, unless otherwise determined by the Secretary in consultation with OEH or DPI Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation).</p> <p>Construction does not include site establishment works where such works are included as part of a Site Establishment Management Plan approved under Condition C18.</p>	<p>otherwise determined by the Secretary in consultation with OEH or DPI Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation).</p> <p>Construction does not include site establishment works where such works are included as part of a Site Establishment Management Plan approved under Condition C18.</p>	
Table 1	DPI: NSW Department of Primary Industries including DPI Agriculture, DPI Biosecurity and Food Safety, DPI Land and Natural Resources, DPI Water and DPI Fisheries	NSW Department of Primary Industries including DPI Agriculture, DPI Biosecurity and Food Safety, DPI Land and Natural Resources, DPI DoI Water and DPI Fisheries	Minor edit to capture change in department names/roles.
Table 1	NEW	NSW Department of Industry	Minor edit to capture change in department names/roles.
Table 2	Table 2: Reports and Notifications that must be submitted to the Secretary (to be updated following conditions negotiation)	Table 2: Reports and Notifications that must be submitted to the Secretary (to be updated following conditions negotiation)	Minor editorial update
Table 2	E67: CHIP Hostel Options Analysis, Before commencement of construction, Approval	E67: CHIP Hostel Options Analysis, Before commencement of construction in Cumberland Hospital East , Approval	The edit is intended to ensure construction works in other locations may proceed (i.e. where they would not impact the CHIP Hostel or be impacted by any change in alignment considered to avoid any such impact).
Table 2	E94: Design Review Panel Terms of Reference	E94 0 Design Review Panel Terms of Reference	Minor editorial update
Table 2	E106: Tree Register, Before the removal, damage or pruning of a tree for the purposes of the CSSI,	E106: Tree Register, Before the removal, damage or pruning of a tree for the purposes of the CSSI,	This change makes the condition consistent with condition E106,

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	Approval	Approval Information	which states that the IA makes recommendations / endorses the proposed level of impact, and the register is submitted to the Secretary prior to the works. The wording implies the Secretary is only involved in approving an impact where there is a disagreement between the Proponent and the IA.
Table 2	E113: Flood Management Plan	Flood Management PlanDesign Report	Minor editorial update to align with condition E113
A5	<p>Where the terms 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 Secretary with the document or monitoring program or review. The evidence must include:</p> <p>(a) documentation of the engagement with the party(ies) identified in the relevant condition of approval before submitting the document for approval;</p> <p>(b) log of the points of engagement or attempted engagement with the identified party(ies) and a summary of the issues raised by the identified party(ies);</p> <p>(c) documentation of any follow-up with the identified party(ies), where feedback has not been provided, to confirm that the identified party(ies) has none or has failed to provide feedback after repeated requests;</p> <p>(d) outline of the issues raised by the identified party(ies) and how they have been addressed,</p>	<p>Where the terms 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 Secretary with the document or monitoring program or review. The evidence must include:</p> <p>(a) documentation of the engagement with the party(ies) identified in the relevant condition of approval before submitting the document for approval;</p> <p>(b) log of the points of engagement or attempted engagement with the identified party(ies) and a summary of the issues raised by the identified party(ies);</p> <p>(c) documentation of any follow-up with the identified party(ies), where feedback has not been provided, to confirm that the identified party(ies) has none or has failed to provide feedback after repeated requests;</p> <p>(d) outline of the issues raised by the identified party(ies) and how they have been addressed,</p>	The CoA currently implies that <u>all</u> comments or requests from consultees must be actioned. This edit has been proposed for transparency and to clarify that there may be some justifiable circumstances where it is not possible for TfNSW to action all requests.

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	including evidence that the party(ies) is satisfied the issues have been addressed; and (e) a description of any outstanding issues raised by the identified party(ies) and the reasons why.	including evidence that the party(ies) is satisfied the issues have been addressed <u>and/or justification of why the party(ies) recommendation(s) has not been adopted</u> ; and (e) a description of any outstanding issues raised by the identified party(ies) and the reasons why.	
A14	<p>The Staging Report must:</p> <p>(a) if staged construction is proposed, set out how the construction of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when construction of each stage will commence and finish;</p> <p>(b) if staged operation is proposed, set out how the operation of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);</p> <p>(c) specify how compliance with conditions will be achieved across and between each of the stage of the CSSI; and</p> <p>(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.</p>	<p>The Staging Report must:</p> <p>(a) if staged construction is proposed, set out how the construction of the whole of the CSSI will be staged, including details of <u>work and other activities</u> <u>construction</u> to be carried out in each stage and the general timing of when construction of each stage will commence and finish;</p> <p>(b) if staged operation is proposed, set out how the operation of the whole of the CSSI will be staged, including details of work and other activities to be carried out in each stage and the general timing of when operation of each stage will commence and finish (if relevant);</p> <p>(c) specify how compliance with conditions will be achieved across and between each of the stage of the CSSI; and</p> <p>(d) set out mechanisms for managing any cumulative impacts arising from the proposed staging.</p>	<p>Based on the current wording of this CoA all "works", namely "all physical work for the purposes of the CSSI including construction" (refer Table 1) would require preparation and approval by the Secretary of a Staging Report. This would include, for example, early investigations or other minor works determined by the ER to have a minimal environmental impact.</p> <p>It is assumed, however, that the intent of this condition is to capture construction and operation only. The edit is proposed to clarify this requirement.</p>
A16	Where staging is proposed, the terms of this approval that apply or are relevant to the works or activities to be carried out in a specific stage must be complied with at the relevant time identified in the Staging Report for that stage.	Where staging is proposed, the terms of this approval that apply or are relevant to <u>the works or activities</u> <u>construction</u> to be carried out in a specific stage must be complied with at the relevant time identified in the Staging Report for that stage.	Edit proposed consistent with that for CoA A14 (see above).
A23	For the duration of the works until after the	For the duration of the works until after the	Allows the ER to determine a

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	<p>commencement of operation, or as agreed with the Secretary, the approved ER must:</p> <p>(a) receive and respond to communication from the Secretary in relation to the environmental performance of the CSSI;</p> <p>(b) consider and inform the Secretary on matters specified in the terms of this approval;</p> <p>(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;</p> <p>(d) review documents identified in Table 2 and any other documents that are identified by the Secretary, for consistency, in the opinion of the ER, with requirements in or under this approval and if so:</p> <p style="padding-left: 40px;">i) make a written statement to this effect before submission of such documents to the Secretary (if those documents are required to be approved by the Secretary); or</p> <p style="padding-left: 40px;">ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Secretary for information or are not required to be submitted to the Secretary);</p> <p>(e) regularly monitor the implementation of the documents listed in Table 2 to ensure implementation is being carried out in accordance with the document and the terms of this approval;</p> <p>(f) as may be requested by the Secretary, help plan, attend or undertake audits of the CSSI commissioned by the Department including scoping audits,</p>	<p>commencement of operation, or as agreed with the Secretary, the approved ER must:</p> <p>(a) receive and respond to communication from the Secretary in relation to the environmental performance of the CSSI;</p> <p>(b) consider and inform the Secretary on matters specified in the terms of this approval;</p> <p>(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;</p> <p>(d) review documents identified in Table 2 and any other documents that are identified by the Secretary, for consistency, in the opinion of the ER, with requirements in or under this approval and if so:</p> <p style="padding-left: 40px;">i) make a written statement to this effect before submission of such documents to the Secretary (if those documents are required to be approved by the Secretary); or</p> <p style="padding-left: 40px;">ii) make a written statement to this effect before the implementation of such documents (if those documents are required to be submitted to the Secretary for information or are not required to be submitted to the Secretary);</p> <p>(e) regularly monitor the implementation of the documents listed in Table 2 to ensure implementation is being carried out in accordance with the document and the terms of this approval;</p> <p>(f) as may be requested by the Secretary, help plan, attend or undertake audits of the CSSI commissioned by the Department including scoping audits,</p>	<p>broader range of ancillary facilities that may be required to support investigative and early works and only have a minor environmental impact.</p>

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	<p>programming audits, briefings and site visits, but not independent environmental audits required under Condition A41 of this approval;</p> <p>(g) as may be requested by the Secretary, assist the Department in the resolution of community complaints;</p> <p>(h) assess the impacts of minor ancillary facilities comprising lunch sheds, office sheds and portable toilet facilities; and</p> <p>(i) prepare and submit to the 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 days following the end of each month for the duration of the ER's engagement for the CSSI.</p>	<p>programming audits, briefings and site visits, but not independent environmental audits required under Condition A41 of this approval;</p> <p>(g) as may be requested by the Secretary, assist the Department in the resolution of community complaints;</p> <p>(h) assess, <u>and if acceptable approve</u> the impacts of minor ancillary facilities comprising lunch sheds, office sheds and portable toilet facilities <u>or other ancillary facilities determined by the ER to have a minor environmental impact</u>; and</p> <p>(i) prepare and submit to the 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 days following the end of each month for the duration of the ER's engagement for the CSSI.</p>	
C1	A Construction Environmental Management Plan (CEMP) must be must be prepared 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.	A Construction Environmental Management Plan (CEMP) must be must be prepared 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.	Minor editorial update.
C8	Construction must not commence until the CEMP and any CEMP Sub-plan specified in Condition C3 have been approved by the Secretary. The CEMP and CEMP Sub-plans , as approved by the Secretary, including any minor amendments	Construction must not commence until the CEMP and any CEMP Sub-plan specified in Condition C3 have been <u>submitted to, or</u> approved by the Secretary. The CEMP and CEMP Sub-plans , as <u>submitted to, or</u> approved by the Secretary, including	Minor editorial update for consistency, to reflect the fact that some of the documents listed in C3 are for the Secretary's approval whereas others are for information.

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	approved by the ER must be implemented for the duration of construction. Where construction of the CSSI is staged, construction of a stage must not commence until the CEMP and Sub-plans for that stage have been approved by the Secretary.	any minor amendments approved by the ER must be implemented for the duration of construction. Where construction of the CSSI is staged, construction of a stage must not commence until the CEMP and Sub-plans for that stage have been <u>submitted to, or</u> approved by the Secretary.	
E6	<p>Condition Reports</p> <p>Existing condition reports for all roads and all property and infrastructure in the road reserve likely to be used or affected by works must be prepared before commencement of such works. The report must state the current condition of the asset. A copy of the report must be provided to the asset owner no later than one month before the commencement of construction of the CSSI.</p>	<p>Existing condition reports for all roads and all property and infrastructure in the road reserve <u>where the physical condition is likely to be adversely affected the physical condition during works be used or affected by works</u> must be prepared before commencement of such works. The report must state the current condition of the asset. A copy of the report must be provided to the asset owner no later than one month before the commencement of <u>construction works</u> of the CSSI.</p>	<p>Based on the current wording of this condition all "works", namely "all physical work for the purposes of the CSSI including construction" (refer Table 1) would require preparation of a Condition Report.</p> <p>This would include, for example, early investigations that would not be defined as construction activities. While TfNSW always requires the relevant contractor for pre-construction activities to rectify any defects arising from their works, there would not typically be a requirement for a Condition Report. It is TfNSW's preference that this remains the case for these types of pre-construction activities.</p>
E10	<p>Traffic Network Management</p> <p>The Proponent must prepare and implement a Network Management Strategy for construction of the CSSI, in consultation with RMS, Sydney Coordination Office and Relevant Council(s) before impacts on the road network (including intersections) occur. The Strategy must determine appropriate measures to manage impacts to traffic identified in the documents listed in Condition A1, and must include:</p> <p>(a) details of impacts to the network from road closures, directional changes, night works and traffic diversions;</p>	<p>The Proponent must prepare and implement a Network Management Strategy for construction of the CSSI, in consultation with RMS, Sydney Coordination Office and Relevant Council(s) before impacts on the road network (including intersections) occur. The Strategy must determine appropriate measures to manage impacts to traffic identified in the documents listed in Condition A1, and must include:</p> <p>(a) details of impacts to the network from road</p>	<p>Based on the current wording of this CoA all "works", namely "all physical work for the purposes of the CSSI including construction" (refer Table 1) that would impact the road network would require preparation of a Network Management Strategy. This would include, for example, pre-construction activities that could impact the road network (e.g. under an ROL), which are unlikely to have an impact on the wider traffic</p>

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	<p>(b) details of further appropriate network/intersection modelling and analysis undertaken since the EIS and/or Submissions Report was prepared;</p> <p>(c) consideration of cumulative impacts from other construction projects;</p> <p>(d) details of the required intersection upgrades and traffic management measures by precinct to minimise the impacts identified above;</p> <p>(e) vehicular access changes</p> <p>(f) special event management; and</p> <p>(g) changes to bus services.</p> <p>The Strategy must focus on the management of construction related traffic impacts and be provided to the Secretary for information before works commence.</p>	<p>closures, directional changes, night works and traffic diversions;</p> <p>(b) details of further appropriate network/intersection modelling and analysis undertaken since the EIS and/or Submissions Report was prepared;</p> <p>(c) consideration of cumulative impacts from other construction projects;</p> <p>(d) details of the required intersection upgrades and traffic management measures by precinct to minimise the impacts identified above;</p> <p>(e) vehicular access changes;</p> <p>(f) special event management; and</p> <p>(g) changes to bus services.</p> <p>The Strategy must focus on the management of construction related traffic impacts and be provided to the Secretary for information before <u>works-construction</u> commences.</p>	<p>network. Localised impacts are more likely and these are managed through Road Occupancy Licences issued by the relevant Roads Authority.</p> <p>Consequently, it is considered more appropriate, that the intent of this condition is to capture construction activities only.</p>
E11	<p>Parking Management Strategy</p> <p>A Parking Management Strategy must be prepared before works commence and implemented in consultation with the relevant road authority and Relevant Council(s) to manage car parking impacts and kerbside parking access, particularly for the Westmead, Parramatta North, and Parramatta CBD precincts, as a result of the CSSI. The Parking Management Strategy must include, but not be limited to:</p> <p>(a) confirmation of the timing of the removal of on and</p>	<p>A Parking Management Strategy must be prepared before <u>permanent or long term i.e. greater than three (3) months loss of parking. The Strategy must be works commence</u> and implemented in consultation with the relevant road authority and Relevant Council(s) to manage car parking impacts and kerbside parking access, particularly for the Westmead, Parramatta North, and Parramatta CBD precincts, as a result of the CSSI. The Parking Management Strategy must include, but not be limited to:</p>	<p>Based on the current wording of this CoA all "works", namely "all physical work for the purposes of the CSSI including construction" (refer Table 1) regardless of type of impact to parking would require preparation of a Parking Management Strategy. This would include, for example, pre-construction activities which may only impact parking for a matter of hours or a couple of days.</p>

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	<p>off-street parking associated with the construction of the CSSI;</p> <p>(b) comprehensive parking surveys of all parking spaces to be removed to determine current demand during peak, off-peak, school drop-off and pick-up, and weekend periods;</p> <p>(c) assessment of the impacts of changes to on and off-street parking taking into consideration outcomes of consultation with affected stakeholders;</p> <p>(d) identification of measures to manage any reduction in parking including staged removal, resident parking schemes, managed staff parking arrangements, and provision of alternative parking arrangements for accessible and service spaces;</p> <p>(e) replacement parking for specific impacted kerbside uses (e.g. accessible parking and loading zones) within the local vicinity with consideration of the Disability Discrimination Act 1992 (DDA) Public Transport Standards and the DDA Access Code (2010); and</p> <p>(f) monitoring on the efficacy of these measures, including potential unintended traffic impacts and contingencies in the event that the measures implemented are not adequate.</p> <p>The Parking Management Strategy must be submitted to the Secretary for information and the results of monitoring reported in the Operational Traffic, Transport and Access Performance Review required by Condition E18.</p>	<p>(a) confirmation of the timing of the removal of on and off-street parking associated with the construction of the CSSI;</p> <p>(b) comprehensive parking surveys of all parking spaces to be removed to determine current demand during peak, off-peak, school drop-off and pick-up, and weekend periods;</p> <p>(c) assessment of the impacts of changes to on and off-street parking taking into consideration outcomes of consultation with affected stakeholders;</p> <p>(d) identification of measures to manage any reduction in parking including staged removal, resident parking schemes, managed staff parking arrangements, and provision of alternative parking arrangements for accessible and service spaces;</p> <p>(e) replacement parking for specific impacted kerbside uses (e.g. accessible parking and loading zones) within the local vicinity with consideration of the Disability Discrimination Act 1992 (DDA) Public Transport Standards and the DDA Access Code (2010); and</p> <p>(f) monitoring on the efficacy of these measures, including potential unintended traffic impacts and contingencies in the event that the measures implemented are not adequate.</p> <p>The Parking Management Strategy must be submitted to the Secretary for information and the results of monitoring reported in the Operational Traffic, Transport and Access Performance Review required by Condition E18.</p>	<p>It is assumed, however, that the intent of this condition is to capture activities that are likely to have a longer term impact on parking. The edit is proposed to clarify this requirement.</p>

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E27	<p>Highly Noise Intensive Works</p> <p>Except as permitted by an EPL, Highly Noise Intensive Works that result in an exceedance of the applicable NML at the same receiver must only be undertaken:</p> <p>(a) between the hours of 8:00 am to 6:00 pm Monday to Friday;</p> <p>(b) between the hours of 8:00 am to 1:00 pm Saturday; and</p> <p>(c) in continuous blocks not exceeding three (3) hours each with a minimum respite from those activities and works of not less than one (1) hour between each block.</p> <p>For the purposes of this condition, 'continuous' includes any period during which there is less than a one (1) hour respite between ceasing and recommencing any of the work that are the subject of this condition.</p>	<p>Highly Noise Intensive Works</p> <p>Except as permitted by an EPL, <u>or through the Out-Of-Hours Work Protocol</u>, Highly Noise Intensive Works that result in an exceedance of the applicable NML at the same <u>sensitive</u> receiver must only be undertaken:</p> <p>(a) between the hours of 8:00 am to 6:00 pm Monday to Friday;</p> <p>(b) between the hours of 8:00 am to 1:00 pm Saturday; and</p> <p>(c) in continuous blocks not exceeding three (3) hours each with a minimum respite from those activities and works of not less than one (1) hour between each block.</p> <p>For the purposes of this condition, 'continuous' includes any period during which there is less than a one (1) hour respite between ceasing and recommencing any of the work that are the subject of this condition.</p> <p><u>Note: A trial period of the Highly Noise Intensive Work undertaken with the approval of the Out of Hours Work Protocol may be established.</u></p>	<p>Receiver is not defined and could refer to all items along the alignment such as industrial factories. The term sensitive receiver is defined in Table 1. This edit is aligning the condition with the definition in Table 1.</p> <p>In the event that the project does not obtain an Environment Protection Licence there is no mechanism to undertake Highly Noise Intensive Works outside these hours.</p> <p>As the works for the project are largely undertaken on public roads there are requirements to only close roads at certain times of the day and night for safety reasons. Consequently, there needs to be some ability for works to be undertaken outside these hours, with appropriate controls in place to minimise impacts to sensitive receivers. Including this process through the Out of Hours Work Protocol is considered the most appropriate place.</p>
E28	<p>Out of Hours Works Protocol</p> <p>An Out-of-Hours Work Protocol must be prepared to identify a process for the consideration, management and approval of works which are outside the permitted hours defined in Conditions E21 to E22, where an EPL does not apply. The Protocol must be approved by the Secretary before commencement of</p>	<p>Out of Hours Works Protocol</p> <p>An Out-of-Hours Work Protocol must be prepared to identify a process for the consideration, management and approval of works which are outside the permitted hours defined in Conditions E21 to E22, where an EPL does <u>not</u> apply. The Protocol must be approved by the Secretary before</p>	<p>The OOHW Protocol is required under this condition for all OOHW, including for pre-construction activities. However, Condition E25 (as it currently stands) should not require an OOHW protocol for b) emergency works (as there is no time to complete)</p>

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	<p>out-of-hours works. The Protocol must be prepared and implemented in consultation with AA. The Protocol must:</p> <p>(a) provide a process for the consideration of out-of-hours works against the relevant noise and vibration criteria;</p> <p>(b) provide a process for the identification and implementation of mitigation and management measures for residual impacts, in consultation with the community at each affected location, consistent with the requirements of Condition E39;</p> <p>(c) identify an approval process that considers the risk level of activities (in accordance with AS/NZS ISO 31000:2009 "Risk Management"), proposed mitigation, management, and coordination, including where:</p> <p>i) low and moderate risk activities can be approved by the ER in consultation with the AA, and</p> <p>ii) high risk activities that are approved by the Secretary; and</p> <p>(d) identify Department and community notification arrangements for approved out of hours works, which will be detailed in the Communication Strategy.</p>	<p>commencement of out-of-hours works. The Protocol must be prepared and implemented in consultation with AA. The Protocol must:</p> <p>(a) provide a process for the consideration of out-of-hours works against the relevant noise and vibration criteria;</p> <p>(b) provide a process for the identification and implementation of mitigation and management measures for residual impacts, in consultation with the community at each affected location, consistent with the requirements of Condition E39;</p> <p>(c) identify an approval process that considers the risk level of activities (in accordance with AS/NZS ISO 31000:2009 "Risk Management"), proposed mitigation, management, and coordination, including where:</p> <p>i) low and moderate risk activities can be approved by the ER in consultation with the AA, and</p> <p>ii) high risk activities that are approved by the Secretary; and</p> <p>(d) identify Department and community notification arrangements for approved out of hours works, which will be detailed in the Communication Strategy.</p> <p><u>Note: This condition does not apply where works are required for an emergency (as defined in Condition E25) where there may not be sufficient time to prepare an activity specific OOHW Protocol.</u></p>	

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E38	<p>All works undertaken for the delivery of the CSSI, including those undertaken by third parties (such as those undertaken by utility contractors), must be coordinated to ensure respite, including the respite required by Condition E37. The Proponent must:</p> <p>(a) schedule any works to provide respite to impacted noise sensitive receivers so that all respite periods are achieved; or</p> <p>(b) consider the provision of alternative mitigation, including the provision of at receiver treatments and alternative accommodation to impacted noise sensitive receivers; and</p> <p>(c) provide documentary evidence to the AA in support of any decision made by the Proponent in relation to respite or mitigation.</p>	<p>All works undertaken for the delivery of the CSSI, including those undertaken by third parties (such as those undertaken by utility contractors), must be coordinated to ensure respite, including the respite required by Condition E37. The Proponent must:</p> <p>(a) schedule any works to provide respite to impacted noise sensitive receivers so that all respite periods are achieved; or</p> <p>(b) consider the provision of alternative mitigation, including the provision of at receiver treatments and alternative accommodation to impacted noise sensitive receivers; and</p> <p>(c) provide documentary evidence to the AA in support of any decision made by the Proponent in relation to respite or mitigation.</p>	<p>The proposed change clarifies that the condition requires coordination with contractors that are working under the Parramatta Light Rail State Critical Significant Infrastructure conditions of approval.</p>
E39	<p>In order to undertake out-of-hours work as described in Condition E25(c) and (d), the Proponent must identify appropriate work and respite periods for the works in consultation with the community at each affected precinct at three monthly intervals. This consultation must be ongoing and include (but not be limited to) providing the community with:</p> <p>(a) a schedule of likely out-of-hours work for a period of no less than three (3) months;</p> <p>(b) the potential works, location and duration;</p> <p>(c) the noise characteristics and likely noise levels of the works; and</p> <p>(d) likely mitigation and management measures.</p>	<p>In order to undertake out-of-hours work described in Condition E25(c) and (d), the Proponent must identify appropriate work and respite periods for the works in consultation with the community at each affected precinct at three monthly intervals. This consultation must be ongoing and include (but not be limited to) providing the community with:</p> <p>(a) _____ a schedule of likely out-of-hours work for a period of no less than three <u>one (31)</u> months <u>for medium to high risk work (as defined in the Out of Hours Protocol (Condition E28))</u></p> <p>(a)(b) _____ <u>a schedule of likely out-of-hours work for a period of no less than seven (7) days for low risk work (as defined in the Out of Hours Protocol (Condition E28))</u></p>	<p>Based on the current wording of this CoA all "works", namely "all physical work for the purposes of the CSSI including construction" (refer Table 1) that would be OOHW. This would include pre-construction activities as discussed in relation to E25. The required three month notification and consultation requirements are considered too onerous for pre-construction activities of short duration, where such activities are subject to an OOHW protocol under condition E25 e).</p> <p>TfNSW suggest that 3 months change to 1 month notification, and</p>

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	<p>The Proponent shall consider and respond to the affected community's preference for alternative hours and/or durations.</p> <p>The outcomes of the community consultation, the identified respite periods and the scheduling of the likely out-of-hour works must be provided to the AA, ER and the Secretary.</p>	<p>(b)(c) the potential works, location and duration;</p> <p>(e)(d) the noise characteristics and likely noise levels of the works; and</p> <p>(d)(e) likely mitigation and management measures.</p> <p>The Proponent shall consider and respond to the affected community's preference for alternative hours and/or durations.</p> <p>The outcomes of the community consultation, the identified respite periods and the scheduling of the likely out-of-hour works must be provided to the AA, ER and the Secretary.</p>	<p>7 days for low impact work as per TfNSW construction noise strategy and what's proposed to be included in the OOHW protocol.</p>
E42	<p>Construction Noise and Vibration Impact Statements</p> <p>Construction Noise and Vibration Impact Statements must be prepared and implemented for each construction site before construction noise and vibration impacts commence and include specific mitigation measures identified through consultation with affected sensitive receivers. Each Construction Noise and Vibration Impact Statement will supplement the Noise and Vibration Management Sub-Plan and must specifically address each of the major construction sites and must include but not be limited to:</p> <p>(a) a description of the proposed activities;</p> <p>(b) predicted noise and vibration levels based on background noise levels;</p> <p>(c) examination of alternative methods of construction that would potentially reduce noise and vibration if the potential noise and vibration exceeds the relevant</p>	<p>Construction Noise and Vibration Impact Statements must be prepared and implemented for each construction site before construction noise and vibration impacts commence and include specific mitigation measures identified through consultation with affected sensitive receivers. Each Construction Noise and Vibration Impact Statement will supplement the Noise and Vibration Management Sub-Plan and must specifically address each of the major construction sites and must include but not be limited to:</p> <p>(a) a description of the proposed activities;</p> <p>(b) predicted noise and vibration levels based on background noise levels;</p> <p>(c) examination of alternative methods of construction that would potentially reduce noise and</p>	<p>The informal checks under point (g) are currently proposed to be undertaken by the ER. Given the technical nature of the content of the CNVISs, it is suggested that the checks will be best undertaken by the AA, as the nominated noise and vibration specialist for the project.</p>

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	<p>criteria;</p> <p>(d) description and commitment to work practices which limit noise and vibration;</p> <p>(e) description of specific noise and vibration mitigation treatments and time restrictions, including respite periods, duration, and frequency;</p> <p>(f) justification for any activities to be undertaken outside the specified construction hours defined in Conditions E21 and E22;</p> <p>(g) internal noise audit systems including recording of daily hours of construction, progressive impact assessments as work proceeds, conducting informal checks by the ER, providing active and communication links to Council and surrounding residents and sensitive receivers;</p> <p>(h) assessment of potential noise from the proposed construction methods including noise from construction vehicles and noise impacts from required traffic diversions;</p> <p>(i) community consultation and notification;</p> <p>(j) all reasonable and feasible measures including adopting the least noisy available construction methods, systems and equipment;</p> <p>(k) additional noise and vibration mitigation measures as negotiated with affected residents and other sensitive receivers.</p> <p><i>Note: Existing noise levels, pre-construction noise levels, or the like for the purposes of identifying rating background noise levels, noise management levels and construction noise impacts are noise</i></p>	<p>vibration if the potential noise and vibration exceeds the relevant criteria;</p> <p>(d) description and commitment to work practices which limit noise and vibration;</p> <p>(e) description of specific noise and vibration mitigation treatments and time restrictions, including respite periods, duration, and frequency;</p> <p>(f) justification for any activities to be undertaken outside the specified construction hours defined in Conditions E21 and E22;</p> <p>(g) internal noise audit systems including recording of daily hours of construction, progressive impact assessments as work proceeds, conducting informal checks by the ERAA, providing active and communication links to Council and surrounding residents and sensitive receivers;</p> <p>(h) assessment of potential noise from the proposed construction methods including noise from construction vehicles and noise impacts from required traffic diversions;</p> <p>(i) community consultation and notification;</p> <p>(j) all reasonable and feasible measures including adopting the least noisy available construction methods, systems and equipment;</p> <p>(k) additional noise and vibration mitigation measures as negotiated with affected residents and other sensitive receivers.</p> <p><i>Note: Existing noise levels, pre-construction noise levels, or the like for the purposes of identifying rating background noise levels,</i></p>	

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	<i>levels that do not include any other construction related noise.</i>	<i>noise management levels and construction noise impacts are noise levels that do not include any other construction related noise.</i>	
E45	<p>Building Condition Survey</p> <p>Before commencement of any works and with the agreement of the landowner, a structural engineer must undertake building condition surveys of all buildings identified in the documents listed in Condition A1 as being at risk of damage. The results of the surveys must be documented in a Building Condition Survey Report for each building surveyed. Copies of Building Condition Survey Reports must be provided to the landowners of the buildings surveyed, and if agreed by the landowner, the relevant Council within three weeks of completing the surveys and no later than one month before the commencement of construction.</p>	<p>Before commencement of any <u>works-construction</u> and with the agreement of the landowner, a structural engineer must undertake building condition surveys of all buildings identified in the documents listed in Condition A1 as being at risk of damage. The results of the surveys must be documented in a Building Condition Survey Report for each building surveyed. Copies of Building Condition Survey Reports must be provided to the landowners of the buildings surveyed, and if agreed by the landowner, the relevant Council within three weeks of completing the surveys and no later than one month before the commencement of construction.</p>	<p>It is suggested that this requirement is intended to target construction activities, rather than pre-construction activities. Note that any previously unanticipated vibration impacts on structures would be captured under Condition E47.</p>
E62	<p>An Unexpected Heritage Finds Procedure must be prepared:</p> <p>(a) to manage unexpected heritage finds in accordance with any guidelines and standards prepared by the Heritage Council of NSW or OEH; and</p> <p>(b) by a suitably qualified and experienced archaeologist or heritage specialist.</p> <p>The Procedure must be included in the Heritage Management Sub-plan required by Condition C3.</p> <p>Note: Human remains that are found unexpectedly during works are under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately.</p>	<p>An Unexpected Heritage Finds Procedure must be <u>prepared</u>:</p> <p>(a) <u>prepared</u> to manage unexpected heritage finds in accordance with any guidelines and standards prepared by the Heritage Council of NSW or OEH; and</p> <p>(b) <u>certified</u> by a suitably qualified and experienced archaeologist or heritage specialist.</p> <p>The Procedure must be included in the Heritage Management Sub-plan required by Condition C3.</p> <p><i>Note: Human remains that are found unexpectedly during works are under the jurisdiction of the NSW State Coroner and must be reported to the NSW Police immediately.</i></p>	<p>TfNSW currently implement a Standard Procedure across all projects to manage Unexpected Heritage Finds. Furthermore, the TfNSW Unexpected Heritage Finds Guideline is an approved Mitigation Measure from the Submissions and Preferred Infrastructure Report and therefore would be a consistent approach for all contractors on the PLR Project.</p> <p>It is proposed that this procedure not be excluded from use as it was prepared as a TfNSW Environmental Management System Procedure (not by a qualified and experienced archaeologist/heritage specialist). However, this procedure may be</p>

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			certified to meet the intended outcome of this condition.
E64	<p>The Proponent must prepare a Heritage Interpretation Strategy before works which impact on the items identified below commence which identifies and interprets the heritage values and stories of Aboriginal and non-Aboriginal heritage items, archaeology and heritage conservation areas associated with the CSSI. The Heritage Interpretation Strategy must be prepared and implemented in consultation with OEH and the Heritage Council of NSW (or its delegate). The Heritage Interpretation Strategy must be submitted to the Secretary for information and include, but not be limited to:</p> <p>(a) a discussion of the key interpretive themes, stories, archaeological results, and messages proposed to interpret the history and significance of affected heritage items and heritage conservation areas including:</p> <p>i) Parramatta Female Factory and Institutions Precinct within the Cumberland District Hospital Group</p> <p>ii) Lennox Bridge;</p> <p>iii) St Patrick's Roman Catholic Cemetery;</p> <p>iv) The Convict Lumberyard (Arthur Phillip High School site)</p> <p>v) Ancient Aboriginal and Early Colonial Landscape (Robin Thomas Reserve);</p> <p>vi) Queen's Wharf Reserve and stone wall and</p>	<p>The Proponent must prepare a Heritage Interpretation Strategy before works (<u>excluding archaeological excavation required under Condition E70 and E71</u>) which impact on the items identified below commence which identifies and interprets the heritage values and stories of Aboriginal and non-Aboriginal heritage items, archaeology and heritage conservation areas associated with the CSSI. The Heritage Interpretation Strategy must be prepared and implemented in consultation with OEH and the Heritage Council of NSW (or its delegate). The Heritage Interpretation Strategy must be submitted to the Secretary for information and include, but not be limited to:</p> <p>(a) a discussion of the key interpretive themes, stories, archaeological results, and messages proposed to interpret the history and significance of affected heritage items and heritage conservation areas including:</p> <p>i) Parramatta Female Factory and Institutions Precinct within the Cumberland District Hospital Group</p> <p>ii) Lennox Bridge;</p> <p>iii) St Patrick's Roman Catholic Cemetery;</p> <p>iv) The Convict Lumberyard (Arthur Phillip High School site)</p> <p>v) Ancient Aboriginal and Early Colonial Landscape (Robin Thomas Reserve);</p> <p>vi) Queen's Wharf Reserve and stone wall and</p>	<p>Based on the current wording of this CoA all "works", namely "all physical work for the purposes of the CSSI including construction" (refer Table 1). The construction definition allows archaeological testing under the Code of PracticeAboriginal objects, however the Code does not provide for salvage of non-Aboriginal objects in all instances. This edit would allow for heritage salvage (which is required under Condition E70 and E71) to occur before this condition is required (and therefore (b) can be undertaken).</p>

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	<p>potential archaeological site;</p> <p>vii) Dundas Railway Station Group;</p> <p>viii) Prince Alfred Square (and potential archaeological site);</p> <p>ix) Royal Oak Hotel and stables (and potential archaeological site);</p> <p>x) Clyde Carlingford Rail Bridge abutments (Northern); and</p> <p>xi) Clyde Carlingford Rail Bridge abutments (Southern)</p> <p>(b) Consider the information compiled in development of the Heritage Archival Recording and Salvage Report required in Condition E70.</p>	<p>potential archaeological site;</p> <p>vii) Dundas Railway Station Group;</p> <p>viii) Prince Alfred Square (and potential archaeological site);</p> <p>ix) Royal Oak Hotel and stables (and potential archaeological site);</p> <p>x) Clyde Carlingford Rail Bridge abutments (Northern); and</p> <p>xi) Clyde Carlingford Rail Bridge abutments (Southern)</p> <p>Consider the information compiled in development of process for implementing the outcomes of the Heritage Archival Recording and Salvage Report required in Condition E70.</p>	
E67	<p>The proponent must prepare an analysis of alternatives to demolition of CHIP Hostel No. 1 before the commencement of construction. The analysis must be submitted to the Secretary stating a preferred option for approval. If demolition of the CHIP Hostel No. 1 is proposed, justification must be provided which considers the following guidelines included in the Parramatta North Urban Transformation Consolidated Conservation Management Plan (UrbanGrowth NSW, 2017):</p> <p>(a) that there is no prudent or feasible alternative;</p> <p>(b) demolition would result in no or minimal impacts on the heritage significance of the place or the wider Parramatta North Historic Sites; and</p>	<p>The proponent must prepare an analysis of alternatives to demolition of CHIP Hostel No. 1 before the commencement of construction <u>in Cumberland Hospital (East Campus)</u>. The analysis must be submitted to the Secretary stating a preferred option for approval. If demolition of the CHIP Hostel No. 1 is proposed, justification must be provided which considers the following guidelines included in the <i>Parramatta North Urban Transformation Consolidated Conservation Management Plan</i> (UrbanGrowth NSW, 2017):</p> <p>(a) that there is no prudent or feasible alternative;</p> <p>(b) demolition would result in no or minimal impacts on the heritage significance of the place or the wider</p>	<p>The edit is intended to ensure construction works in other locations may proceed (i.e. where they would not impact the CHIP Hostel or be impacted by any change in alignment considered to avoid any such impact).</p>

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	<p>(c) demolition would be of an overall benefit to the heritage significance of the place and the wider Parramatta North Historic Sites.</p> <p>Nothing in this approval permits the demolition of the CHIP Hostel No. 1 without the written approval of the Secretary.</p>	<p>Parramatta North Historic Sites; and</p> <p>(c) demolition would be of an overall benefit to the heritage significance of the place and the wider Parramatta North Historic Sites.</p> <p>Nothing in this approval permits the demolition of the CHIP Hostel No. 1 without the written approval of the Secretary.</p>	
E70	<p>Heritage Archival Recording and Salvage</p> <p>The Proponent must prepare a Heritage Archival Recording and Salvage Report, including photographic recording of heritage items which have been identified for demolition in the documents referred to in Condition A1 and outline the salvage to be undertaken from these items.</p> <p>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).</p> <p>Within 12 months of completing the archival recording, or as otherwise agreed with the Secretary, the Proponent must submit the Heritage Archival Recording and Salvage Report to the Department, the OEH, Heritage Council of NSW, Relevant Council(s), relevant local libraries and local historical societies in the local government area.</p>	<p>The Proponent must prepare a Heritage Archival Recording and Salvage Report, including photographic recording of heritage items which have been identified for demolition <u>or modification</u> in the documents referred to in Condition A1 and outline the salvage to be undertaken from these items.</p> <p>Archival recording must be undertaken by a suitably qualified heritage specialist and prepared in accordance with NSW Heritage Office's <i>How to Prepare Archival Records of Heritage Items</i> (1998) and <i>Photographic Recording of Heritage Items Using Film or Digital Capture</i> (2006).</p> <p>Within 12 months of completing the archival recording, or as otherwise agreed with the Secretary, the Proponent must submit the Heritage Archival Recording and Salvage Report to the Department, the OEH, Heritage Council of NSW, Relevant Council(s), relevant local libraries and local historical societies in the local government area.</p>	<p>It is noted that heritage items which should trigger this condition, notably Robin Thomas Reserve, is not being "demolished", but will nonetheless be impacted. For this reason, "or modified" has been inserted.</p>
E71	<p>Following archival recording as required by Condition E70, and before demolition, the Proponent must salvage from heritage items to be demolished, identify options for sympathetic reuse of salvaged material (including integrated heritage displays) on</p>	<p>Following archival recording as required by Condition E70, and before demolition, the Proponent must salvage material from heritage items identified in Condition E70. Following archival recording, the Proponent must to be demolished,</p>	<p>Under the current condition requirement sub-surface artefacts cannot be recovered "before demolition" (interpreted here as relating to built heritage, and</p>

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	<p>the project or for other options for repository, reuse and display. Suitable repository location(s) must be established in consultation with Relevant Council(s). For any State Heritage-listed items or elements suitable for salvage, suitable repository location(s) must be determined in consultation with the Heritage Division of the OEH.</p> <p>Any residual items and materials are to be made available, through a process to be developed by the Proponent in consultation with the relevant council(s), to landowners within the locality from where the material originated.</p>	<p>identify options for sympathetic reuse of salvaged material (including integrated heritage displays) on the project or for other options for repository, reuse and display. Suitable repository location(s) must be established in consultation with Relevant Council(s) <u>(or Registered Aboriginal Parties, where relevant)</u>. For any State Heritage-listed items or elements suitable for salvage, suitable repository location(s) must be determined in consultation with the Heritage Division of the OEH.</p> <p>Any residual items and materials are <u>where appropriate</u> to be made available, through a process to be developed by the Proponent in consultation with the relevant council(s), to landowners within the locality from where the material originated.</p>	<p>therefore taking place before the construction works) because they would be progressively recovered during excavation for construction.</p> <p>The current wording effectively reflects what is appropriate for non-Aboriginal heritage. It fails to recognise, for example, that return to the landowner may not be appropriate for this reason, or that specific salvage, display and other requirements may have already been agreed with the RAPs in the ACHAR. This is of particular relevance to "heritage items" such as Robin Thomas Reserve, which includes Aboriginal heritage.</p>
E72	<p>Historical Archaeology</p> <p>Before works within a Historical Archaeological Management Unit (HAMU), the Proponent must engage a suitably qualified archaeologist whose experience complies with the NSW Heritage Council's <i>Criteria for Assessment of Excavation Directors</i> (July, 2011) (referred to as the Excavation Director) to oversee and advise on matters associated with historical archaeology and to prepare a Historical Archaeological Research Design and Excavation Methodology.</p>	<p>Before works within <u>a-Zones 1 and 2</u> Historical Archaeological Management Unit (HAMU), the Proponent must engage a suitably qualified archaeologist whose experience complies with the NSW Heritage Council's <i>Criteria for Assessment of Excavation Directors</i> (July, 2011) (referred to as the Excavation Director) to oversee and advise on matters associated with historical archaeology <u>(i.e. non-Aboriginal)</u> and to prepare a Historical Archaeological Research Design and Excavation Methodology.</p>	<p>EIS Technical Paper 11 - Non-Aboriginal Archaeological Assessment includes HAMUs along the entire route of the PLR project. HAMUs are allocated to one of three archaeological management zones developed for the project to manage archaeology with varying levels of significance throughout the project corridor. Each management zone(s) has a defined range of environmental management measures which apply to each HAMU within that zone. Zones 1 and 2 contain State and Local heritage significant items and therefore have specific measures to manage the risk to these items. However, Zone 3 HAMUs have been identified as having "nil to low archaeological</p>

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			<p>resource present", and only standard mitigation measures are required, such as heritage inductions and an advice of an archaeologist in the event of unexpected finds.</p> <p>The condition currently requires a Historical Archaeological Research Design and Excavation Methodology for all activities along the alignment. It is suggested that this is intended to capture only those activities that are likely to impact on heritage sites or items, and therefore only applies to HAMU Zones 1 and 2. The edit to this condition is proposed to remove the requirement for a Historical Archaeological Research Design and Excavation Methodology for HAMUs categorised as Zone 3, which have nil-low potential for encountering archaeology.</p> <p>It is understood this condition would typically only apply to non-Aboriginal heritage, as implied by the use of the term "historic heritage", whereas Aboriginal heritage is managed as agreed with the RAPs and outlined in the ACHAR. Minor text change has been included for clarification.</p>
E73	The Historical Archaeological Research Design and Excavation Methodology must to be submitted to the Heritage Council of NSW (or its delegate) for	The Historical Archaeological Research Design and Excavation Methodology must to be submitted to the Heritage Council of NSW (or its delegate) for	Minor editorial update.

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	<p>review and comment before finalisation. The Historical Archaeological Research Design and Excavation Methodology must:</p> <p>(a) be consistent with NSW Heritage Council Guidelines including:</p> <p>i) Archaeological Assessments (1996);</p> <p>ii) Assessing Significance for Historical Archaeological Sites and Relics (2009),</p> <p>iii) Skeletal Remains (1998), and</p> <p>iv) Historical Archaeological Code of Practice (2009);</p> <p>(b) include provision for early physical investigation of areas of impact identified as likely to contain State significant archaeology in the research design to inform detailed design in these areas to avoid State significant archaeology. This shall include, but not be limited to:</p> <p>i) St Patrick's Roman Catholic Cemetery;</p> <p>ii) Ancient Aboriginal and Early Colonial Landscape / Robin Thomas Reserve; and</p> <p>iii) The Parramatta Town Drains (where these alignments are unclear);</p> <p>(c) provide for the detailed analysis of any archaeological relics discovered during the investigations;</p> <p>(d) include management options for discovered archaeological relics (including options for avoidance, salvage, and display or interpretation);</p>	<p>review and comment before finalisation. The Historical Archaeological Research Design and Excavation Methodology must:</p> <p>(a) be consistent with NSW Heritage Council Guidelines including:</p> <p>i) Archaeological Assessments (1996);</p> <p>ii) Assessing Significance for Historical Archaeological Sites and Relics (2009),</p> <p>iii) Skeletal Remains (1998), and</p> <p>iv) Historical Archaeological Code of Practice (2009);</p> <p>(b) include provision for early physical investigation of areas of impact identified as likely to contain State significant archaeology in the research design to inform detailed design in these areas to avoid State significant archaeology. This shall include, but not be limited to:</p> <p>i) St Patrick's Roman Catholic Cemetery;</p> <p>ii) Ancient Aboriginal and Early Colonial Landscape / Robin Thomas Reserve; and</p> <p>iii) The Parramatta Town Drains (where these alignments are unclear);</p> <p>(c) provide for the detailed analysis of any archaeological relics discovered during the investigations;</p> <p>(d) include management options for discovered archaeological relics (including options for avoidance, salvage, and display or interpretation);</p>	

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	<p>(e) include procedures for notifying the Heritage Council of NSW (or its delegate) and Secretary of any relic as required under s146 of the Heritage Act 1977; and</p> <p>(f) if the findings of the investigations are significant, provide for the preparation and implementation of a heritage interpretation strategy.</p>	<p>(e) include procedures for notifying the Heritage Council of NSW (or its delegate) and Secretary of any relic as required under s146 of the <i>Heritage Act</i> 1977; and</p> <p>(f) if the findings of the investigations are significant, provide for the preparation and implementation of a heritage interpretation strategy.</p>	
E75	<p>In the event that archaeological relics are discovered, the Proponent must prepare an Archaeological Excavation Report containing the findings of any excavations, including artefact analysis and the identification of a final repository of any relics. The report must be submitted to the Secretary, for information, within 12 months of completing all archaeological investigations, unless otherwise agreed with the Secretary. The Archaeological Excavation Report must also be submitted to the NSW Heritage Council, the local library and the local Historical Society in the local government area. A copy of the Archaeological Excavation Report must be provided with the relics.</p>	<p>In the event that <u>non-Aboriginal</u> archaeological relics are discovered, the Proponent must prepare an Archaeological Excavation Report containing the findings of any excavations, including artefact analysis and the identification of a final repository of any relics. The report must be submitted to the Secretary, for information, within 12 months of completing all archaeological investigations, unless otherwise agreed with the Secretary. The Archaeological Excavation Report must also be submitted to the NSW Heritage Council, the local library and the local Historical Society in the local government area. A copy of the Archaeological Excavation Report must be provided with the relics.</p>	Minor editorial edit for clarification.
E78	<p>Works impacting on the following Aboriginal archaeological sites, and any mitigation and salvage measures required, must be specified in the Heritage Management Sub-Plan required by Condition C3:</p> <p>(a) Cumberland Hospital East;</p> <p>(b) Harris Street Footpath / Robin Thomas Reserve;</p> <p>(c) PLR AFT 2; and</p>	<p><u>The Excavation Director must oversee and advise on</u> Wworks impacting on the following Aboriginal archaeological sites, and any mitigation and salvage measures required; must be specified in the Heritage Management Sub-Plan required by Condition C3:</p> <p>(a) Cumberland Hospital East;</p> <p>(b) Harris Street Footpath / Robin Thomas Reserve;</p> <p>(c) PLR AFT 2; and</p>	<p>The Heritage Management Sub Plan is required for Construction and therefore won't be prepared in time for work to commence. Therefore, revised wording proposed to enable the Excavation Director to oversee these works prior to the CEMP being approved. This ensures that the risk of impacting the items is mitigated.</p>

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	(d) Sydney Turf Club Carpark.	(d) Sydney Turf Club Carpark.	
E79	Any Aboriginal objects discovered must be identified in the Heritage Interpretation Strategy required by Condition E65 and, where relevant, include registration in the OEH's Aboriginal Heritage Information Management System (AHIMS) register.	Any Aboriginal objects discovered must be identified in the Heritage Interpretation Strategy required by Condition E64E65 and, where relevant, include registration in the OEH's Aboriginal Heritage Information Management System (AHIMS) register.	Minor editorial update.
E92	<p>The Design Review Panel must be must be chaired by the NSW Government Architect (or its nominee), and must be comprised of, where relevant, a suitably qualified, experienced and independent professional in each of the fields of:</p> <ul style="list-style-type: none"> (a) architecture; (b) urban design and place making; (c) landscape design; (d) Aboriginal cultural heritage and (e) non-Aboriginal heritage. <p>The Chair is to invite Relevant Councils, technical experts, key stakeholders, and NSW government agencies to observe Design Review Panel meetings and to provide advice on local issues, context, and city outcomes. This includes the Heritage Council (or its delegate). The Proponent and its contractor(s) may be invited onto the Panel as observers only and to provide technical advice.</p> <p>Observers or advisors should not be present while the Panel is deciding upon its recommendations.</p> <p>The Proponent must provide independent secretarial</p>	<p>The Design Review Panel must be must be chaired by the NSW Government Architect (or its nominee), and must be comprised of, where relevant, a suitably qualified, experienced and independent professional in each of the fields of:</p> <ul style="list-style-type: none"> (a) architecture; (b) urban design and place making; (c) landscape design; (d) Aboriginal cultural heritage; and (e) non-Aboriginal heritage. <p>The Chair is to invite Relevant Councils, technical experts, key stakeholders, and NSW government agencies to observe Design Review Panel meetings and to provide advice on local issues, context, and city outcomes. This includes the Heritage Council (or its delegate). The Proponent and its contractor(s) may be invited onto the Panel as observers only and to provide technical advice.</p> <p>Observers or advisors should not be present while the Panel is deciding upon its recommendations.</p>	Minor editorial update.

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	resources to the Panel.	The Proponent must provide independent secretarial resources to the Panel.	
E95	<p>Once the Design Review Panel is formed a Design Review Panel Terms of Reference must be developed and endorsed by all panel members and then approved by the Secretary. The Terms of Reference must be submitted to the Secretary for information and:</p> <p>(a) establish best practice governance and protocols for the operation of the Design Review Panel;</p> <p>(b) include a Code of Conduct;</p> <p>(c) outline the agreed frequency of Design Review Panel meetings</p> <p>(d) outline secretariat functions and administration including the recording and storing of meeting agenda, minutes and actions; and</p> <p>(e) identify cessation arrangements.</p>	<p>Once the Design Review Panel is formed a Design Review Panel Terms of Reference must be developed and endorsed by all panel members and then approved by the Secretary. The Terms of Reference must be submitted to the Secretary for information and:</p> <p>(a) establish best practice governance and protocols for the operation of the Design Review Panel;</p> <p>(b) include a Code of Conduct;</p> <p>(c) outline the agreed frequency of Design Review Panel meetings;</p> <p>(d) outline secretariat functions and administration including the recording and storing of meeting agenda, minutes and actions; and</p> <p>(e) identify cessation arrangements</p>	<p>There is a minor inconsistency between the wording of this condition and Table 2. The condition says that the ToR are to be submitted to the Secretary for information, whereas Table 2 says it is submitted for approval.</p>
E103	<p>The Arborist must:</p> <p>(a) be the principal point of advice in relation to the assessment and management of CSSI impacts on trees;</p> <p>(b) prepare a Tree Register of all trees within the CSSI footprint (either for the entire CSSI or separate areas where tree removal and/or pruning is proposed) before the removal of any trees;</p> <p>(c) identify those trees within the footprint that must be removed for construction to proceed or for CSSI operations; and</p>	<p>The Arborist must:</p> <p>(a) be the principal point of advice in relation to the assessment and management of CSSI impacts on trees;</p> <p>(b) prepare a Tree Register of all trees within the CSSI footprint (either for the entire CSSI or separate areas where tree removal and/or pruning is proposed) before the removal of any trees;</p> <p>(c) identify those trees within the footprint that must be removed for construction to proceed or for CSSI operations; and</p>	<p>Wording regarding trees in part (d) is unclear. Some trees for which the fate is initially uncertain will require removal.</p>

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	(d) identify those trees where their fate is uncertain and may be retained or may be pruned (either for construction or for ongoing maintenance during operation).	(d) identify those trees where their fate is uncertain and may be retained, <u>removed</u> or may be pruned (either for construction or for ongoing maintenance during operation).	
E106	The Tree Register and any evidence required by Condition E105 must be submitted to the Secretary before the removal, damage or pruning of a tree for the purposes of the CSSI. The recommendations of the Arborist must be outlined in the Tree Register and implemented by the Proponent, unless otherwise agreed by the Secretary.	The Tree Register and any evidence required by Condition E105 must be submitted to the Secretary before the removal <u>or</u> , damage <u>or pruning</u> <u>(as defined by the Independent Arborist)</u> of a tree for the purposes of the CSSI. The recommendations of the <u>Independent</u> Arborist must be outlined in the Tree Register and implemented by the Proponent, unless otherwise agreed by the Secretary.	During pre-construction activities there may be a need to undertake minor pruning. Having the Independent Arborist confirm that any pruning of trees during work does not damage the tree mitigates the risk of trees being impacted.
E110	<p>Business Activation Plan The Proponent must prepare and implement a Business Activation Plan to manage impacts to businesses on streets affected by construction of the CSSI, including those where access is altered. The Plan must be prepared before construction and must include but not necessarily be limited to:</p> <p>(a) measures to address amenity, vehicular and pedestrian access during business hours and visibility of the business appropriate to its reliance on such, and other reasonable matters raised in consultation with affected business;</p> <p>(b) Business Management Strategies for each stage of construction (and/or activity), identifying affected businesses and associated management strategies, including the employment of place managers and specific measures to assist small business owners adversely impacted by the construction of the CSSI;</p> <p>(c) Business Support Services Program to assist small business owners adversely impacted by construction of the CSSI. The Program must assist</p>	<p>The Proponent must prepare and implement a Business Activation Plan to manage impacts to businesses on streets affected by construction of the CSSI, including those where access is altered. The Plan must be prepared before construction and must include but not necessarily be limited to:</p> <p>(a) measures to address amenity, vehicular and pedestrian access during business hours and visibility of the business appropriate to its reliance on such, and other reasonable matters raised in consultation with affected business;</p> <p>(b) Business Management Strategies for each stage of construction (and/or activity), identifying affected businesses and associated management strategies, including the employment of place managers and specific measures to assist small business owners adversely impacted by the construction of the CSSI;</p> <p>(c) Business Support Services Program to assist small business owners adversely impacted by</p>	<p>Minor editorial update.</p> <p>The relevant condition number in point (d)(iii) should also be added as the "Error! Reference source not found" appears in the Conditions of Approval</p>

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	<p>local businesses to develop proactive business strategies including:</p> <p>i) marketing and promotion;</p> <p>ii) business diversification and business planning; and</p> <p>iii) engagement of specialists to run workshops both before and during construction.</p> <p>(d) establishment of business reference groups to provide, but not be limited to, the following services:</p> <p>i) provide information on the CSSI;</p> <p>ii) discuss mitigation measures to minimise impacts; and</p> <p>iii) consult on out of hours works ('Eat Street' only) where required by Condition Error! Reference source not found.</p> <p>(e) a monitoring program to assess the effectiveness of the measures including business feedback against which effectiveness of the measures will be measured; and</p> <p>(f) provision for reporting of monitoring results to the Secretary, as part of the Compliance Monitoring and Reporting Program required in Condition A30.</p>	<p>construction of the CSSI. The Program must assist local businesses to develop proactive business strategies including:</p> <p>i) marketing and promotion;</p> <p>ii) business diversification and business planning; and</p> <p>iii) engagement of specialists to run workshops both before and during construction.</p> <p>(d) establishment of business reference groups to provide, but not be limited to, the following services:</p> <p>i) provide information on the CSSI;</p> <p>ii) discuss mitigation measures to minimise impacts; and</p> <p>iii) consult on out of hours works ('Eat Street' only) where required by Condition E24 Error! Reference source not found.</p> <p>(e) a monitoring program to assess the effectiveness of the measures including business feedback against which effectiveness of the measures will be measured; and</p> <p>(f) provision for reporting of monitoring results to the Secretary, as part of the Compliance Monitoring and Reporting Program required in Condition A30.</p>	
E113	<p>A Flood Management Plan must be prepared and implemented in respect of the flood prone land and overland flow paths for the waterways and catchments in the CSSI's vicinity. The Plan must be prepared during detailed design to identify the</p>	<p>A Flood Management <u>Plan-Design Report</u> must be prepared and implemented in respect of the flood prone land and overland flow paths for the waterways and catchments in the CSSI's vicinity. The <u>PlanReport</u> must be prepared during detailed</p>	<p>Minor editorial update to clarify between condition E113 and E114 which have similar names.</p>

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	<p>potential adverse impacts of the operation of the CSSI on existing flooding characteristics for a full range of flood events up to and including the probable maximum flood (PMF). The Plan must include but not be limited to:</p> <ul style="list-style-type: none"> (a) the results of further modelling to identify the potential impacts of the CSSI on flood behaviour including consideration of increased rainfall intensity and sea level rise under climate change conditions, consistent with the requirements of the <i>Floodplain Development Manual</i> (2005) and <i>Practical Consideration of Climate Change</i> (2007); (b) the identification of design measures that would be implemented to manage the impacts of flooding on the operation of the CSSI and not worsen the existing flood characteristics. Design of mitigation measures must consider the full range of design events up to the 1% AEP; (c) demonstration of constructability of proposed management measures; (d) sensitivity analyses to assess the risk that additional properties or infrastructure could be subject to changes in existing flood behaviour as a result of the CSSI (i.e. beyond those identified as being impacted in point a) above), for design events up to and including the 1% AEP flood event, namely: <ul style="list-style-type: none"> i) assessment of 100% blockage of pits 	<p>design to identify the potential adverse impacts of the operation of the CSSI on existing flooding characteristics for a full range of flood events up to and including the probable maximum flood (PMF). The <u>ReportPlan</u> must include but not be limited to:</p> <ul style="list-style-type: none"> (a) the results of further modelling to identify the potential impacts of the CSSI on flood behaviour including consideration of increased rainfall intensity and sea level rise under climate change conditions, consistent with the requirements of the <i>Floodplain Development Manual</i> (2005) and <i>Practical Consideration of Climate Change</i> (2007); (b) the identification of design measures that would be implemented to manage the impacts of flooding on the operation of the CSSI and not worsen the existing flood characteristics. Design of mitigation measures must consider the full range of design events up to the 1% AEP; (c) demonstration of constructability of proposed management measures; (d) sensitivity analyses to assess the risk that additional properties or infrastructure could be subject to changes in existing flood behaviour as a result of the CSSI (i.e. beyond those identified as being impacted in point a) above), for design events up to and including the 1% AEP flood event, namely: 	

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	<p>for the pre-development (existing) and post-development (with the CSSI) scenarios;</p> <p>ii) assessment of the impact of local and regional coincident flood peaks; and</p> <p>iii) assessment of cumulative impacts of the CSSI and other state significant developments and/or infrastructure in the CBD being constructed or that have received approval (and for which sufficient design detail is available at the time).</p> <p>(e) the identification of measures to be implemented to minimise scour and dissipate energy at locations where flood velocities are predicted to increase as a result of the CSSI;</p> <p>(f) identification of stormwater drainage system upgrades including those upgrades considered as mitigation measures; and</p> <p>(g) identification of the timing and maintenance responsibility of any necessary works.</p> <p>Not worsen existing flooding characteristics within and in the vicinity of the CSSI means the following:</p> <p>(a) a material increase in the duration of inundation for all design events up to and including a 1% AEP flood event;</p>	<p>i) assessment of 100% blockage of pits for the pre-development (existing) and post-development (with the CSSI) scenarios;</p> <p>ii) assessment of the impact of local and regional coincident flood peaks; and</p> <p>iii) assessment of cumulative impacts of the CSSI and other state significant developments and/or infrastructure in the CBD being constructed or that have received approval (and for which sufficient design detail is available at the time).</p> <p>(e) the identification of measures to be implemented to minimise scour and dissipate energy at locations where flood velocities are predicted to increase as a result of the CSSI;</p> <p>(f) identification of stormwater drainage system upgrades including those upgrades considered as mitigation measures; and</p> <p>(g) identification of the timing and maintenance responsibility of any necessary works.</p> <p>Not worsen existing flooding characteristics within and in the vicinity of the CSSI means the following:</p> <p>(a) a material increase in the duration of inundation for all design events up to and including a 1% AEP flood event;</p>	

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	<p>(b) an increase in flood levels of more than 10 mm at properties for all design events up to and including the 1% AEP flood event; and</p> <p>(c) no increase in high hazard flooding as defined in Appendix L of the NSW Government's Floodplain Development Manual (2005).</p> <p>The Flood Management Plan must be prepared by a suitably qualified and experienced person in consultation with directly affected landowners, Sydney Water, OEH, NSW State Emergency Services and the Relevant Council(s). The Plan must be independently peer reviewed by a suitably qualified and experienced hydrological engineer to confirm that the management of and response to flood events is appropriate.</p> <p>The Plan and results of the peer review must be submitted to the Secretary, for information, and Relevant Council(s) at each design stage associated with the CSSI where there is potential to cause adverse flooding impacts.</p>	<p>(b) an increase in flood levels of more than 10 mm at properties for all design events up to and including the 1% AEP flood event; and</p> <p>(c) no increase in high hazard flooding as defined in Appendix L of the NSW Government's Floodplain Development Manual (2005).</p> <p>The Flood Management <u>Plan-Design Report</u> must be prepared by a suitably qualified and experienced person in consultation with directly affected landowners, Sydney Water, OEH, NSW State Emergency Services and the Relevant Council(s). The <u>ReportPlan</u> must be independently peer reviewed by a suitably qualified and experienced hydrological engineer to confirm that the management of and response to flood events is appropriate.</p> <p>The <u>Plan-Report</u> and results of the peer review must be submitted to the Secretary, for information, and Relevant Council(s) at each design stage associated with the CSSI where there is potential to cause adverse flooding impacts.</p>	
E116	<p>Before the commencement of detailed design of light rail infrastructure, the Proponent must identify EMI susceptible devices that may potentially be affected by CSSI operations and establish baseline electromagnetic field levels at the relevant EMI susceptible devices near the CSSI. Targeted consultation must be carried out with the owners/operators of the identified EMI susceptible devices. The outcomes of these consultations must be documented as part of the Electromagnetic Management Plan required by Condition Error!</p>	<p>Before the<u>To inform the commencement of</u> detailed design of light rail infrastructure, the Proponent must identify EMI susceptible devices that may potentially be affected by CSSI operations and establish baseline electromagnetic field levels at the relevant EMI susceptible devices near the CSSI. Targeted consultation must be carried out with the owners/operators of the identified EMI susceptible devices. The outcomes of these consultations must be documented as part of the Electromagnetic Management Plan required by Condition E116.</p>	<p>This is not practical as design may be undertaken in stages and noting the potential duration of the detailed design phase, it is considered best that the Electromagnetic Management Plan captures the latest information on EMI susceptible devices.</p> <p>We have proposed this edit in order to retain the intent of the condition, but provide sufficient flexibility to</p>

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	Reference source not found..		<p>ensure feasibility of implementation.</p> <p>The relevant condition number should also be added as the "Error! Reference source not found" appears in the Conditions of Approval</p>
E131	Asbestos or asbestos-contaminated materials be uncovered during demolition and construction activities of the CSSI must be strictly managed in accordance with the requirements under the <i>Protection of the Environment Operations (Waste) Regulation 2014</i> and any guidelines or requirements in force at the date of this approval and issued by the EPA in relation to those materials.	Asbestos or asbestos-contaminated materials be that <u>are</u> uncovered during demolition and construction activities of the CSSI must be strictly managed in accordance with the requirements under the <i>Protection of the Environment Operations (Waste) Regulation 2014</i> and any guidelines or requirements in force at the date of this approval and issued by the EPA in relation to those materials.	Minor editorial edit.